Now, therefore, His Majesty is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows:—

**1.** Sections 78 to 81 of the said Act and Section 110 thereof (so far as it relates to the enactment set out in the Schedule to this Order) shall come into operation on the 30th day of September, 1948.

**2.** This Order may be cited as the Agriculture Act, 1947 (Commencement) (No. 4) Order, 1948.

*E. C. E. Leadbitter.*

THE SCHEDULE

ENACTMENT REPEALED

| Session and Chapter. | Short Title. | Extent of Repeal. |
|---|---|---|
| 15 & 16 Geo. 5. c. 39. | The Agricultural Returns Act, 1925. | The whole Act, as well in its application to Scotland as in its application to England. |

## (2) AGRICULTURAL HOLDINGS

# The Agricultural Holdings (England and Wales) Rules, 1948
## 1948 No. 1943

*Made* - - - - 20*th August,* 1948
*Coming into Operation* 1*st October,* 1948

The Minister of Agriculture and Fisheries, by virtue and in exercise of the powers vested in him under the Agricultural Holdings Act, 1948(a), hereby prescribes as follows:—

**1.** An award in an arbitration under the Agricultural Holdings Act, 1948, shall be in the form set forth in the First Schedule hereto, or to the like effect, with such modifications of the terms thereof as circumstances may require.

**2.** The several forms for proceedings in arbitrations under the said Act which are set forth in the Second Schedule hereto, shall, if used, be sufficient:

Provided that in any case where, by virtue of paragraph 28 of the Sixth Schedule to the said Act, anything is to be done by the President of the Royal Institution of Chartered Surveyors in place of the Minister of Agriculture and Fisheries, the said forms may be used with any necessary modifications or adaptations.

**3.** These Rules extend to England and Wales only, and shall come into operation on the 1st day of October, 1948.

**4.** The Agricultural Holdings (England) Rules of 1923(b), shall remain in force for the purpose only of awards or applications made before the 1st day of October, 1948.

**5.** These Rules may be cited as the Agricultural Holdings (England and Wales) Rules, 1948.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this 20th day of August, 1948.

(L.S.) *T. Williams.*

(a) 11 & 12 Geo. 6. c. 63. (b) S.R. & O. 1923 (No. 779) p. 430.

## THE FIRST SCHEDULE TO THE ABOVE RULES

### FORM A

### Form of Award

AGRICULTURAL HOLDINGS ACT, 1948

Insert name (if any) and description of holding.

In the matter of an agricultural holding known as [lately] in the occupation of A.B., of (the [quitting] tenant). To all to whom these presents shall come, I, F.G., of send greeting.

Whereas under the Agricultural Holdings Act, 1948, the claims, questions or differences set forth in the Schedule to this Award are referred to arbitration in accordance with the provisions set out in the Sixth Schedule to the said Act:

And Whereas by an appointment, dated the day of 19 , signed by [or on behalf of] the said A.B., and C.D. [or sealed by the Minister of Agriculture and Fisheries, as the case may be] I, the said F.G., was duly appointed under the Agricultural Holdings Act, 1948, to act as arbitrator for the purpose of settling the said claims, questions or differences in accordance with the provisions set out in the Sixth Schedule to the said Act:

[And Whereas the time for making my Award has been extended by the Minister of Agriculture and Fisheries to the day of 19 ]:

Now know ye that I, the said F.G., having taken upon myself the burden of the said reference, and having heard, examined and considered the witnesses and evidence concerning the said claims, questions or differences so referred to me as aforesaid, do make and publish this my Award of and concerning the same in manner following, that is to say:—

1. I award and determine that the said A.B. is entitled to receive from the said C.D. the sum of pounds shillings and pence, as compensation in respect of the claims set forth in the first part of the Schedule hereto, the amount awarded in respect of each claim being as there stated.

2. I award and determine that the said C.D. is entitled to receive from the said A.B. the sum of pounds shillings and pence, in respect of the claims set forth in the second part of the Schedule hereto, the amount awarded in respect of each claim being as there stated.

3. I determine the questions or differences set forth in the third part of the Schedule hereto in manner following (that is to say): [Here set out determinations.]

*Note:*—The date in paragraphs 4 and 5 must not be later than one calendar month after the delivery of the Award.

