



Agriculture Act 1970

1970 CHAPTER 40

PART III

SMALLHOLDINGS IN ENGLAND AND WALES

Reorganisation of smallholdings

43 Submission and approval of proposals otherwise than in connection with reviews.

- (1) Where a smallholdings authority, other than an exempt smallholdings authority, propose to carry out any such transaction as is mentioned in paragraph (a), paragraph (b) or paragraph (c) of section 40(2) of this Act, and the transaction—
 - (a) would be inconsistent with any previous proposals of the authority as approved by the Minister and for the time being in force under the preceding provisions of this Part of this Act, and has not been provided for by any proposals previously approved under this section, and
 - (b) is intended to be carried out at a time when no review of the authority's smallholdings estate is required to be carried out by a direction given by the Minister under those provisions,the authority shall submit to the Minister proposals under this section for carrying out that transaction.
- (2) Any proposals submitted by a smallholdings authority under subsection (1) of this section shall be by way of amending the previous proposals of the authority approved by the Minister under the preceding provisions of this Part of this Act, in the form in which (whether as originally approved or as subsequently amended) those proposals are for the time being in force.
- (3) Where an exempt smallholdings authority propose to carry out any such transaction as is mentioned in paragraph (a) or paragraph (c) of section 40(2) of this Act, and the transaction has not been provided for by any proposals of the authority previously approved by the Minister under this section, the authority shall submit to the Minister proposals under this section for carrying out that transaction.

*Changes to legislation: There are currently no known outstanding effects
for the Agriculture Act 1970, Section 43. (See end of Document for details)*

- (4) An exempt smallholdings authority proposing to carry out any such transaction as is mentioned in paragraph (b) of section 40(2) of this Act may, if (having regard to the provisions of section 51 of this Act) it appears to the authority to be expedient to do so, submit to the Minister proposals under this section for carrying out that transaction.
- (5) Subsection (3) of section 40 and subsections (1) to (5) of section 41 of this Act shall have effect (subject to the necessary modifications) in relation to proposals submitted to the Minister under this section as they have effect in relation to proposals submitted to him under the said section 40.
- (6) Subject to subsection (7) of this section, where the Minister has approved any proposals under this section, subsection (5) of section 42 of this Act shall have effect as if those proposals had been approved under that section.
- (7) In the case of proposals submitted by an exempt smallholdings authority and approved by the Minister under this section, subsection (6) of section 41 of this Act shall have effect as if those proposals had been approved under that section.
- (8) In this section “exempt smallholdings authority” means a smallholdings authority in respect of which a direction given under section 40(4) of this Act is for the time being in force.

Changes to legislation:

There are currently no known outstanding effects for the Agriculture Act 1970, Section 43.