Enactment.	Nature of Amendment.
s. 7 - -	For the words "wilfully refuses" there shall be substituted the words "wilfully omits or refuses."
s. 12 - -	After the words "like or superior rank" there shall be inserted the words "and any person upon whom the "powers of a superintendent of police are for the purpose "of this Act conferred by a Secretary of State."

SECOND SCHEDULE.

Section 11.

PROVISIONS OF PRINCIPAL ACT REPEALED.

In subsection (1) of section one the words "and shall be liable "to penal servitude for any term not less than three years and not "exceeding seven years."

Subsection (3) of section two.

Section four.

In section seven the words "and liable to imprisonment with or "without hard labour for a term not exceeding one year, or to a fine, "or to both imprisonment and a fine."

CHAPTER 76.

An Act to amend the Corn Production Act, 1917, and the Enactments relating to Agricultural Holdings.

[23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

AMENDMENT OF THE CORN PRODUCTION ACT, 1917.

Continuance of Corn Production Act, 1917. 7 & 8 Geo. 5. c. 46.

1.—(1) Subject as hereinafter provided, the provisions of the Act of 1917 shall continue in force until Parliament otherwise determines:

Provided that it shall be lawful for His Majesty, on an Address presented to him by both Houses of Parliament praying that the Act of 1917 shall cease to be in force, by Order in Council to declare that that Act shall cease to be in force on the

expiration of the fourth year subsequent to the year in which the Order is made.

(2) In the event of an Order in Council being made under this section, the expiration of the provisions of the Act of 1917 by virtue of the Order shall not affect the right to any payments under Part I. of that Act in respect of the wheat and oats of the year on the termination of which those provisions expire or of any previous year, or any rights, privileges, obligations or liabilities acquired, accrued, or incurred under those provisions before the date on which those provisions expire, or any penalty, forfeiture, or punishment incurred in respect of any offence committed under those provisions before that date, or in respect of any statement or representation made in connection with a claim under those provisions, whether the statement, representation, or claim was made before or after that date.

Amendment as to minimum price and average price

2.—(1) The minimum prices for the wheat and oats of the year nineteen hundred and twenty-one and any subsequent year shall be such prices for a statutory quarter as correspond to the following minimum prices for the wheat and oats respectively of the year nineteen hundred and nineteen (hereinafter referred to as "the standard year"):—

Wheat	-	68*s.*	per customary quarter of	504	pounds.
Oats	-	46*s.*	,, ,,	336	,,

and the corresponding minimum prices shall be fixed in respect of each year in accordance with the following provisions:—

(*a*) The Commissioners to be appointed under this Part of this Act shall, as soon as possible after the completion of the harvest in the year nineteen hundred and twenty-one and each subsequent year, ascertain, after consideration of any information furnished by the Minister, the Board of Agriculture for Scotland, and the Department of Agriculture and Technical Instruction for Ireland, the percentage by which the cost of production of the wheat and oats respectively of that year is greater or less than the cost of production of the wheat and oats respectively of the standard year:

(*b*) In ascertaining the variation in the cost of production no account shall be taken of any variation of rent, except any variation that is attributable to a variation in the cost of maintenance:

(*c*) The corresponding minimum prices for the wheat and oats respectively of any year shall be such sums as are certified by the Commissioners to bear to the minimum prices for the wheat and oats respectively of the standard year the same proportion as the cost of production of the wheat and oats respectively of

the year for which the prices are to be fixed bears to the cost of production of the wheat and oats respectively of the standard year.

(2) Any fraction of a penny in the average price or minimum price per statutory quarter shall be disregarded.

(3) The foregoing provisions of this section shall have effect in substitution for the provisions of subsection (1) of section two of the Act of 1917.

(4) The expresssion " statutory quarter " shall be substituted for the expression " quarter " wherever that expression occurs in the Act of 1917.

Appointment, remuneration, and powers of Commissioners.

3.—(1) For the purposes of this Part of this Act, there shall be three Commissioners, one of whom shall be appointed by the Minister, and the Board of Agriculture for Scotland jointly, one by the Treasury and one by the Board of Trade.

(2) There shall be paid to the Commissioners such remuneration as the Treasury may determine, and any such remuneration and the expenses of the Commissioners, up to an amount sanctioned by the Treasury, shall be defrayed out of moneys provided by Parliament.

(3) The Commissioners may, subject to any directions given by the Treasury, pay to any person requested by them to furnish particulars with respect to the subject-matter of their inquiry or to attend before them such reasonable expenses as such person shall incur in respect thereof.

(4) The Commissioners shall not, except with the consent of the person concerned, include in any report or publication made or authorised by them any information obtained by them in the course of an inquiry made by them under this section as to the business carried on by any person which is not available otherwise than through evidence given to them during the inquiry, nor shall any Commissioner or any person concerned in the inquiry, except with such consent as aforesaid, disclose any such information.

Power to enforce proper cultivation.

4.—(1) The Minister, if in any case he is of opinion after consultation with the agricultural committee (if any) for the area in which the land is situate—

(*a*) that any arable or grass land not being a park, garden, or pleasure ground or land adjoining a mansion house or garden attached thereto and required for their protection or amenity or woodland or land cultivated for osiers, is not being cultivated according to the rules of good husbandry; or

(*b*) that the production of food on any such land as aforesaid can, in the national interest and without injuriously affecting the persons interested in the land or altering the general character of the holding, be maintained or increased by the occupier by means of an improvement in the existing method of cultivation; or

(*c*) that the occupier of such land as aforesaid has unreasonably neglected to execute thereon the necessary works of maintenance being, in the case of land occupied by a tenant, works which he is liable to execute under the conditions of his tenancy or rendered necessary by his act or default; or

(*d*) that the owner of such land as aforesaid in the occupation of a tenant has unreasonably neglected to execute thereon the necessary works of maintenance, not being works to which the preceding paragraph applies;

may serve notice, in the case of neglect to execute the necessary works of maintenance, on the tenant or owner, as the case may be, requiring him to execute the necessary works specified in the notice within such time as may be so specified, and in any other case on the occupier of the land requiring him to cultivate the land in accordance with such directions as the Minister may give for securing that the cultivation shall be in accordance with the rules of good husbandry or for securing the necessary improvement in the existing method of cultivation, so however as not to interfere with the discretion of the occupier as to the crops to be grown, and the Minister may, in the same or any subsequent notice so served, provide for securing to the landlord such payments or other benefits (if any) as the Minister thinks just on account of any profit or benefit derived or expected to be derived by the tenant by reason of the execution by the owner of any works of maintenance, and any such provision of the notice shall have effect as if it was contained in the contract of tenancy:

Provided that, if any person on whom any notice is served under this section is aggrieved by the notice, he may, within the prescribed time, require the question whether the land has been cultivated according to the rules of good husbandry, or whether the production of food on the land can in the national interest be maintained or increased by the occupier by means of the required improvement in the existing method of cultivation, or whether such improvement will injuriously affect the persons interested in the land, or alter the general character of the holding, or whether the works required to be executed are necessary works of maintenance, or whether the time specified in the notice for the execution of such works is reasonable, to be referred to arbitration in accordance with Part IV. of the Act of 1917, and, where any question is so referred to arbitration, no action shall be taken for enforcing the directions given by the Minister until the determination of the reference or except in accordance with the terms of the award, and, where the person on whom any notice is served is a tenant, the landlord shall have the same right as the tenant of requiring any question to be referred to arbitration.

(2) Where any notice is served on a tenant, a copy of the notice shall, at the same time, be served on the landlord.

(3) No action shall be taken by the Minister or by the agricultural committee (if any) under subsection (1) of this section unless a full report in writing signed on behalf of the Minister or of the committee, setting out in detail the matters complained of and the improvements or works required, has been served upon the owner and occupier.

