



# Agriculture (Miscellaneous Provisions) Act 1954

## 1954 CHAPTER 39

### **6 Power of Agricultural Land Tribunal to refer questions of law to High Court**

- (1) Any question of law arising in the course of proceedings before an Agricultural Land Tribunal may, at the request of any party to the proceedings, be referred by the Tribunal to the High Court for decision, whether before or after the Tribunal have given their decision in the proceedings.
- (2) Subject to the following provisions of this section, if an Agricultural Land Tribunal, after giving their decision in any proceedings, refuse any such request to refer a question to the High Court under this section, any person aggrieved by the refusal may apply to the High Court for an order directing them to do so.
- (3) The Minister of Agriculture and Fisheries shall be entitled to appear and be heard on any reference to the High Court under this section and on any application to the High Court thereunder, whether made by him or not.
- (4) Provision shall be made by order under subsection (3) of section seventy-three of the Agriculture Act, 1947 (which relates to the procedure of Agricultural Land Tribunals), for limiting the time for requesting a Tribunal to refer a question to the High Court under this section, and for requiring notice to be given to a Tribunal within a time limited by the order of any intended application to the High Court under this section; and provision shall be made by rules of court for limiting the time for instituting proceedings in the High Court under subsection (2) of this section.
- (5) Where, after an Agricultural Land Tribunal have given their decision in any proceedings, they refer a question to the High Court under this section, or receive notice of an intended application to the High Court for an order directing them to do so, effect shall not be given to the Tribunal's decision unless and until the Tribunal otherwise order after the proceedings in the High Court and any proceedings arising therefrom have been concluded (or the right to take or continue any such proceedings has lapsed); and any such order of the Tribunal shall, where necessary, modify their decision so as to give effect to the decision on any reference to the High Court and,

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*Status: This is the original version (as it was originally enacted).*

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in a case relating to a notice to quit, may postpone (or further postpone) the date at which the tenancy is to be terminated by the notice, if it has effect.

- (6) The Minister of Agriculture and Fisheries may, by order under subsection (3) of section seventy-three of the Agriculture Act, 1947, make such provision as he thinks necessary or expedient for enabling the chairman of an Agricultural Land Tribunal to exercise all or any of the Tribunal's powers under the last foregoing subsection, and for regulating any proceedings before an Agricultural Land Tribunal which are consequent on the reference of any question to the High Court under this section or on the decision on such a reference, and enabling any such proceedings to be dealt with by an Agricultural Land Tribunal constituted for the purpose, where they cannot conveniently be dealt with by the Tribunal originally constituted for the purpose of the proceedings in the course of which the question arose.
- (7) This section shall come into force on such date as the Minister of Agriculture and Fisheries may appoint by order made by statutory instrument.