The Agriculture (Miscellaneous Time-Limits) Regulations, 1948

1948 No. 188

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

The Minister of Agriculture and Fisheries (hereinafter called " the Minister "), in pursuance of subsection (3) of section sixteen, subsection (4) of section nineteen, subsection (2) of section twenty-four, subsection (2) of section thirty-two, subsection (3) of section thirty-eight, subsection (1) of section thirty-nine, subsection (3) of the said section thirty-nine, subsection (2) of section one hundred and eight of the Agriculture Act, 1947(a), (hereinafter called " the Act ") and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1. The time within which the Minister may certify, pursuant to subsection (3) of section sixteen of the Act, that a representation requiring the Minister to purchase an interest in land is not justified, shall be three months from the date of the service upon him of the notice in writing containing the said representation.

2. The time within which the Minister may give notice, pursuant to subsection (4) of section nineteen of the Act, that he proposes to refuse or (as the case may require) to comply with a request that he shall exercise his powers under subsection (1) of section sixteen or subsection (1) of section seventeen of the Act, shall be six weeks from the date of the said request.

3. The time within which a landlord may serve notice in writing on the Minister and the tenant, pursuant to paragraph (*b*) of subsection (2) of section twenty-four of the Act, that the landlord proposes himself to carry out an improvement, shall be one month from the date he receives notification of the Minister's approval of the carrying out of the improvement.

4. The time within which a landlord shall give notice in writing to the tenant, pursuant to paragraph (*a*) of subsection (2) of section thirty-two of the Act, that a contract has been made for the sale of the landlord's interest in land of which the tenant has been given notice to quit, shall be whichever is the shorter of the two following periods, namely, one month from the making of the said contract; or the period remaining before the expiration of the said notice to quit.

5. The time within which the landlord or the tenant of a holding may refer the terms of the tenancy of the holding to arbitration under subsection (1) of section thirty-eight of the Act so that, pursuant to subsection (3) of the said section, the arbitrator shall, for the purposes of subsection (2) of the said section, disregard any variation by the Agriculture (Maintenance, Repair and Insurance of Fixed Equipment) Regulations, 1948(b), of the terms of the tenancy as to maintenance, repair or insurance of fixed equipment, shall be one year after the coming into operation of the aforesaid Regulations.

(a) 10 & 11 Geo. 6. c. 48. (b) S.I. 1948 No. 184, p. 71 above.

6. The time within which a landlord may, pursuant to subsection (1) of section thirty-nine of the Act, require that there shall be determined by arbitration and paid by the tenant the amount of any compensation referred to in the said subsection, shall be one month from the date on which there takes effect by virtue of section thirty-seven or thirty-eight of the Act any transfer from the tenant to the landlord of liability for the maintenance or repair of any item of fixed equipment.

7. The time within which a tenant may, pursuant to subsection (3) of the said section thirty-nine of the Act, require that any claim in respect of a previous failure by the landlord to discharge a liability for the maintenance or repair of any item of fixed equipment shall be determined by arbitration, shall be one month from the date on which there takes effect by virtue of the said section thirty-seven or thirty-eight of the Act any transfer from the landlord to the tenant of the said liability for the maintenance or repair of any item of fixed equipment.

8.—(1) These regulations may be cited as the Agriculture (Miscellaneous Time-limits) Regulations, 1948, and apply to England and Wales.

(2) These regulations shall come into operation on the first day of March, 1948.

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

In witness whereof the official seal of the Minister of Agriculture and Fisheries is hereunto affixed this 24th day of February, nineteen hundred and forty-eight.

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

EXPLANATORY NOTE

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

There are a number of provisions in the Agriculture Act, 1947, which give the Minister of Agriculture and Fisheries power to prescribe the time within which various actions are to be carried out. The present Regulations exercise those powers where they do not extend beyond the mere prescription of the time limit. In a few special cases in connection with which the Minister has power to prescribe other matters (such as the form or manner) as well as the time, separate Regulations will be found to deal with the whole procedure. Examples of such separate Regulations are the Agriculture (Making of Representations) Regulations, 1948 (S.I. 1948 No. 191), the Agriculture (Certificates of Bad Husbandry) Regulations, 1948 (S.I. 1948 No. 189) and the Agriculture (Reference to Agricultural Land Tribunals) Regulations, 1948 (S.I. 1948 No. 193).

These Regulations come into operation on 1st March, 1948, the date on which Parts II and III of the Act come into operation.

(a) 52 & 53 Vict. c. 63.