(4) Where a notice has been served under this section on the owner or occupier of any land requiring him within a time specified in the notice to execute some work and that person unreasonably fails to comply with the requirements of the notice, he shall be liable, on summary conviction in respect of each offence, to a fine not exceeding twenty pounds and to a further fine not exceeding twenty shillings for every day during which the default continues after conviction :

Provided that—

(*a*) proceedings for an offence under this subsection shall not be instituted except by the Minister; and

(*b*) the Minister shall be entitled to execute any work specified in the notice, and to recover summarily as a civil debt from the person in default the reasonable cost of executing such work in a proper and workmanlike manner, and the right to institute any such proceedings shall not be prejudiced by the fact that the Minister has executed the work specified in the notice.

(5) Where a notice has been served on the owner of any land in the occupation of a tenant requiring him within a time specified in the notice to execute necessary works of maintenance and the owner fails to comply with the requirements of the notice, the Minister may authorise the tenant to execute the works in a proper and workmanlike manner, and a tenant so authorised shall be entitled to execute the works accordingly, and at any time after the works have been executed to recover from the owner the costs reasonably incurred by him in so doing, in the same manner in all respects as if those costs were compensation awarded in respect of an improvement under the Act of 1908.

(6) A notice under this section shall not require any work to be executed within a period of less than one month from the date of the notice, unless in the opinion of the Minister it is necessary that the work should be executed within some shorter period specified in the notice.

(7) Where the Minister is of opinion, after consultation with the agricultural committee, that the owner of any agricultural estate situate wholly or partly in the area of the committee, whether the estate or any part thereof is or is not in the occupation of tenants, grossly mismanages the estate to such an extent as to prejudice materially the production of food thereon or the welfare of those who are engaged in the cultivation of the estate, the Minister may, if he thinks it necessary or desirable

so to do in the national interest, and after holding such public inquiry as he thinks proper and after taking into consideration any representations made to him by the owner, by order appoint such person as he thinks fit to act as receiver and manager of the estate or any part thereof:

Provided that—

(*a*) an order made under this subsection shall not, except where the person appointed by the order to act as receiver and manager of the estate is appointed to act in the place of a person previously appointed under this subsection, take effect until a period of six months has elapsed after the date on which notice of the order having been made was given to the owner of the estate, and the owner may, at any time during the said period, appeal against the order to the High Court in accordance with rules of court, and, where any such appeal is made, the order shall not take effect pending the determination of the appeal; and

(*b*) an order made under this subsection shall not, except with the consent of the owner, extend to a mansion house, or the garden or grounds attached thereto, or to any land which at the date of the order forms part of any park attached to and usually occupied with the mansion house, and required for the amenity or convenience of the mansion house, or to any land or buildings which are not used, or intended to be used, for agricultural purposes; and

(*c*) an order made under this subsection shall not operate to deprive any person, except with his consent, of any sporting rights over the estate which do not interfere with the production of food on the estate; and

(*d*) any person appointed to act as receiver and manager of any estate under this section shall render a yearly report and statement of accounts to the owner or his agent and to the Minister; and

(*e*) the powers conferred by this subsection shall be in addition to and not in derogation of any other powers conferred on the Minister under this section.

The Minister may, by an order made under this provision, apply for the purposes of the order, with such modifications as he thinks fit, any of the provisions of section twenty-four of the Conveyancing and Law of Property Act, 1881, which relates to the powers, remuneration, and duties of receivers appointed by mortgagees, and authorise the receiver and manager to exercise such other powers vested in the owner of the estate as

44 & 45 Vict. c. 41.

may be specified in the order and may be reasonably necessary for the proper discharge by him of his duties as receiver and manager:

Provided that the receiver and manager shall not have power to sell or create any charge upon the estate or any part thereof or to cut or sell timber or underwood thereon, except with the consent of the owner or with the approval of the High Court obtained upon an application made for the purpose in accordance with rules of court.

The owner of any estate in respect of which an order has been made under this subsection may, at any time after the expiration of three years from the date of the order, or after any change in the ownership of the estate, apply to the Minister to have the order appointing the receiver and manager revoked, and, if on any such application the Minister refuses to revoke the order, the owner may appeal against the refusal to the High Court, in accordance with rules of court.

The Minister shall, on the application of a purchaser of any land subject to the provisions of an order made under this subsection, revoke the order so far as it affects that land.

(8) If within one month after the Minister has, in pursuance of this section, appointed a receiver and manager in respect of any land the owner of the land so requires, a record of the condition of the buildings, fences, gates, roads, drains, ditches, and cultivation of the land shall be made within three months after the date of requisition by a person to be appointed, in default of agreement, by the President of the Surveyors' Institution; and in default of agreement the cost of making such record shall be borne by the Minister and the owner in equal portions.

(9) For the purposes of this section, the expression "necessary works of maintenance" means such of the following works as are necessary for the proper cultivation and working of the land on which they are to be executed and are capable of being executed without prohibitive or unreasonable expense (that is to say):—

(*a*) The maintenance and clearing of drains, embankments, and ditches;

(*b*) The maintenance and proper repair of fences, stone walls, gates, and hedges;

(*c*) The execution of repairs to buildings:

Provided that a notice under subsection (1) of this section requiring any person to maintain or clear any drains, embankments, or ditches shall not operate so as to impose on that person any obligation in that behalf if and so far as the execution of the works required is rendered impossible by reason of the subsidence of any land or the blocking of outfalls which are not under the control of that person.

(10) Where the Minister is satisfied that there are injurious weeds to which this subsection applies growing upon any land,

he may serve upon the occupier of the land a notice in writing requiring him to cut down or destroy the weeds in the manner and within the time specified in the notice, and, where the occupier unreasonably fails to comply with the requirements of the notice, the provisions of subsection (4) of this section shall have effect.

The expression "occupier" in this subsection means, in the case of any public road, the authority by whom the road is being maintained, and, in the case of unoccupied land, the person entitled to the occupation thereof.

Regulations may be made under this Act for prescribing the injurious weeds to which this subsection is to apply.

(11) The foregoing provisions of this section shall have effect in substitution for section nine of the Act of 1917.

(12) In this section the expression "owner" includes a person entitled for his life or other limited estate.

Arbitrations under the Corn Production Act, 1917.

5.—(1) If in any arbitration under Part IV. of the Act of 1917 the arbitrator states a case for the opinion of the county court on any question of law, the opinion of the court on any question so stated shall be final unless within the time and in accordance with the conditions prescribed by rules of the Supreme Court either party appeals to the Court of Appeal, from whose decision no appeal shall lie, except with leave of that Court.

52 & 53 Vict. c. 49.

(2) The Arbitration Act, 1889, shall not apply to any arbitration under Part IV. of the Act of 1917.

Establishment of wages committees in Wales.

6. Subsection (1) of section five of the Act of 1917 shall not apply to Wales, and in lieu thereof the provisions contained in the Second Schedule of the Act of 1917 shall, subject as hereinafter provided, apply with respect to Wales as they apply with respect to Scotland, with the substitution of the Minister of Agriculture and Fisheries for the Board of Agriculture for Scotland:

Provided that—

(1) The provisions of the said schedule with respect to combinations of districts, and paragraph (4) of the said schedule shall not apply, and there shall be constituted in accordance with a scheme to be framed by the Minister a central agricultural wages committee for Wales (in this section referred to as "the central committee") consisting of a chairman appointed by the Minister, and of two representatives of each district wages committee (one of whom shall represent employers, and the other of whom shall represent workmen) to be elected by the district committee, and of two women to be appointed by the Minister; and

(2) The Minister shall appoint a person to act as secretary to the central committee; and

(3) The powers of the Agricultural Wages Board established under the Act of 1917 shall continue to be exercisable until such time as the central committee is duly constituted under this section; and

(4) Any rate of wages fixed, or order made by the Agricultural Wages Board shall continue in force in Wales unless and until it is varied or revoked by the central committee, and any permit granted by the said Board to a workman under subsection (3) of section five of the Act of 1917 shall, in relation to the employment of that workman in Wales, have effect as if it were granted by the central committee.

