The Agriculture (Registration of Interests in Land) Regulations, 1948

1948 No. 194

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

The Minister of Agriculture and Fisheries, in pursuance of subsection (4) of section twenty-one 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. Every application for registration for the purpose of the proviso to subsection (1) of section twenty of the Act by an owner of agricultural land shall be in the form set out in Part I of the Schedule hereto, and signed by the person making the application.

2. Every application for registration for the purpose of paragraph (*b*) of subsection (6) of section sixteen of the Act by a trustee of a settlement of agricultural land which is settled land within the meaning of the Settled Land Act, 1925(b), or by a person who under the settlement has a vested interest in the land immediately following upon the interest of the person beneficially entitled to the land in possession, or by an infant who is beneficially entitled to the land in possession, shall be in the form set out in Part II of the Schedule hereto, and signed by the person making the application.

3. Every application for registration under the two preceding regulations shall be made by serving the said application upon the Secretary of the County Agricultural Executive Committee for the administrative county in which each agricultural unit is situated or deemed to be situated, or (in case any such unit is situated or deemed to be situated in more than one administrative county) in which is situated or deemed to be situated the greater part thereof.

4.—(1) These regulations may be cited as the Agriculture (Registration of Interests in Land) 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(c), 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.*

(a) 10 & 11 Geo. 6. c. 48. (b) 15 & 16 Geo. 5. c. 18.
(c) 52 & 53 Vict. c. 63.

SCHEDULE

PART I

.....COUNTY AGRICULTURAL EXECUTIVE COMMITTEE

Application for Registration as Owner

(Form I)

(1)	(2)	(3)	(4)
Particulars of all the agricultural land in the ownership of the applicant(a) with sufficient description (by reference, if necessary, to a map or plan on a suitable scale)(b) to identify the situation and extent of the land	Full names and postal address of the owner (BLOCK LETTERS)	Name of the occupier	Date of registration (for official use only)

I have completed columns (1), (2) and (3) above, and will supply any further information that may be required.

I hereby declare that I am the owner(c) of the land described in column (1) hereof, and for the purpose of the proviso to subsection (1) of section 20 of the Agriculture Act, 1947, I apply to be entered on the register accordingly.

Signature.....

Date.....

Notes :—(a) If you own more than one agricultural unit, each one should be separately identified.

(b) It is not necessary to forward a map or plan unless it is thought to be desirable for identification purposes, or unless it is asked for by the Committee.

(c) If you are not the owner of the land, but are treated as the owner with the approval of the Committee or by a determination of the Agricultural Land Tribunal, state here the date of such approval or determination.....
If a date is filled in here, your declaration will be read as meaning that you are entitled to be treated as the owner accordingly.

PLEASE NOTIFY THE COMMITTEE OF ANY CHANGE OF ADDRESS

PART II

.....COUNTY AGRICULTURAL EXECUTIVE COMMITTEE

Application for Registration as Trustee or Person Interested under a Settlement

(Form II)

(1)	(2)	(3)	(4)	(5)
Particulars of all the agricultural land comprised in the settlement[a] with sufficient description (by reference, if necessary, to a map or plan on a suitable scale)[b] to identify the situation and extent of the land	Full names and postal address of the person applying for registration[c] (BLOCK LETTERS)	Full names and postal addresses of all the Trustees of the Settlement[d] (BLOCK LETTERS)	Name of the occupier	Date of registration (for official use only)

I have completed columns (1), (2), (3) and (4) above, and will supply any further information that may be required.

I hereby declare that I am interested in the land described in column (1) hereof as[e] .....
and for the purpose of paragraph (*b*) of subsection (6) of section 16 of the Agriculture Act, 1947, I apply to be entered on the register accordingly.

Signature.....

Date.....

Notes :—([a]) If more than one agricultural unit is comprised in the settlement, each one should be separately identified.

([b]) It is not necessary to forward a map or plan unless it is thought to be desirable for identification purposes, or unless it is asked for by the Committee.

([c]) If you are applying as an infant who is beneficially entitled to the land in possession, state here the date of your birth .....

([d]) If you are applying as a trustee of a settlement, and have been duly authorised by the other trustees to apply for registration on their behalf also, you should then insert the names and addresses of the trustees in column (2), and not in column (3). If this is done, your declaration will be read as meaning that you, as one trustee, have been authorised to apply for registration on behalf of the other trustees also, and that you desire all the trustees named in column (2) to be entered on the register.

([e]) Here insert, as may be appropriate, "a trustee of the settlement", "a person who under the settlement has a vested interest in the land immediately following upon the interest of the person beneficially entitled to the land in possession", or "an infant who is beneficially entitled to the land in possession".

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EXPLANATORY NOTE

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

1. Under section 20 (1) of the Agriculture Act, 1947, any notice relating to supervision orders and the giving of directions, which is to be served on an owner or occupier of land under Part II of the Act, is duly served if served on an agent or servant of the owner or occupier who is responsible for the control of the management or farming of the land, as the case may be. In one instance, however, a copy of the notice must be served on the owner himself: that is where the notice is connected with a direction to entrust the management of land to a person approved by the Minister of Agriculture and Fisheries, and the owner is entered on a register to be kept by the Minister. The address for service will be the address entered on the register. Owners may apply for entry on the register; and the Minister has power, under section 21 (4), to prescribe the manner of such application. This is done by regulations 1 and 3 of the present Regulations, and Part I of the Schedule thereto.

2. Under section 16 (1) of the Agriculture Act, 1947, the Minister of Agriculture and Fisheries may certify that he is satisfied that the management of land in relation to which a supervision order is in force has not shown satisfactory improvement; whereupon there come into operation the provisions of the Act leading to dispossession of the owner of the land. Similarly, under section 16 (2) of the Act, the Minister may certify that it is necessary, in order to secure the proper management of land affected by a certificate under section 16 (1), that he should also acquire some other land which is being managed by the same owner in conjunction with the first-mentioned land, whereupon the provisions leading to dispossession of the owner also come into operation as regards the additional land. In each case, the Minister may not give a certificate until he has afforded persons concerned (specified in section 16 (6) of the Act) an opportunity of making representations to him, and until he has given these persons notice in writing of the proposal to give the certificate, with information as to the general grounds on which he bases the proposal. The persons specified in section 16 (6) for the above purposes include, where the land is settled land within the meaning of the Settled Land Act, 1925, any person entered on the register to be kept by the Minister, who is a trustee of the settlement or who under the settlement has a vested interest in the land immediately following upon the interest of the person beneficially entitled to the land in possession, or who being an infant is beneficially entitled to the land in possession. Such persons may apply for entry on the register; and the Minister has power, under section 21 (4), to prescribe the manner of such application. This is done by regulations 2 and 3 of the present Regulations, and Part II of the Schedule thereto.

3. The Regulations come into operation on 1st March, 1948, the date on which Part II of the Act comes into operation.