4. I award and determine that the said sum(s) of pounds shillings and pence (and pounds shillings and pence) awarded by me shall, subject to the provisions of the Agricultural Holdings Act, 1948, be paid by the said C.D. to the said A.B. on the day after the delivery of this Award; and that the said sum of pounds shillings and pence awarded by me shall, subject as aforesaid, be paid by the said A.B. to the said C.D. on the same day.

5. I award and direct that the costs of and incidental to the arbitration and this Award shall be paid by the said A.B. *or* C.D. *or* by the said A.B. and C.D. in the following proportions, namely, part thereof by the said A.B. and part thereof by the said C.D. (or otherwise as may be directed), *or* I award and direct that each party shall bear its own costs of and incidental to this arbitration, and shall pay part of my costs of this Award, and that any costs payable by the one party to the other party

under or by virtue of this Award shall be so paid on the day after the delivery of this Award. See note above.

In Witness whereof I have hereunto set my hand this day of 19 .

Signed by the said F.G. in the presence of

F.G.

*The Schedule referred to in the above-written Award*

(Here set forth the claims, questions or differences to be determined. Part I will contain claims by the tenant; Part II will contain claims by the landlord; Part III will contain any other matter. The person making the Award must state separately in the Award the amounts awarded in respect of the several claims referred to him. Where claims are made under the Second, Third, Fourth or Fifth Schedules to the Act, the amounts awarded must, where either party has so required, be shown separately against each numbered item as set out in those Schedules. Where claims are made under contract or custom and not under statute, the amounts awarded must, in such circumstances, be separately stated in like manner.)

*Note.*—The Award may be endorsed as follows:—

This Award was delivered to A.B. (or C.D.) on the day of 19 .

F.G.

## THE SECOND SCHEDULE TO THE ABOVE RULES

FORM B

(Application for Appointment by Minister of Agriculture and Fisheries of Arbitrator to determine claims, questions or differences arising between the landlord and tenant of a holding except as to rent.)

### AGRICULTURAL HOLDINGS ACT, 1948

To the Minister of Agriculture and Fisheries.

The landlord and tenant having failed to agree as to the person to act as arbitrator and there being no provision in any agreement between them relating to the appointment of such arbitrator, I/we* hereby apply to the Minister of Agriculture and Fisheries to appoint an arbitrator for the purpose of settling the claims, questions or differences set forth [below] [overleaf].†

‡ Signature .....

‡ State whether landlord or tenant or duly authorised agent of either.....

.....

.....

Date.....19 .

* Strike out such of the words as are inapplicable.

† Under paragraph 6 of the Sixth Schedule to the Act of 1948 the parties to the arbitration must, within 14 days from the appointment of the arbitrator, deliver to him a statement of their respective cases, with all necessary particulars. Such a statement cannot afterwards be amended, except with the arbitrator's consent ; and the parties will be bound by it when the hearing takes place.

‡ The appointment will be expedited if the application is signed by or on behalf of both parties.

| Particulars required | Replies | |
|---|---|---|
| 1. Name and address of holding ... | Name of holding .....<br>,, parish .....<br>,, county ..... | |
| 2. Name and address of landlord ... | | |
| 3. Name and address of landlord's agent (if any) | | |
| 4. Name and address of tenant ... | | |
| 5. Name and address of tenant's agent (if any) | | |
| 6. Has the tenancy terminated ? If so, state date of termination | | |
| 7. Has an extension of time been granted, under Section 70(3) of the Agricultural Holdings Act, 1948 for the settlement of claims? If so, state date to which granted. | | |
| 8. Approximate area of holding ... | Acres | |
| 9. Description of the holding (for example, mixed, arable, dairying, market garden). | | |
| 10. Nature of the claim in respect of which arbitration is desired.* *Care should be taken to set out the claim in detail showing the section or Schedule of the Agricultural Holdings Act, 1948, under which each item is claimed; and in the case of claims for improvements and tenant right (where the amounts awarded are required by either party to be shown separately) indicating each numbered item of the Second, Third, Fourth or Fifth Schedules to the said Act for which any claim is made. Where claims are made under contract or custom and not under statute, the items for which claim is made should, in such circumstances, be separately stated in like manner.* | Claim by the tenant for :— | Claim by the landlord for :— |
| | Improvements and Tenant Right. | Items of dilapidation, deterioration or damage. |
| | Continuous adoption of special system of farming. | Reduction in the value of the holding generally. |
| | Disturbance. | |
| | Other claims by tenant (whether under statute, contract or custom). | Other claims by landlord (whether under statute, contract or custom). |

* If there is insufficient space in the adjoining column, use a sheet of plain paper, and attach it to this form.