Service of notices under Part IV. of Corn Production Act, 1917.

7. Every notice required to be served or given by the Minister under Part IV. of the Act of 1917, on or to the owner or occupier of any land or any landlord may either be served personally on that person or sent by post to or left at his usual place of abode in the United Kingdom, and in case any person on or to whom any such notice is to be served or given is absent from the United Kingdom and his usual place of abode in the United Kingdom cannot after diligent enquiry be found the notice may be served by sending it by post to or leaving it with any agent ordinarily receiving the rents of the land on behalf of that person or by sending a copy thereof by post to or leaving it with the occupier of the land to which the notice relates for transmission to the owner or landlord, or, if there is no such occupier, by affixing a copy thereof on some conspicuous part of that land.

Annual accounts to be furnished by agricultural committees.

8. It shall be the duty of each agricultural committee referred to in this Act to furnish annually to the Minister full accounts showing the expenditure which has been made by such committee in the carrying out of the provisions of this Part of this Act, and the Minister shall submit to Parliament the returns made by agricultural committees under this section or a sufficient abstract thereof.

Commencement of Part IV. of Corn Production Act, 1917.

8 & 9 Geo. 5. c. 36.

9. Part IV. of the Act of 1917 shall, if not in operation at the date of the commencement of this Act, come into operation on that date, and the powers continued in operation by subsection (3) of section eleven of the Act of 1917 as amended by the Corn Production (Amendment) Act, 1918, shall, if they have not previously ceased, cease on that date except in relation to any land of which the Minister is on that date in possession by himself or any person deriving title from him, or any land to which on that date subsection (2) of section thirty of the Land Settlement (Facilities) Act, 1919, applies.

9 & 10 Geo. c. 59.

PART II.

AMENDMENT OF AGRICULTURAL HOLDINGS ACTS.

Compensation for disturbance.

10.—(1) Where the tenancy of a holding terminates after the commencement of this Act by reason of a notice to quit given, after the twentieth day of May, nineteen hundred and twenty, by the landlord, and in consequence of such notice the tenant quits the holding, then, unless the tenant—

(*a*) was not at the date of the notice cultivating the holding according to the rules of good husbandry; or

(*b*) had, at the date of the notice, failed to comply within a reasonable time with any notice in writing by the landlord served on him requiring him to pay any rent due in respect of the holding or to remedy any breach being a breach which was capable of being remedied of any term or condition of the tenancy consistent with good husbandry; or

(*c*) had, at the date of the notice, materially prejudiced the interests of the landlord by committing a breach which was not capable of being remedied of any term or condition of the tenancy consistent with good husbandry; or

(*d*) was at the date of the notice a person who had become bankrupt or compounded with his creditors; or

(*e*) has, after the commencement of this Act, refused, or within a reasonable time failed, to agree to a demand made to him in writing by the landlord for arbitration as to the rent to be paid for the holding as from the next ensuing date at which the tenancy could have been terminated by notice to quit given by the landlord at the date of the said demand; or

(*f*) had, at the date of the notice, unreasonably refused, or within a reasonable time failed, to comply with a demand made to him in writing by the landlord requiring him to execute at the expense of the landlord an agreement setting out the existing terms of the tenancy;

and, in the case of a notice to quit given after the commencement of this Act, unless the notice to quit states that it is given for one or more of the reasons aforesaid, compensation for the disturbance shall be payable by the landlord to the tenant in accordance with the provisions of this section:

Provided that compensation shall not be payable under this section in any case where the landlord has made to the tenant an offer in writing to withdraw the notice to quit and the tenant has unreasonably refused or failed to accept the offer.

(2) The landlord of a holding may at any time apply to the agricultural committee for the area in which the holding is situate for a certificate that the tenant is not cultivating the

holding according to the rules of good husbandry, and, on any such application being made, the committee, after giving to the landlord and the tenant or their respective representatives an opportunity of being heard, shall, as they think proper, either grant or refuse the certificate within one month after the date of the application.

The landlord or tenant may, within seven days after the notification to him of the refusal or grant by the committee of a certificate, require the question as to whether the holding is being cultivated according to the rules of good husbandry to be referred to an arbitrator who may grant a certificate for the purpose of this subsection or revoke the certificate granted by the committee, and the award of the arbitrator shall be given within twenty-eight days of the date on which the matter is referred to him.

Subject to any such appeal, a certificate granted under this subsection shall be conclusive evidence that the holding is not being cultivated according to the rules of good husbandry.

In the case of a holding situate in a county borough for which an agricultural committee has not been appointed this subsection shall have effect with the substitution of the Minister for an agricultural committee.

(3) Where, after the commencement of this Act, the landlord of a holding refuses, or within a reasonable time fails to agree to, a demand made to him in writing by the tenant for arbitration as to the rent to be paid for the holding as from the next ensuing date at which the tenancy could have been terminated by notice to quit given by the tenant at the date of the said demand, and by reason of the refusal or failure the tenant exercises his power of terminating the tenancy by a notice stating that it is given for that reason, the tenant shall be entitled to compensation in the same manner as if the tenancy had been terminated by notice to quit given by the landlord. Provided that such compensation shall not be payable if the circumstances are such that a notice to quit could have been given by the landlord for any of the reasons mentioned in paragraphs (*a*), (*b*), or (*c*) of subsection (1) of this section.

(4) The provisions of this section relating to demands for arbitration as to the rent to be paid for a holding shall not apply where the demand, if made later than six months after the commencement of this Act, is so made that the increase or reduction of the rent would take effect at some time before the expiration of two years from the commencement of the tenancy of the holding or from the date on which a previous increase or reduction of the rent took effect.

(5) An arbitrator, in determining for the purposes of this section what rent is properly payable in respect of a holding, shall not take into account any increase in the rental value which is due to improvements which have been executed thereon so far as they were executed wholly or partly by and at the

expense of the tenant without any equivalent allowance or benefit made or given by the landlord in consideration of their execution and have not been executed by him under an obligation imposed by the terms of his contract of tenancy, or fix the rent at a higher amount than would have been properly payable if those improvements had not been so executed, and shall not fix the rent at a lower amount by reason of any dilapidation or deterioration of land or buildings made or permitted by the tenant.

(6) The compensation payable under this section shall be a sum representing such loss or expense directly attributable to the quitting of the holding as the tenant may unavoidably incur upon or in connection with the sale or removal of his household goods, implements of husbandry, fixtures, farm produce or farm stock on or used in connection with the holding, and shall include any expenses reasonably incurred by him in the preparation of his claim for compensation (not being costs of an arbitration to determine the amount of the compensation), but for the avoidance of disputes such sum shall, for the purposes of this Act, be computed at an amount equal to one year's rent of the holding, unless it is proved that the loss and expenses so incurred exceed an amount equal to one year's rent of the holding, in which case the sum recoverable shall be such as represents the whole loss and expenses so incurred up to a maximum amount equal to two years' rent of the holding.

