



Agriculture Act (Northern Ireland) 1949

1949 CHAPTER 2

PART II ^{F1}

GOOD HUSBANDRY

RULES OF GOOD HUSBANDRY

18 Duration of improvement notices.

- (1) Where an improvement notice is in force and the Ministry is satisfied that it is no longer necessary that such improvement notice should continue in force, the Ministry may cancel the notice either in whole or in part, but the cancellation of the notice or part thereof shall not affect any direction made thereunder in so far as such direction is in force immediately before such cancellation.
- (2) ^{F1} any transfer of any interest in land to which an improvement notice relates other than a transfer by a testamentary disposition or by operation of law, whereby some other person becomes the occupier of that land, shall not affect the continued operation of the notice in relation to that land and accordingly the notice shall, subject to the provisions of this section, continue in force in so far as it relates to that land.
- (3) So long as an improvement notice continues in force the Ministry shall, from time to time, review the condition of the land to which the notice relates, and—
 - (a) a review shall be held under this sub-section as soon as may be after the expiration of twelve months from the service of the notice and, where one or more than one review of the notice has already been held under this sub-section, a further review shall be held as soon as may be after the expiration of twelve months from the last such review;
 - (b) the Ministry shall, on any review held under this sub-section, afford to any person, who, if an improvement notice were being served immediately before that review, would be entitled to make representations against the service thereof, a like opportunity of making representations for the cancellation or modification of the improvement notice under review.

*Changes to legislation: There are currently no known outstanding effects for the
Agriculture Act (Northern Ireland) 1949, Section 18. (See end of Document for details)*

- (4) Subject to the foregoing provisions of this section an improvement notice shall, to the extent to which it has not been cancelled by the Ministry or by a county court pursuant to the provisions of this Part of this Act, remain in force for the period of five years occurring next after the service thereof, so however that, without prejudice to the provisions of sub-section (1) of section thirty-two of the Interpretation Act, 1889 , as applied to Acts of the Parliament of Northern Ireland by the Interpretation Act, 1921 ^{F2}, the Ministry, notwithstanding the foregoing provisions of this sub-section, may, where it is satisfied that the land to which the improvement notice relates should after the expiration of such period continue to be, or should at any subsequent time be, treated as unsatisfactorily farmed, serve, at any time during the two months immediately preceding such expiration or at any subsequent time, a further improvement notice or notices relating to the land or any part thereof. For the removal of doubt it is hereby declared that the provisions of this Part of this Act relating to the service, duration and effect of improvement notices and to appeals against such notices shall apply with respect to every further improvement notice served by the Ministry in accordance with this sub-section.
- (5) The provisions of this Part of this Act relating to the duration of improvement notices and to the operation of directions given thereunder shall have effect notwithstanding anything contained in section fifty-five of the Irish Land Act, 1903 , regarding the compulsory sale of certain holdings by the Ministry of Finance.

F1	1951 c.3 (NI)
F2	1954 c.33 (NI)

Changes to legislation:

There are currently no known outstanding effects for the Agriculture Act (Northern Ireland) 1949, Section 18.