EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

The period of three years from 6th August, 1947, during which Orders under section four of the Agriculture Act, 1947 (relating to arrangements for the provision of guaranteed prices and assured markets for producers of produce mentioned in the First Schedule to that Act) may have effect was extended for one year by the Agriculture Act (Part I) Extension of Period Order, 1950 (S.I. 1950, No. 851). This Order, which applies to the whole of the United Kingdom, extends the period for a further year to 5th August, 1952.

AGRICULTURAL HOLDINGS

The Agricultural Holdings Act (Variation of Fourth Schedule) Order, 1951

1951 No. 2168

Made - - - -	20*th November*, 1951
Laid before Parliament	20*th November*, 1951
Coming into Operation	31*st December*, 1951

In exercise of the powers conferred upon him by section seventy-eight of the Agricultural Holdings Act, 1948(**a**), and of all other powers enabling him in that behalf, the Minister of Agriculture and Fisheries, after consultation with such bodies of persons as appear to him to represent the interests of landlords and tenants of agricultural holdings, hereby makes the following order:—*

1. This order may be cited as the Agricultural Holdings Act (Variation of Fourth Schedule) Order, 1951, and shall come into operation on the thirty-first day of December, 1951.

2.—(1) In this order, the expressions "hill sheep" and "hill land" have the same meanings as they have in the Hill Farming Act, 1946(**b**), and hill sheep schemes made thereunder; and the expression "the said Act" means the said Agricultural Holdings Act, 1948.

(2) The Interpretation Act, 1889(**c**), shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

3.—(1) Part II of the Fourth Schedule to the said Act (which specifies matters for which compensation is payable in accordance with the provisions of the said Act) shall be varied by the addition thereto of the following paragraph, to be numbered 11:—

"11. Acclimatisation, hefting or settlement of hill sheep on hill land."

(2) Save as otherwise provided in this order, every reference in the said Act to Part II of the Fourth Schedule shall be construed as including a reference to the said paragraph 11 thereof.

(**a**) 11 & 12 Geo. 6. c. 63. (**b**) 9 & 10 Geo. 6. c. 73.
(**c**) 52 & 53 Vict. c. 63.

* The necessary Resolutions were passed by the House of Commons on 3rd December, 1951, and by the House of Lords on 5th December, 1951.

4.—(1) Where the tenant entered into occupation of the holding on or after the first day of March, nineteen hundred and forty-eight, but before the coming into operation of this order, subsection (1) of section forty-seven of the said Act shall not apply to him so far as regards the matters specified in the said paragraph 11 of Part II of the Fourth Schedule to the said Act unless, before the termination of the tenancy, he gives notice in writing to the landlord stating that he elects that it is to apply to him as regards those matters.

(2) In the cases mentioned in paragraphs (*a*) and (*b*) of subsection (2) of the said section forty-seven, the tenant shall not be entitled to give a notice under the foregoing paragraph of this Article after the expiration of the periods respectively mentioned in the said paragraphs (*a*) and (*b*); and the said paragraphs shall have effect, in relation to a notice under the foregoing paragraph of this Article, as if for the words " the matters specified in Part II of the Fourth Schedule ", where they occur in the said paragraph (*a*), there were substituted the words " the matters specified in paragraph 11 of Part II of the Fourth Schedule."

(3) In a case where, by virtue of paragraph (1) of this Article, subsection (1) of the said section forty-seven does not apply to the tenant as regards the matters specified in the said paragraph 11 of Part II of the Fourth Schedule to the said Act,—

(*a*) subsections (2) and (3) of section fifty-six and subsection (2) (other than the proviso) of section sixty-three of the said Act shall have effect as if the references therein to any such matter as is specified in Part II of the Fourth Schedule did not include a reference to any matter specified in the said paragraph 11 of Part II of the Fourth Schedule; and

(*b*) the proviso to section sixty-four and subsection (2) of section sixty-five of the said Act shall have effect as if the references therein to a matter or matters specified in Part II of the Fourth Schedule were references only to a matter or matters specified in the said paragraph 11 of Part II of the Fourth Schedule.

(4) Where the tenant entered into occupation of the holding before the first day of March, nineteen hundred and forty-eight, and has before the coming into operation of this order given a notice under proviso (*c*) to subsection (1) of section forty-seven of the said Act, —

(*a*) the said subsection (1) shall apply to him as if the reference therein to any such matter as is specified in Part II of the Fourth Schedule did not include a reference to any matter specified in the said paragraph 11 of Part II of the Fourth Schedule; and

(*b*) the three foregoing paragraphs of this Article shall apply to him as if he had entered into occupation of the holding on or after the said first day of March but before the coming into operation of this order.

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this twentieth day of November, nineteen hundred and fifty-one.

(L.S.) *Tom Dugdale.*

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order implements the recommendation of the Committee on Agricultural Valuation(a) to add to Part II of the Fourth Schedule to the Agricultural Holdings Act, 1948, the acclimatisation, hefting or settlement of hill sheep on hill land, thereby conferring on tenants of agricultural holdings a statutory right to compensation therefor in appropriate cases. Article 4 of the Order contains provisions relating to tenancies current when the Order takes effect, and certain consequential provisions relating thereto. Briefly, the new provisions of Part II of the Fourth Schedule will not apply to a tenant in occupation of a holding when the Order takes effect, unless he so elects; while an election already made before the Order takes effect, to apply the existing provisions of Part II of the Fourth Schedule to a "sitting tenant", will not operate to apply the new provisions, for which a specific election will be required in the case of such "sitting tenants".

The Order has been made after consultation, as required by the Act of 1948, with bodies representative of landlords and tenants of agricultural holdings.

The Agriculture (Control of Notices to Quit) (Service Men) Regulations, 1951

1951 No. 1786

Made - - - -	*2nd October*, 1951
Laid before Parliament	*5th October*, 1951
Coming into Operation	*5th October*, 1951

In pursuance of subsection (1) of Section 26 of the Agricultural Holdings Act, 1948(b), as applied by subsection (6) of Section 21 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951(c), and of all other powers enabling him in that behalf, the Minister of Agriculture and Fisheries hereby makes the following Regulations:—

1. These Regulations may be cited as the Agriculture (Control of Notices to Quit) (Service Men) Regulations, 1951, and the Agriculture (Control of Notices to Quit) Regulations, 1948(d), and these Regulations may be cited together as the Agriculture (Control of Notices to Quit) Regulations, 1948-51.

2. These Regulations shall come into operation on the fifth day of October, 1951.

3.—(1) Except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:—

"the Act" means the Agricultural Holdings Act, 1948;

"the Minister" means the Minister of Agriculture and Fisheries.

(2) The Interpretation Act, 1889(e), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(a) Second Report, H.M.S.O. (1950).
(b) 11 & 12 Geo. 6. c. 63.
(c) 14 & 15 Geo. 6. c. 65.
(d) S.I. 1948 (No. 190) I, p. 66.
(e) 52 & 53 Vict. c. 63.