(7) Compensation shall not be payable under this section—

(*a*) in respect of the sale of any goods, implements, fixtures, produce or stock unless the tenant has before the sale given the landlord a reasonable opportunity of making a valuation thereof; or

(*b*) unless the tenant has, not less than one month before the termination of the tenancy, given notice in writing to the landlord of his intention to make a claim for compensation under this section; or

(*c*) where the tenant with whom the contract of tenancy was made has died within three months before the date of the notice to quit; or

(*d*) if in a case in which the tenant under section twenty-three of the Act of 1908 accepts a notice to quit part of his holding as a notice to quit the entire holding, the part of the holding affected by the notice given by the landlord, together with any other part of the holding affected by any previous notice given under that section by the landlord to the tenant, is less than one-fourth part of the original holding, or the holding as proposed to be diminished is reasonably capable of being cultivated as a separate holding, except compensation in respect of the part of the holding to which the notice to quit related; or

(*e*) where the holding was let to the tenant by a corporation carrying on a railway, dock, canal, water, or other undertaking, or by a government department or a local authority, and possession of the holding is required by the corporation, department, or authority for the purpose (not being the use of the land for agriculture) for which it was acquired by the corporation, department, or authority, or appropriated under any statutory provision; or

(*f*) in the case of a permanent pasture which the landlord has been in the habit of letting annually for seasonal grazing, and which has since the fourth day of August nineteen hundred and fourteen and before the commencement of this Act been let to a tenant for a definite and limited period for cultivation as arable land, on the condition that the tenant shall, along with the last or waygoing crop, sow permanent grass seeds; or

(*g*) where a written contract of tenancy has been entered into (whether before or after the commencement of this Act) for the letting by the landlord to the tenant of a holding, which at the time of the creation of the tenancy had then been for a period of not less than twelve months in the occupation of the landlord, upon the express terms that if the landlord desires to resume that occupation before the expiration of a specified term not exceeding seven years the landlord should be entitled to give notice to quit without becoming liable to pay to the tenant any compensation for disturbance, and the landlord desires to resume occupation within the specified period, and such notice to quit has been given accordingly.

(8) In any case where a tenant holds two or more holdings, whether from the same landlord or different landlords, and receives notice to quit one or more but not all of the holdings, the compensation for disturbance in respect of the holding or holdings shall be reduced by such amount as is shown to the satisfaction of the arbitrator to represent the reduction (if any) of the loss attributable to the notice to quit by reason of the continuance in possession by the tenant of the other holding or holdings.

(9) The landlord shall, on an application made in writing after the commencement of this Act by the tenant of a holding to whom a notice to quit has been given which does not state the reasons for which it is given, furnish to the tenant within twenty-eight days after the receipt of the application a statement in writing of the reasons for the giving of the notice, and, if he fails unreasonably so to do, compensation shall be payable

under this section as if the notice to quit had not been given for a reason specified in subsection (1) of this section.

(10) If any question arises as to whether compensation is payable under this section or as to the amount payable by way of compensation under this section, the question shall, in default of agreement, be determined by arbitration under the Act of 1908.

(11) The expression "holding" in this section shall not include any land which forms part of any park, garden, or pleasure ground attached to and usually occupied with the mansion house, or any land adjoining the mansion house which is required for its protection or amenity, and the compensation for disturbance payable in respect of a notice to quit given in respect of any such land shall be such compensation (if any) as would have been payable under section eleven of the Act of 1908 if this Act had not been passed.

(12) Compensation payable under this section shall be in addition to any compensation to which the tenant may be entitled in respect of improvements, and shall be recoverable in the same manner as such compensation and be payable notwithstanding any agreement to the contrary.

Compensation for disturbance in case of allotment gardens.

11.—(1) The provisions of this Act as to compensation for disturbance in the case of a holding shall apply with the necessary modifications in the case of an allotment garden, but subject to the provisions of this section.

(2) Where the tenancy of an occupier of an allotment garden is terminated by reason of a notice to quit which is less than one year's notice, the compensation shall be either such an amount as is payble under the provisions applied by this section or such an amount as represents the benefits which would have accrued to the occupier from the occupation of the allotment garden on the terms of the expired tenancy during the period between the date of the expiration of the tenancy and the end of one year from the date on which the notice to quit was given, whichever amount is greater:

Provided that this subsection shall not apply where possession of the land is reasonably required for naval, military, or air force purposes or for building, mining, or other industrial purposes, or for roads necessary in connection with any of those purposes.

(3) Compensation under this section shall not be payable in the case of an allotment garden provided by a local authority for the purposes of the Small Holdings and Allotments Act, 1908, where the occupier is resident more than one mile out of the district of the local authority.

8 Edw. 7. c. 36.

(4) Any question as to whether compensation is payable under this section, or as to the amount payable, shall be determined under and in accordance with the provisions of the Allotments and Cottage Gardens (Compensation for Crops) Act, 1887, in the same manner as the amount of compensation for

50 & 51 Vict. c. 26.

crops or other matters is determined under that Act, and the compensation under this section shall be in addition to any compensation payable under that Act.

(5) So much of the last-mentioned Act as provides that that Act shall not extend to the Metropolis is hereby repealed as respects any tenancy which terminates after the commencement of this Act.

Application of Act to cottage on holdings under Act of 1908.

12. Where the occupation of a dwelling-house (including a garden attached thereto) forming part of a holding to which the Act of 1908 applies has been allowed by the tenant of the holding to a workman employed by him in agriculture on the holding, whether the occupation is under a contract of tenancy or not, and the occupation is terminated on account of the termination by the tenant of the holding of the employment of the workman, the provisions of the section of this Part of this Act relating to compensation for disturbance shall (subject as hereinafter provided and so far as the same are capable of application) apply as if the dwelling-house (including a garden attached thereto) were a holding and, where there is no contract of tenancy, as if the person allowing the dwelling-house to be so occupied were the landlord and the workman were the tenant, and the notice to terminate the occupation were a notice to quit:

Provided that—

(1) compensation shall not be payable under this section if—

(*a*) the notice to terminate the occupation is given before the expiration of six weeks from the commencement of the occupation; or

(*b*) the tenant of the holding has, before giving the notice, obtained from the district wages committee, or a sub-committee to which power in that behalf has been delegated by the committee, a certificate that the termination of the occupation is necessary or expedient to enable the holding to be worked properly or to better advantage; or

(*c*) the employment of the workman is for a year or half-year, and the occupation is terminated at the end of such period; or

(*d*) the workman does not cease to occupy the dwelling-house on the expiration of the notice to terminate his occupation thereof or on the expiration of a period of two months from the date when the notice was given whichever is the later; or

(*e*) the notice is given by reason of the employment of the workman having been terminated on account of his misconduct, and such reason shall be substituted for the reasons specified in subsection (1) of the said section; and

(2) for the purpose of compensation the year's rent of the dwelling-house shall be taken to be a sum equal to fifty-two times the maximum weekly value (not exceeding in any case three shillings) of the benefit of the provision of a cottage free from rent and rates as determined for the district under the provisions of the Act of 1917; and

(3) subsections (2) and (3) and paragraph (*b*) of subsection (7) of the said section shall not apply; and

(4) any question as to whether compensation is payable under this section or as to the amount payable shall, on the application of the tenant or workman, be determined by the district wages committee or a sub-committee to which power in that behalf has been delegated by the committee, and the committee or sub-committee may, in any case in which it appears to them to be just, direct the payment by the tenant to the workman of a sum in respect of his expenses of appearing before them, and any sum so directed to be paid shall be recoverable summarily by the tenant as a civil debt:

Provided also that, where under paragraph (*b*) of this section the tenant of a holding seeks to obtain a certificate from the district wages committee or a sub-committee of that committee, the workman shall be entitled to appear before the district wages committee or the sub-committee, as the case may be, and shall, in the event of the certificate being refused, also be entitled to recover from the tenant such sum as the committee, or sub-committee, may direct in respect of any expenses incurred by him in appearing before them.

Extension of tenancies under leases for a term of years.

13.—(1) In the case of a tenancy of a holding for a term of two years or upwards, the tenancy shall not terminate on the expiration of the term for which it was granted unless not less than one year nor more than two years before the date fixed for the expiration of the term a written notice has been given by either party to the other of his intention to terminate the tenancy, and any notice so given shall be deemed to be a notice to quit for the purposes of the Act of 1908 and this Act.

(2) If no such notice is given the tenancy shall, as from the expiration of the term for which it was granted, continue as a tenancy from year to year, but otherwise so far as applicable on the terms of the original tenancy.

(3) This section shall not apply to any tenancy granted, or agreed to be granted, before the commencement of this Act.

(4) In any case to which this section shall apply, it shall apply notwithstanding any agreement to the contrary.

Amendment of Landlord and Tenant Act, 1851. 14 & 15 Vict. c. 25.

