



***On target:***

# **Legal and Technical**

***NFU Scotland – fighting for  
your interests***

- **Legal and Tax Advice**

A free legal advice helpline service is provided by solicitors, Gillespie Macandrew WS, a law firm with long experience in assisting farmers, landowners and rural businesses - 0131 2718585.

A free taxation advisory service is available to NFUS members

- **Wages Board**

Secured a new apprenticeship rate of pay. For new employees undertaking an apprenticeship in agriculture (Level 2 Modern Apprenticeship in Agriculture) the basic rate of pay for the first 12 months will increase by 9p per hour from £3.61 to £3.70. This is an increase of 2.5%.

Further information available from the Scottish Agricultural Wages Board

- **Seasonal Workers Caravans**

NFU Scotland has successfully challenged an assertion that a House in Multiple Occupation Licence would be required to cover caravan accommodation for agricultural workers.

Secured a sensible valuation method for determining how a rateable value is determined for caravans occupied by seasonal workers.

- **Agricultural Holdings**

Secure tenants now have a pre-emptive right to buy when their holding comes up for sale. Won new rules obliging compensation for improvements when tenants quit their farms and an end to writing-down agreements.

Worked with the Tenant Farming Forum to secure The Public Services Reform (Agricultural Holdings) (Scotland) Order 2011, which enacted a number of changes to make more land available for rent. NFUS and the TFF are now following this up with the Agriculture Holdings (Amendment) (Scotland) Bill, which seeks to extend the definition of “near relative” to include grandchildren, prohibits the inclusion of rent review clauses in Limited Duration Tenancies (LDTs) that provide for ‘upward only’ or ‘landlord only’ initiated reviews and clarifies how changes in tax, including VAT, affect rental status.

- **Legal Cases**

NFU Scotland took its long running campaign to seek justice for those penalised for unintentionally breaching a livestock support scheme rule to the Scottish Land Court. Although in the end the legal judgement found in favour of the Scottish Government it has helped influence the review into the whole appeals procedure.

Provided assistance to a member who had been charged with culpable and reckless behaviour for moving cattle along a road. The result was that the case was dismissed when it came to Court.

NFUS has supported a number of cases that have gone to the Land Court, primarily regarding eligible land for SFP. These cases were won and NFUS followed up the decisions with the Scottish Government to ensure the decisions will be reflected in Scottish Government.

- **Compulsory Purchase**

NFU Scotland and the Scottish Agricultural Arbiters & Valuers Association are jointly pressing for a change in the current rules governing compensation.

Granters Charters

Working with Scottish and Southern Energy and Scottish Power to publish Grantors Charters, outlining the process the companies must follow when going to farmer's land and what rights the farmer has.

Renewable Energy

Lobbying to support farmers putting up renewable energy schemes to diversify their farm businesses. As a result, the Scottish Government has announced an 'agri-renewables' group will be established to consider issues hampering development in this area.

NFUS is consulted on most new legislation and guidance covering renewable energy in Scotland to ensure issues impacting upon farmers are considered.

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**NFU Scotland – supporting Scotland's farmers, crofters and growers**