The Agriculture (Scotland) Act, 1948 (Commencement) (No. 2) Order, 1948

1948 No. 2351 (S. 191)

Made - - - - 25th October, 1948

At the Court at Buckingham Palace, the 25th day of October, 1948

Present,

The King's Most Excellent Majesty in Council

Whereas by subsection (2) of section 88 of the Agriculture (Scotland) Act, 1948(a), it is provided that, save as otherwise expressly provided, that Act shall come into operation on such date as His Majesty may by Order in Council appoint, and that an Order under that subsection may appoint different dates in relation to different provisions of the said Act:

And Whereas by virtue of the Agriculture (Scotland) Act, 1948 (Commencement) (No. 1) Order, 1948(b), the provisions of the said Act specified in the said Order came into operation on the date thereby appointed:

And Whereas it is expedient that the further provisions of the said Act hereinafter specified should come into operation on the date hereinafter appointed:

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

1. The following provisions of the said Act shall come into operation on the 1st day of November, 1948, that is to say Part I (excepting section 23 which is already in operation) and the First, Second, Third, Fourth and Ninth Schedules, Part II and the Fifth and Sixth Schedules, and section 87 (so far as it relates to the enactments set out in the Schedule to this Order).

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

E. C. E. Leadbitter.

(a) 11 & 12 Geo. 6. c. 45. (b) S.I. 1948 No. 1845, p. 83 above.

THE SCHEDULE

ENACTMENTS REPEALED

Session and Chapter.	Short Title.	Extent of Repeal
13 & 14 Geo. 5. c. 10.	The Agricultural Holdings (Scotland) Act, 1923.	In section one, in subsection (2), in paragraph (*a*) the words from " whether expressly stated " to " allowed or not ", and paragraph (*b*); in section three, subsection (3); section four; in section five, the proviso to subsection (1) and subsections (3) and (4); in section six, subsection (1); section seven; section ten; in section eleven, subsection (3); sections twelve to fourteen; in section fifteen, subsection (2); in section seventeen, subsection (4); in section nineteen, subsection (2); section twenty-two; section twenty-four; in section twenty-five, the words from " In any case " to " ceased and determined "; section twenty-seven; in section twenty-eight, paragraph (*f*); in section thirty-three, subsection (2); in section thirty-four, the proviso; in section thirty-nine, the words from " in relation to improvements " to " payable "; section forty-one; section forty-four; section forty-five; and in subsection (4) of section forty-nine, the words " duly authorised in that behalf ".
21 & 22 Geo. 5. c. 44.	The Small Landholders and Agricultural Holdings (Scotland) Act, 1931.	Section twenty-seven; in section twenty-eight, in subsection (1), the words " of six months for three months and ", and subsection (2); sections thirty and thirty-one and in section thirty-five, in subsection (1), the words from " in the case of a holding " to " fifty pounds " and the words " and in the case of any other holding an arbiter ", and in subsection (2) the words " in pursuance of the foregoing subsection or ".
6 & 7 Geo. 6. c. 16.	The Agriculture (Miscellaneous Provisions) Act, 1943.	Section nine, and in section nineteen, paragraph (*b*).
9 & 10 Geo. 6. c. 73.	The Hill Farming Act, 1946	In section nine, subsections (4) to (6).

EXPLANATORY NOTE

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

The Order brings into operation on 1st November, 1948, those provisions of the Agriculture (Scotland) Act, 1948, which relate to agricultural holdings and to good estate management and good husbandry with the exception of section 23 (Revision of the panel of arbiters) which came into operation on the passing of the Act.

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(2) AGRICULTURAL HOLDINGS

The Agricultural Records (Scotland) Regulations, 1948

1948 No. 2817 (S.205)

Made - - - -	*22nd December,* 1948
Laid before Parliament	*29th December,* 1948
Coming into Operation	*5th January,* 1949

In exercise of the powers conferred on me by section 37 of the Agricultural Holdings (Scotland) Act, 1923(a), as amended by section 24 of the Agriculture (Scotland) Act, 1948(b), and of all other powers enabling me in that behalf, I hereby make the following regulations :—

1.—(1) These regulations may be cited as the Agricultural Records (Scotland) Regulations, 1948, and shall come into operation on the fifth day of January, 1949.

(2) 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. A record of a holding or part thereof, or of the fixed equipment on a holding, made under the said section 37, amended as aforesaid, or under subsection (1) of section 13 of the Agriculture (Scotland) Act, 1948, shall be in the form set out in the First Schedule hereto so far as applicable to such record, or in a form to the like effect, and shall be made in accordance with the Rules relative to the said form contained in the Second Schedule hereto.

Dated this 22nd day of December, 1948.

Arthur Woodburn,

One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

FIRST SCHEDULE

FORM OF RECORD

NOTE.—Where the record is a record of

(*a*) the whole holding (which includes fixed equipment and cultivation), the full form of record so far as applicable will be used ;

(a) 13 & 14 Geo. 5. c. 10. (b) 11 & 12 Geo. 6. c. 45.
(c) 52 & 53 Vict. c. 63.