14. Where the tenancy of a holding determines in the circumstances mentioned in section one of the Landlord and Tenant Act, 1851, the tenant shall, instead of continuing in

occupation as provided by that section until the expiration of the then current year of his tenancy, continue in occupation until the occupation is determined by a twelve months' notice to quit expiring at the end of a year of the tenancy.

Amendment of law as to improvements.

15.—(1) Where the landlord of any holding refuses or within a reasonable time fails to consent in manner required by section two of the Act of 1908 to the making of any improvement comprised in Part I. of the First Schedule to that Act (other than the erection, alteration, or enlargement of buildings or an improvement comprised in the Third Schedule to that Act) which is declared by regulation made by the Minister to be an improvement to which this subsection applies, either absolutely or except upon such terms as the tenant is unwilling to accept, the agricultural committee for the area in which the holding is situate may, on the application of the tenant and after giving the landlord or his representative an opportunity of being heard, direct that the improvement shall be treated for the purposes of the Act of 1908 as if it were an improvement comprised in Part II. of the First Schedule to that Act, and any direction given by the agricultural committee under this subsection may be given subject to such conditions, if any, for the protection of the landlord, as the committee think fit:

Provided that, in considering any such application, the agricultural committee shall have special regard to the estimated cost of the improvement in relation to the rent of the holding.

A draft of any regulations made under this subsection shall be laid before each House of Parliament for not less than thirty days during which that House is sitting, and, if either House before the expiration of that period presents an address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, but without prejudice to the making of any new draft regulation.

(2) The Minister may by regulation substitute such percentages or period as he thinks fit for the percentages and period mentioned in subsection (3) of section three of the Act of 1908, having due regard to the current rates of interest.

(3) Subject to the provisions of this section, where a tenant desires to make on his holding or any part of his holding any improvement comprised in the Third Schedule to the Act of 1908 and the landlord refuses, or within a reasonable time fails, to agree in writing that the holding or that part of the holding shall be treated as a market garden, the agricultural committee for the area in which the holding is situate may, on the application of the tenant and after hearing the landlord or his representative, and after being satisfied that the holding or part of the holding is suitable for the purposes of market gardening, direct that section forty-two of the Act of 1908 shall, either in respect of all the improvements comprised in the said Third Schedule or in respect of some only of those improvements,

apply to the holding or to that part thereof, and the said section shall apply accordingly as respects any improvements executed after the date on which the direction is given :

Provided that nothing in this subsection shall authorise the breaking up of meadow land or pasture.

Any direction given by an agricultural committee under this subsection shall be subject to such conditions, if any, for the protection of the landlord, as the committee may think fit to attach to the direction, and, where any such direction is given, the following provisions shall have effect :—

(*a*) If the tenancy is terminated by notice to quit given by the tenant or by reason of the tenant becoming bankrupt or compounding with his creditors, the tenant shall not be entitled to compensation in respect of any such improvements as are specified in the direction unless the tenant not later than one month after the date on which the notice to quit is given or the date of the bankruptcy or composition, as the case may be, or such later date as may be agreed, produces to the landlord an offer in writing by a substantial and otherwise suitable person (being an offer which is to hold good for a period of three months from the date on which it is produced), to accept a tenancy of the holding from the termination of the existing tenancy thereof, and on the terms and conditions of that tenancy so far as applicable, and, subject as hereinafter provided, to pay to the outgoing tenant all compensation payable under the Act of 1908, or under the contract of tenancy, and the landlord fails to accept the offer within three months after the production thereof; and

(*b*) If the landlord accepts any such offer, the incoming tenant shall pay to the landlord on demand all sums payable to him by the outgoing tenant on the termination of the tenancy in respect of rent or breach of contract or otherwise in respect of the holding, and any amount so paid may, subject to any agreement between the outgoing tenant and incoming tenant, be deducted by the incoming tenant from any compensation payable by him to the outgoing tenant; and

(*c*) If the direction relates to part only of the holding, the direction may, on the application of the landlord, be given subject to the condition that the tenant shall consent to the division of the holding into two parts (one such part being the part to which the direction relates) to be held at rents agreed by the landlord and tenant or in default of agreement settled by the committee, but otherwise on the same terms and conditions as the original holding, so far as applicable.

(4) A new tenancy created by the acceptance of a tenant in accordance with the provisions of this section on the terms and conditions of the existing tenancy shall not be deemed to be a new tenancy for the purposes of the provisions of this Act relating to demands for arbitration as to rent.

(5) The powers under this section of an agricultural committee may, in the case of a holding situate in a county borough for which an agricultural committee has not been appointed, be exercised by the Minister.

(6) In the exercise of their powers under this section the agricultural committee and the Minister shall have regard to the likelihood of the land being required for any purpose other than agriculture.

(7) If in any case a landlord or tenant by notice in writing given to the other party shall so require, the powers which under this section may be exercised by a committee shall in that case be exercised by an arbitrator appointed and acting under and in accordance with the provisions of the Act of 1908.

Compensation for continuous adoption of special standard or system of farming.

16.—(1) Where a tenant who quits a holding after the commencement of this Act on so quitting proves to the satisfaction of an arbitrator appointed under the Act of 1908 that the value of the holding to an incoming tenant has been increased during the tenancy by the continuous adoption of a standard of farming or a system of farming which has been more beneficial to the holding than the standard or system (if any) required by the contract of tenancy, the arbitrator shall award to the tenant such compensation as in his opinion represents the value to an incoming tenant of the adoption of that standard or system :

Provided that—

(*a*) This section shall not apply in any case unless a record of the condition of the holding has been made under the Act of 1908 or in respect of any matter arising before the date of the record so made; and

(*b*) Compensation shall not be payable under this section unless the tenant has, before the termination of the tenancy, given notice in writing to the landlord of his intention to claim such compensation; and

(*c*) The arbitrator in assessing the value to an incoming tenant shall make due allowance for any compensation agreed or awarded to be paid to the tenant for any improvement specified in the First Schedule to the Act of 1908 which has caused or contributed to the benefit.

(2) Nothing in this section shall entitle a tenant to recover in respect of an improvement specified in the First Schedule or the Third Schedule to the Act of 1908 any compensation

which he would not have been entitled to recover if this section had not been passed.

(3) The continuous adoption of such a beneficial standard or system of farming as aforesaid shall be treated as an improvement for the purposes of the provisions of this Act relating to the determination of the rent properly payable in respect of a holding.

Determination of claims for compensation where a holding is divided.

17.—(1) Where a holding has become vested in more than one person in several parts and the rent payable by the tenant of the holding has not been apportioned with his consent or under any statute, the tenant shall be entitled to require that any compensation payable to him under the Act of 1908 shall be determined as if the holding had not been divided, and the arbitrator shall, where necessary, apportion the amount awarded between the persons who for the purposes of the Act of 1908 together constitute the landlord of the holding, and any additional costs of the award caused by the apportionment shall be directed by the arbitrator to be paid by those persons in such proportions as he shall determine.

(2) This section shall not apply in the case of a tenancy which terminates before the commencement of this Act.

Arbitration on quitting holding.

18.—(1) Any question or difference arising out of any claim by the tenant of a holding against the landlord for compensation payable under the Act of 1908 or for any sums claimed to be due to the tenant from the landlord for any breach of contract or otherwise in respect of the holding, or out of any claim by the landlord against the tenant for waste wrongly committed or permitted by the tenant or for any breach of contract or otherwise in respect of the holding, and any other question or difference of any kind whatsoever between the landlord and the tenant of the holding arising out of the termination of the tenancy of the holding or arising, whether during the tenancy or on the termination thereof, as to the construction of the contract of tenancy shall be determined by arbitration under the Act of 1908.

(2) Any such claim as is mentioned in this section shall cease to be enforceable after the expiration of two months from the termination of the tenancy unless particulars thereof have been given by the landlord to the tenant or by the tenant to the landlord, as the case may be, before the expiration of that period:

Provided that, where a tenant lawfully remains in occupation of part of a holding after the termination of the tenancy, particulars of a claim relating to that part of the holding may be given within two months from the termination of the occupation.