FORM C

(Application for Appointment by Minister of Agriculture and Fisheries of Arbitrator to determine claims, questions or differences arising between the landlord and tenant of a holding as to the rent).

AGRICULTURAL HOLDINGS ACT, 1948

To the Minister of Agriculture and Fisheries.

The landlord and tenant having failed to agree as to the person to act as arbitrator and there being no provision in any agreement between them relating to the appointment of such arbitrator, I/we* hereby apply to the Minister of Agriculture and Fisheries to appoint an arbitrator† as to the rent to be paid for the holding referred to [below] [overleaf] as from the next ensuing date at which the tenancy could have been terminated by notice to quit given by the {tenant* / landlord*} at the date of the demand in writing for arbitration made by him to the {landlord* / tenant*}

‡Signature .....

‡State whether landlord or tenant or duly authorised agent of either.....

.....

Date.....19 .

* Strike out such of the words as are not applicable.

† Under paragraph 6 of the Sixth Schedule to the Act of 1948 the parties to the arbitration must, within 14 days from the appointment of the arbitrator, deliver to him a statement of their respective cases, with all necessary particulars. Such a statement cannot afterwards be amended, except with the arbitrator's consent ; and the parties will be bound by it when the hearing takes place.

‡ The appointment will be expedited if the application is signed by or on behalf of both parties.

| Particulars required | Replies |
|---|---|
| 1. Name and address of holding ... | Name of holding<br>,, parish<br>,, county |
| 2. Name and address of landlord ... | |
| 3. Name and address of landlord's agent (if any). | |
| 4. Name and address of tenant ... | |
| 5. Name and address of tenant's agent (if any). | |
| 6. Approximate area of holding ... | Acres. |

| Particulars required | Replies |
|---|---|
| 7. Description of the holding (for example, mixed, arable, dairying, market garden). | |
| 8. Has a demand in writing for an arbitration as to the rent to be paid for the holding been made by one party to the other? If so, state the date of such demand and whether it was made by the landlord or the tenant. | |
| 9. At what date would the tenancy of the holding terminate by notice to quit? | |
| 10. (*a*) On what date did the tenancy commence?<br>(*b*) On what date did any previous increase or reduction of the rent take effect?<br>(*c*) On what date took effect any previous direction of an arbitrator that the rent should continue unchanged? | |

FORM D

(Application to Minister of Agriculture and Fisheries, for extension of time for award.)

AGRICULTURAL HOLDINGS ACT, 1948

To the Minister of Agriculture and Fisheries.

As the time for making the Award in the arbitration referred to below will expire (expired*) on the day of 19
I do hereby apply for an extension of the time for making the said Award to the day of 19 .

I enclose postal order (cheque*) for 5s. being the amount of the fee payable to the Ministry on such extension.

Signature.....

.....

I (We*) concur in the above application,

(Note :—The application will be expedited if it is signed by or on behalf of both parties.) .....
.....
.....

Date 19 .

* Strike out such of the words as are not applicable.

| Particulars required | Replies |
|---|---|
| 1. Name and address of holding ... | Name of holding<br>,, parish<br>,, county |
| 2. Name and address of landlord ... | |
| 3. Name and address of landlord's agent (if any). | |
| 4. Name and address of tenant ... | |
| 5. Name and address of tenant's agent (if any). | |
| 6. Name and address of arbitrator ... | |
| 7. Was the arbitrator appointed—<br>(*a*) by agreement between the parties, or<br>(*b*) in default of such agreement, by the Minister ? | |

## (3) AGRICULTURAL LAND TRIBUNALS

# The Agriculture (Areas for Agricultural Land Tribunals) Order, 1948

## 1948 No. 192

*Made - - - -* *24th February*, 1948
*Laid before Parliament* *25th February*, 1948
*Coming into Operation* *1st March*, 1948

In pursuance of subsection (1) of section seventy-three of the Agriculture Act, 1947(a), and of all other powers enabling him in that behalf, the Minister of Agriculture and Fisheries hereby makes the following Order:—

**1.** For the purposes of section seventy-three of the said Agriculture Act, 1947, there shall be eight areas, specified in the first column of the Schedule hereto, and each of such areas shall comprise the administrative counties set out opposite to each area in the second column of the said Schedule.

(a) 10 & 11 Geo. 6. c. 48.