STATUTORY INSTRUMENTS

1970 No. 1050

SMALLHOLDINGS AND ALLOTMENTS

The Smallholdings (Full-Time Employment) Regulations 1970

Made - - -	14*th July* 1970
Laid before Parliament	23*rd July* 1970
Coming into Operation	1*st August* 1970

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by section 39(2) and section 63 of the Agriculture Act 1970(**a**), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Smallholdings (Full-Time Employment) Regulations 1970, and shall come into operation on 1st August 1970.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

"the Act" means the Agriculture Act 1970;

"the appropriate Minister" means, in relation to England, except Monmouthshire, the Minister of Agriculture, Fisheries and Food and, in relation to Wales, including Monmouthshire, the Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales acting jointly.

(2) The Interpretation Act 1889(**b**) applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Estimate of full-time employment capability

3.—(1) For the purposes of section 39(2) of the Act (which relates to a holding which shall be treated as falling within the upper limit for a smallholding), the number of men for whom a holding is capable, when farmed under reasonably skilled management, of providing full-time employment shall be estimated by reference to the standard labour requirements of the holding in accordance with the Schedule to these regulations, it being assumed that a system of husbandry suitable for the district is followed and that the greater part of the feeding stuffs required by any livestock kept on the holding is grown there.

(2) A holding shall be treated as being capable of providing full-time employment for not more than two men (including the person to whom it is let) with or without additional part-time employment for another man if its

(**a**) 1970 c. 40. (**b**) 1889 c. 63.

standard labour requirements are less than 900 standard man-days in aggregate in a year on average.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 6th July 1970.

(L.S.)

J. M. L. Prior,
Minister of Agriculture, Fisheries and Food.

Given under my hand on 14th July 1970.

Peter Thomas,
Secretary of State for Wales.

Regulation 3

SCHEDULE

In this Schedule—

"existing smallholding" means a holding which, being a holding held by a smallholdings authority for the purposes of smallholdings, is let as a smallholding at the time when the authority submit proposals, in which that holding is included, to the appropriate Minister under the provisions of section 40, section 42 or section 43 of the Act or, if the holding is not at that time let as a smallholding and is not being used for any purpose, is a holding which, when it was last let, was let as a smallholding; and

"proposed smallholding" means a holding which a smallholdings authority, in any proposals submitted by them to the appropriate Minister under the provisions of section 40, section 42 or section 43 of the Act propose to form by carrying out any such transaction as is mentioned in paragraph (*a*) or paragraph (*c*) of section 40.

1. The standard labour requirements of an existing smallholding shall be expressed in standard man-days estimated, except as is otherwise provided in paragraphs 3 to 6 of this Schedule, by multiplying respectively the number of standard man-days set out in the table below in relation to any kind of crop or livestock therein mentioned by the total number of acres (or other units to which the standard man-days are related in the table) of that kind of crop, or the average of the numbers of that kind of livestock, shown to the satisfaction of the appropriate Minister to be comprised in the agricultural operations carried on on the holding in the course of an average period of twelve months, adding together the results so obtained and increasing the total by 15 per cent.

2. The standard labour requirements of a proposed smallholding shall be expressed in standard man-days estimated, except as is otherwise provided in paragraphs 5 and 6 of this Schedule, by multiplying respectively the number of standard man-days set out in the table below in relation to any kind of crop or livestock therein mentioned by the total number of acres (or other units to which the standard man-days are related in the table) of that kind of crop, or the average of the numbers of that kind of livestock, which are shown to the satisfaction of the appropriate Minister to be capable of being comprised in the agricultural operations carried on on the holding, when it is farmed under reasonably skilled management, in the course of an average period of twelve months, adding together the results so obtained and increasing the total by 15 per cent.

3. Where double cropping is practised on land forming part of an existing smallholding the area of both crops shall be included in the estimate.

4. Agisted livestock shall be deemed to be on an existing smallholding while they are on land forming part of the holding and not otherwise.

5. A cow of a dairy type which suckles calves shall be classified as a beef cow.

6. Calves less than seven days old, unweaned piglets, and unweaned lambs shall not be included in the estimate.

TABLE

CROPS

	Standard man-days (per acre)
Wheat	2
Barley	2
Oats	3
Mixed corn	3
Rye—for threshing	2·5
Potatoes—first early	15
—main crop and second early	15
Beans for stockfeeding	3
Turnips, swedes and fodder beet for stockfeeding	9
Mangolds	11
Rape or cole for stockfeeding	1
Kale for stockfeeding	1·5
Cabbage, savoys and kohlrabi for stockfeeding	5
Mustard for seed, fodder or ploughing-in	3
Other crops for stockfeeding (inc. vetches and tares but not lucerne and grasses)	3
Sugar beet	10
Hops	70
Orchards grown commercially	23
Orchards not grown commercially	1
Small fruit:	
Strawberries	70
Raspberries	80
Currants, black	40
Gooseberries	40
Other small fruit	60

	Standard man-days (per acre)
All brassicas	20
Carrots, earlies	60
Carrots, main crop	10
Parsnips	25
Turnips and swedes	20
Beetroot (red beet)	30
Onions, salad	100
Onions, harvesting dry	25
Beans, broad	30
Beans, runner: bush	30
climbing	80
Beans, french	25
Peas, green for market	30
Peas, all others for processing	3
Celery	40
Lettuce, not under glass	30
Other vegetables and mixed areas	50
Hardy nursery stock	50
Bulbs	100
Other flowers not under glass	250
Crops under glass or sheds	1,300
Other crops not for feeding to farm livestock	3
Bare fallow	0·5
Lucerne	1·25
Clover, sainfoin and temporary grasses	0·75
Permanent grass	0·5

LIVESTOCK

	Standard man-days (per head per annum)
Dairy cows in milk or in calf and heifers in milk	10
Dairy heifers in calf	3·5
Beef cows in milk or in calf and heifers in milk	3
Bulls being used for service	6
All other cattle	2·5
Ewes	0·7
Rams	0·7
Wethers and other sheep 1 year old and over	0·2
Breeding sows and gilts	4
Boars	4
Other pigs over 2 months old	1
Poultry—Hens and pullets (other than growing pullets), geese and turkeys	0·1
—Fowls for breeding	0·15
—Ducks	0·2
—Broilers, growing pullets and other table fowl	0·05

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations prescribe the method of estimating for the purposes of section 39(2) of the Agriculture Act 1970 (which provides that a holding shall be treated as falling within the upper limit for a smallholding if in the opinion of the Minister it is capable of providing full-time employment for not more than two men) the number of men for whom a holding is capable of providing full-time employment. The estimate is to be made by reference to the standard labour requirements of the crops and livestock on the holding in an average period of twelve months expressed in terms of standard man-days. A holding is to be treated as being capable of providing full-time employment for not more than two men if its standard labour requirements are less than 900 standard man-days in a year on average.

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