(3) This section shall not apply in the case of a tenancy which terminates before the commencement of this Act.

Compensation to landlord for

19. Where a landlord proves, to the satisfaction of an arbitrator appointed under the Act of 1908, on the termination

of the tenancy of a holding, that the value of the holding has been deteriorated during the tenancy by the failure of the tenant to cultivate the holding according to the rules of good husbandry or the terms of the contract of tenancy, the arbitrator shall award to the landlord such compensation as in his opinion represents the deterioration of the holding due to such failure : deterioration of holding.

Provided that compensation shall not be payable under this section unless the landlord has, before termination of the tenancy, given notice in writing to the tenant of his intention to claim such compensation :

Provided also that nothing in this section shall prevent a landlord from claiming compensation for dilapidations or for the deterioration of the holding under the contract of tenancy.

Provisions for expediting and reducing costs of arbitrations.

20.—(1) Subject as hereinafter provided, the Minister may by rules make such provision (not being inconsistent with the rules contained in the Second Schedule to the Act of 1908) as he thinks desirable for expediting, or reducing the costs of, proceedings on arbitrations under the Act of 1908.

(2) On an arbitration under the Act of 1908 the arbitrator—

(*a*) shall state separately in his award the amounts awarded in respect of the several claims referred to him ; and

(*b*) may, if he thinks fit, make an interim award for the payment of any sum on account of the sum to be finally awarded.

(3) A rule made under this section shall be laid before each House of Parliament forthwith, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent thirty days on which that House has sat next after any such rule is laid before it praying that the rule may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Constitution of panel of arbitrators, and provision as to arbitrators' remuneration.

21.—(1) Such number of persons as may be appointed by the Lord Chief Justice of England, shall form a panel of persons from whom any arbitrator nominated, otherwise than by agreement, for the purposes of an arbitration under and in accordance with the provisions of the Second Schedule to the Act of 1908 shall be selected.

(2) The remuneration of an arbitrator so nominated as aforesaid shall be such amount as is fixed by the Minister, and the remuneration of an arbitrator appointed by the parties to any such arbitration shall, in default of agreement between those parties and the arbitrator, be such amount as on the application of the arbitrator or either of the parties is fixed by the registrar of the county court, subject to appeal to the judge of the court.

(3) The remuneration of an arbitrator when agreed or fixed under this section shall be recoverable by the arbitrator as a debt due from either of the parties to the arbitration, and any

amount paid in respect of the remuneration of the arbitrator by either of those parties in excess of the amount (if any) directed by the award to be paid by him in respect of the costs of the award shall be recoverable from the other party to the arbitration.

(4) An arbitrator nominated otherwise than by agreement for an arbitration relating to a holding in Wales shall be a person who possesses a knowledge of Welsh agricultural conditions and, if either party to the arbitration so requires, a knowledge also of the Welsh language.

(5) This section shall not apply as respects any arbitrator nominated or appointed before the commencement of this Act.

Resumption of part of holding by landlord.

22. Where after the commencement of this Act the landlord of a holding gives notice, in pursuance of a provision in that behalf contained in the contract of tenancy, of his intention to resume possession of some part of the holding, the provisions of paragraphs (*b*) and (*c*) of section twenty-three of the Act of 1908 (but not including the proviso thereto) shall apply as if the notice were such a notice to quit as is mentioned in that section :

Provided that, in assessing the compensation payable to the tenant and the reduction of rent, the arbitrator shall take into consideration any benefit or relief allowed to the tenant under the contract of tenancy in respect of any land resumed in pursuance of such provision.

Amendment of s. 40 of 8 Edw. 7. c. 28.

23.—(1) Section forty of the Act of 1908 shall have effect as though for the words " the powers by this Act conferred on a " landlord (other than that of entering on a holding for the " purpose of viewing the state of the holding) " and the words " the powers by this Act conferred on a landlord (other than " as aforesaid) " contained in subsection (1) and subsection (2) respectively of the said section there were substituted the words " the powers by this Act conferred on a landlord in respect of " charging land."

(2) This section shall apply in relation to any power whether the power has been exercised before or after the commencement of this Act.

Extension of meaning of " holding."

24.—(1) Where the land comprised in a contract of tenancy is not a holding within the meaning of the Act of 1908 by reason only of the fact that the land so comprised includes land (hereinafter referred to as " the non-statutory land ") which, owing to the nature of the buildings thereon or the use to which it is put, would not, if it had been separately let, be a holding within the meaning of the said Act, the provisions of the said Act relating to compensation for improvements and disturbance shall, unless otherwise agreed in writing, apply to the part of the land exclusive of the non-statutory land as if that part were a separate holding.

(2) This section shall not apply in relation to a contract of tenancy made before the commencement of this Act.

Prohibition of removal of manure, &c., after notice to terminate the tenancy.

25. Where after the commencement of this Act notice to terminate the tenancy of a holding is given, either by the tenant or by the landlord, the tenant shall not, subject to any agreement to the contrary, at any time after the date of the notice, sell or remove from the holding any manure or compost, or any hay or straw or roots grown in the last year of the tenancy, unless and until he has given the landlord or incoming tenant a reasonable opportunity of agreeing to purchase on the termination of the tenancy at their fair market value, or at such other value as is provided by the contract of tenancy, the said manure, compost, hay, straw, or roots.

Record of holding.

26. If the landlord or tenant of a holding at any time during the tenancy so requires, a record of the condition of the buildings, fences, gates, roads, drains, ditches and cultivation of the holding, and, if so required by the tenant, a record of any existing improvements executed by the tenant or for which the tenant is, under section seven of the Act of 1908, entitled to claim compensation, and of any fixtures or buildings which under section twenty-one of that Act the tenant is entitled to remove, shall be made by a person to be appointed in default of agreement by the Minister, and in default of agreement the cost of making any such record shall be borne by the landlord and tenant in equal shares.

Amendment of s. 4 of the Act of 1908.

27. Section four of the Act of 1908 (which relates to agreements as to compensation for improvements comprised in Part III. of the First Schedule to that Act) shall, after the commencement of this Act, apply only to improvements to which the provisions of section forty-two of the Act of 1908 apply or are directed under this Act to apply :

Provided that this section shall not affect the operation of any agreement entered into before the commencement of this Act.

Notices to quit.

28.—(1) Notwithstanding any provision in a contract of tenancy to the contrary, a notice to quit a holding shall be invalid if it purports to terminate the tenancy before the expiration of twelve months from the end of the then current year of tenancy: but nothing in this section shall extend to a case where a receiving order in bankruptcy is made against the tenant.

(2) Section twenty-two of the Act of 1908 (which relates to the time of notices to quit), is hereby repealed.

(3) This section shall not apply to—

(*a*) any notice given by or on behalf of the Admiralty, War Department, or Air Council under the provisions of any agreement of tenancy where possession of the land is required for naval, military, or air force purposes; or

(*b*) any notice given by a corporation carrying on a railway, dock, canal, water, or other undertaking in respect of any land acquired by the corporation for the purposes of their undertaking or by a government department or local authority where possession of the land is required by the corporation, government department or authority for the purpose (not being the use of the land for agriculture) for which it was acquired by the corporation, department, or authority or appropriated under any statutory provision; or

(*c*) any notice given in pursuance of a provision in the contract of tenancy authorising the resumption of possession of the holding or some part thereof for some specified purpose, unless that purpose is the use of the land for agriculture; or

(*d*) any notice given by a tenant to a sub-tenant; or

(*e*) any notice given before the commencement of this Act.

Minor amendments of 8 Edw. 7. c. 28 and 9 & 10 Geo. 5. c. 63.

29. The amendments in the second column of the First Schedule to this Act (which relate to minor details), shall be made in the provisions of the Agricultural Holdings Act, 1908, and the Agricultural Land Sales (Restriction of Notices to Quit) Act, 1919, specified in the first column of that schedule.

