



Small Holdings and Allotments Act 1926

1926 CHAPTER 52 16 and 17 Geo 5

PART II

MISCELLANEOUS AMENDMENTS OF THE SMALL HOLDINGS AND ALLOTMENTS ACTS

16 Amendment of definition of “small holding.”

In the definition of “small holding” contained in section sixty-one of the principal Act, for the words “fifty pounds” there shall be substituted the words “one hundred pounds.”

Modifications etc. (not altering text)

C1 The text of S. 16 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

17 Amendment of law as to the acquisition of land.

(1) F1

(2) F2

(3) For removing doubts as to the effect of the ^{M1}Acquisition of Land (Assessment of Compensation) Act, 1919, it is hereby declared:—

(a) that the said Act does not apply to the determination of a dispute as to the amount of compensation payable on the withdrawal of a notice to treat under subsection (8) of section thirty-nine of the principal Act;

(b) that the said Act has not affected the power of the Minister under paragraphs (5) . . . ^{F3} of Part I of the First Schedule to the principal Act to give directions with respect to the hearing of . . . ^{F4} expert witnesses . . . ^{F4}, and that any directions so given . . . ^{F4} apply to arbitrations before an official arbitrator both when assessing the compensation in the case of the compulsory purchase of land and when assessing the rent or other compensation to be paid in the case of the compulsory hiring of land.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Small Holdings and Allotments Act 1926, Part II. (See end of Document for details)

Textual Amendments

- F1** S. 17(1) repealed by [Compulsory Purchase Act 1965 \(c. 56\)](#), **Sch. 8 Pt. I**.
- F2** S. 17(2) repealed by [Acquisition of Land \(Authorisation Procedure\) Act 1946 \(c. 49\)](#), **Sch.6**
- F3** Words repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), s. 1(1), **Sch. 1 Pt. VIII**
- F4** Words repealed by [Lands Tribunal Act 1949 \(c. 42\)](#), **Sch. 2**

Marginal Citations

- M1** [1919 c. 57](#).

18 Provisions as to land compulsorily hired.

- (1) Where a council in pursuance of the powers conferred by section forty-four of the principal Act have given notice to the landlord of land compulsorily hired by them to renew the tenancy, it shall be lawful for the council to withdraw the notice at any time not less than three months before the expiration of the tenancy if it appears to the council that the rent assessed in pursuance of the said section is such as will involve loss to the council, but in any such case the landlord shall be entitled to obtain from the council compensation for any loss or expenses which he may have sustained or incurred by reason or in consequence of the notice to renew and of the notice to withdraw, such compensation to be determined in like manner as the compensation for withdrawal of notice to treat under subsection (8) of section thirty-nine of the principal Act.
- (2) A notice to resume possession of the whole or part of land hired by a council compulsorily for small holdings or allotments given under section forty-six of the principal Act shall not be valid if given before it has been shown to the satisfaction of the Minister that the land, possession of which is proposed to be resumed, is required for such a purpose as is mentioned in that section, and where an applicant has failed to satisfy the Minister that any land is required for such a purpose, any further application to the Minister with a view to the resumption of possession of the same land or any part of it for the same purpose shall not be entertained if made within two years after the previous application.

19 Power of tenant to purchase small holding held from a county council.

- (1) Subsection (3) of section eleven of the ^{M2}Land Settlement (Facilities) Act, 1919 (which enables the tenant of a holding provided by a county council on land purchased by the council to purchase the holding) shall apply only in the case of a tenant in occupation of a small holding at the commencement of this Act; and nothing in this Act or in any repeal effected thereby shall affect the terms on which such a tenant is so entitled to purchase his holdings.
- (2) In the case of a tenant of a small holding whose occupation thereof commences after the commencement of this Act, it shall be lawful for the county council to sell the small holding to him, subject to the provisions of this Act relating to the sale of small holdings.

Marginal Citations

- M2** [1919 c. 59](#).

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Small Holdings and Allotments Act 1926, Part II. (See end of Document for details)

20 Power to sell land without consent of Minister in certain cases.

- (1) Notwithstanding anything in section twelve of the Land Settlement (Facilities) Act, 1919, it shall not be necessary for a county council to obtain the consent of the Minister to the sale of any land where the land forms part of land which they have acquired under Part I. of this Act without such consent.
- (2) Section thirteen of the ^{M3}Land Settlement (Facilities) Act, 1919, shall not exempt any county council from obtaining the consent of the Minister in any case where such consent is required by this Act.

Marginal Citations

M3 1919 c. 59.

21 Minor amendments.

The amendments specified in the second column of the First Schedule to this Act (which relate to minor details) shall be made in the provisions of the Small Holdings and Allotments Acts, 1908 to 1919, specified in the first column of that schedule.

Modifications etc. (not altering text)

C2 The text of S. 21 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Small Holdings and Allotments Act 1926, Part II.