## COUNTY AGRICULTURAL EXECUTIVE COMMITTEES

# The Agriculture (Delegation to County Agricultural Executive Committees) Regulations, 1950

## 1950 No. 1411

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| *Made* - - - - | *22nd August*, 1950 |
| *Laid before Parliament* | *23rd August*, 1950 |
| *Coming into Operation* | *1st September*, 1950 |

In exercise of the powers conferred upon him by section 72 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 regulations :—

**1.**—(1) These regulations may be cited as the Agriculture (Delegation to County Agricultural Executive Committees) Regulations, 1950, and shall come into operation on the first day of September 1950.

(2) In these regulations the following expressions have the meanings hereby respectively assigned to them, that is to say :—

" the Act " means the said Agriculture Act, 1947 ;

" the 1948 Act " means the Agricultural Holdings Act, 1948(b) ;

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

(3) The Interpretation Act, 1889(c), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

**2.** The functions of the Minister relating to agriculture specified in the Schedule hereto shall, as from the date when these regulations come into operation, be exercisable by a County Agricultural Executive Committee in accordance with the provisions of section seventy-one of the Act.

**3.** The functions exercisable by a County Agricultural Executive Committee in accordance with the said provisions shall include such other powers or duties of the Minister arising under the Act or under any other enactment as may be necessary or incidental to the exercise of the functions specified in the Schedule hereto.

**4.** Nothing in the preceding regulations shall be construed as limiting, qualifying, or derogating from the right or power of the Minister to exercise any of his functions specified in the Schedule hereto, or any other of his functions, at any time while these regulations are in force.

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this twenty-second day of August, nineteen hundred and fifty.

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

(a) 10 & 11 Geo. 6. c. 48. (b) 11 & 12 Geo. 6. c. 63. (c) 52 & 53 Vict. c. 63.

SCHEDULE

| *Function of the Minister:* | *Relevant enactment:* |
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| Acting upon applications for consent to notice to quit where landlord's purpose for terminating a tenancy created on or after 6th August, 1947, being the purpose for which landlord's interest was held, was specified in the contract of tenancy, and greater hardship would be caused by withholding than by granting consent. | section 25 (1) (*c*) of the 1948 Act. |
| Acting upon applications for consent to notice to quit where tenancy was created before 6th August, 1947, the same person being landlord at the beginning of that day as at the date of notice to quit or (as the case may be) the date of application for consent, and greater hardship would be caused by withholding than by granting consent. | section 25 (1) (*d*) of the 1948 Act. |
| Imposing, varying and revoking conditions where consent to notice to quit is given under section 25 (1) (*c*) or section 25 (1) (*d*) of the 1948 Act. | section 25 (5) and (6) of the 1948 Act. |

## EXPLANATORY NOTE

*(This Note is not part of the Regulations, but is intended to indicate their general purport.)*

By virtue of the Agriculture (Delegation to County Agricultural Executive Committees) Regulations, 1948 (S.I. 1948 No. 187)(a), there was delegated to County Agricultural Executive Committees, amongst many other functions of the Minister of Agriculture and Fisheries the function of acting upon applications for consent to notice to quit where a landlord's purpose for terminating a tenancy is desirable in the interests of efficient farming, pursuant to section 25 (1) (*a*) of the Agricultural Holdings Act, 1948, which re-enacts section 31 (3) (*a*) of the Agriculture Act, 1947. By virtue of the present Regulations there is delegated by the Minister to County Agricultural Executive Committees the additional functions of acting upon applications for consent to notice to quit where such applications are based upon the circumstances set out in paragraphs (*c*) and (*d*) of section 25 (1) of the Agricultural Holdings Act, 1948, under which paragraphs the principal operative factor is that greater hardship would be caused by the withholding of consent than by the granting thereof.

The delegation effected by these Regulations comes into operation on the 1st September, 1950, and will be upon the same terms as are contained in the Regulations of 1948.

(a) S.I. 1948, I, p. 38.