PART III.

GENERAL.

Expenses.

30. Any expenses incurred by the Minister in meeting payments under Part I. of the Act of 1917, and any expenses incurred by the Minister or any other department or body under any other provisions of that Act, shall be defrayed out of moneys provided by Parliament.

Provisions as to powers by agricultural committees.

31.—(1) Any powers authorised by any Act to be exercised by an agricultural committee other than the power conferred by this section may, unless otherwise expressly provided by that Act, be delegated by a committee to a sub-committee.

(2) No member of an agricultural committee shall take part in any decision of the committee which relates to the land of which he is the owner or occupier, or the agent of the owner or occupier, or to any bargain or contract contemplated or entered into by the agricultural committee in which such member is directly concerned.

Dwelling-house occupied by workman employed in agriculture. 9 Edw. 7. c. 44.

32. Notwithstanding any agreement to the contrary, where under any contract of employment of a workman employed in agriculture current at or made after the commencement of this Act, the provision of a dwelling-house or part of a dwelling-house for the occupation of the workman forms part of the remuneration of the workman, and the provisions of

sections fourteen and fifteen of the Housing, Town Planning, &c. Act, 1909, are inapplicable by reason only of the house or part of the house not being let to the workman, there shall be implied as part of the contract of employment and as from the commencement of the occupation or of this Act, whichever date is the later, the like conditions as would be implied under those provisions if the house or part of the house were so let, and those provisions shall apply accordingly as if incorporated in this section with the substitution of "employer" for "landlord" and such other modifications as may be necessary:

Provided that this section shall not affect the obligation of any person other than the employer to repair a cottage to which this section applies or any remedy for enforcing any such obligation.

Interpretation.

33. In this Act, unless the context otherwise requires,—

(1) The expression "the Minister" means the Minister of Agriculture and Fisheries:

(2) The expression "Wales" shall be deemed to include "Monmouthshire":

(3) The expression "agricultural committee" means the agricultural committee established for a county or borough under the Ministry of Agriculture and Fisheries Act, 1919, or, where the powers of an agricultural committee with respect to the matter in question have been delegated to a sub-committee, that sub-committee:

9 & 10 Geo. 5. c. 91.

(4) The expression "rules of good husbandry" means (due regard being had to the character of the holding) so far as is practicable having regard to its character and position—

(*a*) the maintenance of the land (whether arable, meadow, or pasture), clean and in a good state of cultivation and fertility, and in good condition; and

(*b*) the maintenance and clearing of drains, embankments, and ditches; and

(*c*) the maintenance and proper repair of fences, stone walls, gates, and hedges; and

(*d*) the execution of repairs to buildings, being repairs which are necessary for the proper cultivation and working of the land on which they are to be executed; and

(*e*) such rules of good husbandry as are generally recognised as applying to holdings of the same character and in the same neighbourhood as the holding in respect of which the expression is to be applied:

Provided that the foregoing definition shall not imply an obligation on the part of any person to maintain or clear drains, embankments, or ditches,

if and so far as the execution of the works required is rendered impossible (except at prohibitive or unreasonable expense) by reason of subsidence of any land or the blocking of outfalls which are not under the control of that person, or in its application to land in the occupation of a tenant imply an obligation on the part of the tenant—

(i) to maintain or clear drains, embankments, or ditches, or to maintain or properly repair fences, stone walls, gates, or hedges where such work is not required to be done by him under his contract of tenancy; or

(ii) to execute repairs to buildings which are not required to be executed by him under his contract of tenancy:

8 Edw. 7. c. 28.

(5) The expression "the Act of 1908" means the Agricultural Holdings Act, 1908, and the expression "the Act of 1917" means the Corn Production Act, 1917:

(6) References to the Act of 1908, or to the Act of 1917, or to any provision of either of those Acts, shall be construed as referring to that Act or to that provision as amended by any other Act, including this Act:

(7) References to the terms, conditions, or requirements of a contract of tenancy of or of an agreement relating to a holding shall be construed as including references to any obligations, conditions, or liabilities implied by the custom of the country in respect of the holding.

Application to Scotland.

34. This Act shall apply to Scotland with the following modifications:—

(1) Unless the context otherwise requires—

(*a*) The expression "the Minister" (except in the section of this Act relating to the appointment, remuneration, and powers of Commissioners) means the Board of Agriculture for Scotland;

9 & 10 Geo. 5. c. 97.

(*b*) A reference to the Land Settlement (Scotland) Act, 1919, shall be substituted for the reference to the Land Settlement (Facilities) Act, 1919; and a reference to the Arbitration (Scotland) Act, 1894, shall be substituted for the reference to the Arbitration Act, 1889;

57 & 58 Vict. c. 3.

(*c*) A reference to the sheriff shall be substituted for the reference to the county court; a reference to act of sederunt shall be substituted for the reference to Rules of the Supreme Court; and a reference to either division of the Court of Session shall be substituted for the reference to the Court of Appeal;

(*d*) The expression "agricultural committee" means the body of persons constituted with respect to any area by the Board of Agriculture for Scotland under subsection (2) of section eleven of the Act of 1917;

(*e*) The expressions "the Agricultural Holdings Act, 1908," and "the Act of 1908," mean the Agricultural Holdings (Scotland) Act, 1908, and references to sections eleven, twenty-one and forty-two of the first-mentioned Act shall be construed as references to sections ten, twenty and twenty-nine respectively of the said Agricultural Holdings (Scotland) Act; 8 Edw. 7. c. 64.

(*f*) "High Court" means "Court of Session," "receiver and manager" means "manager," "arbitrator" means "arbiter," and "costs" include "expenses":

(2) The provision requiring that proceedings for an offence shall not be instituted except by the Minister shall not apply:

(3) In the application of subsection (4) of the section of this Act relating to compensation for disturbance "five years" shall be substituted for "two years," and in the application of subsection (6) of that section the expression "rent" means the rent after deduction of such an amount as the arbiter, failing agreement, may find to be equivalent to the amount (if any) annually payable by the landlord in respect of the holding by way of—

(*a*) any public rates, taxes, or assessments which in England are by law a charge on the occupiers of lands; or

(*b*) any public rates or taxes or other public burdens the like whereof are not chargeable on lands in England:

(4) In subsection (11) of the section of this Act relating to compensation for disturbance, there shall be inserted after the word "amenity" the words "or any permanent grass park held for the purposes of a business or calling not primarily agricultural or pastoral, including that of butcher, cattle-dealer, and the like." and after the words "any such land," there shall be inserted the words "or grass park":

(5) In the application of the section of this Act relating to compensation for disturbance in case of allotment gardens the expression "allotment garden" means an allotment under the Allotments (Scotland) Act, 1892, as amended or applied by any subsequent enactment, and a reference to the Small Holdings and Allotments Act, 1908, or to the Allotments and Cottage 55 & 56 Vict. c. 54.

Gardens (Compensation for Crops) Act, 1887, shall be construed as a reference to the said Act of 1892 as so amended or applied :

(6) For references to becoming bankrupt or compounding with creditors, there shall be substituted references to becoming notour bankrupt or executing a trust deed for behoof of creditors :

(7) The sections of this Act relating to extension of tenancies under leases for a term of years and to notices to quit shall not apply, and in lieu thereof—

(*a*) Subsection (1) of section eighteen of the Act of 1908 shall, in the case of a lease entered into after the passing of this Act have effect as though for the words "three years" there were substituted the words "two years"; and subsection (2) of the said section shall have effect as if at the end thereof the following words were added "and in the case of any lease so renewed the period "of notice required to terminate the tenancy shall, "where the notice is given after the thirty-first day "of May, nineteen hundred and twenty-one, be not "less than one year nor more than two years";

7 Edw. 7. c. 51.

(*b*) The provisions of the Sheriff Courts (Scotland) Act, 1907, relating to removings shall, in the case of any holding to which section eighteen of the Act of 1908 applies, have effect subject to the provisions of that section as modified by paragraph (*a*) of this subsection :

(8) In the sections of this Act relating to compensation for disturbance and amendment of law as to improvements, for the words "a county borough," there shall be substituted the words "an area" :

(9) Section twenty-three of the Agricultural Holdings Act, 1908, shall apply to Scotland as if that section had been enacted in Part II. of this Act, with the substitution of small holdings under the Small Landholders (Scotland) Acts, 1886 to 1919, for small holdings as defined by the Small Holders and Allotments Act, 1907, and any reference in this Act to the said section twenty-three shall be construed as a reference to the said section as so applied :

7 Edw. 7. c. 54.

(10) The section of this Act relating to amendment of section forty of 8 Edw. 7. c. 28 shall not apply, and in lieu thereof—

(*a*) Section twenty-eight of the Act of 1908 shall have effect as if for the words "The powers by "this Act conferred on a landlord (other than that "of entering on a holding for the purpose of "viewing the state of the holding)," there were substituted the words "The powers by this Act

" conferred on a landlord in respect of charging " the land ";

(*b*) This subsection shall apply in relation to the exercise of any power whether before or after the commencement of this Act:

(11) In subsection (1) of the section of this Act relating to constitution of panel of arbitrators and provision as to arbitrators' remuneration, for the words " the " Lord Chief Justice of England," there shall be substituted the words " the Lord President of the " Court of Session," and in subsection (2) of the same section for the words " registrar of the county court," there shall be substituted the words " auditor " of the sheriff court."

Act not to apply to Ireland.

35. This Act shall not apply to Ireland.

Commencement, repeal, and short title.

36.—(1) This Act shall come into operation on the first day of January, nineteen hundred and twenty-one.

(2) Part I. of this Act shall be construed as one with the Act of 1917, and that Act and Part I. of this Act may be cited together as the Corn Production Acts, 1917 and 1920.

Part II. of this Act shall be construed as one with the Act of 1908, and the Agricultural Holdings Acts, 1908 and 1913, and Part II. of this Act may be cited together as the Agricultural Holdings Acts, 1908 to 1920, and the Agricultural Holdings (Scotland) Acts, 1908 and 1910, and Part II. of this Act as that Part applies to Scotland may be cited together as the Agricultural Holdings (Scotland) Acts, 1908 to 1920.

(3) The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule:

Provided that (without prejudice to the general application of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals) this repeal shall not prejudice or affect— 52 & 53 Vict. c. 63.

(*a*) the operation of any notice served, or order made, before the commencement of this Act under the powers conferred by Part IV. of the Act of 1917, or the powers continued in operation by subsection (3) of section eleven of the Act of 1917 as amended by the Corn Production (Amendment) Act, 1918; or

(*b*) the rights of the Minister in respect of any land of which possession has been taken under the said powers before the commencement of this Act; or

(*c*) the right of any person to recover compensation in respect of anything done or suffered under the said powers whether before or after the commencement of this Act; or

(*d*) the right of any person to require any question arising out of any notice served, order made, or possession taken under the said powers before the commencement of this Act to be referred to arbitration.

(4) This Act may be cited as the Agriculture Act, 1920.

SCHEDULES.

Section 29.

FIRST SCHEDULE.

MINOR AMENDMENTS OF AGRICULTURAL HOLDINGS ACT, 1908.

Enactment to be Amended.	Nature of Amendment.
Section one -	In subsection (1), after the word "Act," where that word first occurs, there shall be inserted the words "and the "tenancy was entered upon after the first day of Janu- "ary, nineteen hundred and twenty-one, whether the "improvement was or was not an improvement which "he was required to make by the terms of his tenancy"; and in paragraph (*a*) of subsection (2) after the word "improvement," there shall be inserted "whether "expressly stated in the contract of tenancy to be so "given or allowed or not"; and in paragraph (*b*) of subsection (2), there shall be inserted after the word "crops," where that word first occurs, the words "grown on and."
Section five -	The words "in respect of any improvement comprised "in the First Schedule hereto" shall be omitted.
Section fifteen -	In subsection (1), after the word "hereto," where it first occurs, there shall be inserted the words "or in respect of compensation for disturbance," and after the word "expended," there shall be inserted the words "and "of all costs properly incurred by him in obtaining "the charge."
Section twenty-three.	In paragraph (iii) the words "for labourers" shall be omitted.
Section thirty-one.	After the word "compensation," there shall be inserted the words "for disturbance or."
First Schedule -	After "(16) Erection of wireworks in hop gardens," there shall be inserted :— "(16*a*) Provision of permanent sheep-dipping accommodation; "(16*b*) In the case of arable land the removal of bracken, gorse, tree roots, boulders, or other like obstructions to cultivation."

Enactment to be Amended.	Nature of Amendment.
Second Schedule	And in paragraph (26) there shall be added at end thereof the words "in so far as the value of the temporary "pasture on the holding at the time of quitting "exceeds the value of the temporary pasture on the "holding at the commencement of the tenancy for "which the tenant did not pay compensation." In paragraph 10, for the words "sooner than one month or later than two months," there shall be substituted the words "later than one month."

MINOR AMENDMENT OF AGRICULTURAL LAND SALES (RESTRICTION OF NOTICES TO QUIT) ACT, 1919.

Enactment to be Amended.	Nature of Amendment.
Section one -	After the word "shall," where it first occurs, insert "if "the contract for sale is made by the person by whom "the notice to quit was given."

In the application of this Schedule to Scotland, the references to sections fifteen and thirty-one of the Agricultural Holdings Act, 1908, shall not apply; and subsection (1) of section thirteen of the Agricultural Holdings (Scotland) Act, 1908, shall be amended by the insertion after the word "hereto," of the words, "or in respect of compensation for disturbance" and by the insertion after the words "or any part thereof," wherever occurring, of the words "and of the expense of executing and registering the same."

SECOND SCHEDULE.

Section 36.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
14 & 15 Vict. c. 25.	The Landlord and Tenant Act, 1851.	In section one, the words from "Provided always," to the end of the section.
8 Edw. 7. c. 28.	The Agricultural Holdings Act, 1908.	Subsections (2) and (3) of section six; section eleven; subsection (2) of section thirteen; section twenty-two; in paragraph (iii) of section twenty-three the words

Session and Chapter.	Short Title.	Extent of Repeal.
8 Edw. 7. c. 64—*cont.*		"for labourers"; section twenty-seven; in subsection (1) of section forty the words "the powers by "this Act conferred on a landlord "(other than that of entering "on a holding for the purpose "of viewing the state of a "holding)"; in subsection (2) of section forty the words "the "powers by this Act conferred "on a landlord (other than as "aforesaid)."
8 Edw. 7. c. 64.	The Agricultural Holdings (Scotland) Act, 1908.	Subsections (2) and (3) of section six; section ten; subsection (2) of section eleven; section twenty-four; in section twenty-eight the words "the powers by this Act "conferred on a landlord (other "than that of entering on a "holding for the purpose of "viewing the state of the hold-"ing)."
10 Edw. 7. & 1 Geo. 5. c. 34.	The Small Holdings Act, 1910.	The whole Act.
4 & 5 Geo. 5. c. 7.	The Agricultural Holdings Act, 1914.	The whole Act.
6 & 7 Geo. 5. c. 38.	The Small Holding Colonies Act, 1916.	Subsection (2) of section one.
7 & 8 Geo. 5. c. 46.	The Corn Production Act, 1917.	Subsection (1) of section two and section nine; subsection (2) of section nineteen.
8 & 9 Geo. 5. c. 35.	The Corn Production (Amendment) Act, 1918.	The whole Act.

CHAPTER 77.

An Act to regulate the importation of dyestuffs.

[23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Prohibition on importation of dyestuffs.

1.—(1) With a view to the safe-guarding of the dye-making industry, the importation into the United Kingdom of the following goods, that is to say, all synthetic organic dyestuffs,