



# Agriculture Act 1947

1947 CHAPTER 48 10 and 11 Geo 6

## PART V

### ADMINISTRATIVE AND GENERAL

#### *Agricultural Land Tribunals*

#### **73 Establishment, constitution and procedure of Agricultural Land [F1Tribunal].**

- [F2(1) For Wales, there shall continue to be an Agricultural Land Tribunal with the duty of hearing and determining references and applications made to the Agricultural Land Tribunal under any enactment.]
- (2) The provisions in that behalf of the Ninth Schedule to this Act shall have effect as to the constitution of [F3the Agricultural Land Tribunal] and otherwise in relation thereto.
- (3) [F4The Lord Chancellor] may by order make provision for the procedure of [F5the Agricultural Land Tribunal], and in particular—
- [F6(aa) as to the manner in which applications are to be made to the [F7Agricultural Land Tribunal] and the time within which they are made;]
  - (a) for the taking of evidence on oath, affirmation or otherwise, the cross-examination of witnesses, and for the summoning of witnesses in like manner as for the purposes of an arbitration under [F8the M1Agricultural Holdings Act 1986];
  - (b) for the recording and proof of the decisions of the [F9Agricultural Land Tribunal], and for enabling the [F9Agricultural Land Tribunal] to decide by a majority;
  - (c) ..... F10
  - [F11(d) for the transfer of proceedings for the purposes of section 42 of the Agricultural Holdings Act 1986 (procedure where deceased held more than one holding), where the determination of associated applications concerns one or more holdings in Wales and one or more holdings in England.]

*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1947, Cross Heading: Agricultural Land Tribunals. (See end of Document for details)*

- (4) An order under the last foregoing subsection may make different provision for the procedure on different classes of reference [<sup>F12</sup>or application] to [<sup>F13</sup>the Agricultural Land Tribunal] .
- [<sup>F14</sup>(5) [<sup>F15</sup>The Agricultural Land Tribunal] may, for the purpose of hearing and determining applications and references made to them under any enactment, sit in two or more divisions, and, in relation to the hearing and determination of any such application or reference by such a division, that division shall be deemed to be the Tribunal.]

#### Textual Amendments

- F1** Word in s. 73 substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 190(a)** (with Sch. 3)
- F2** S. 73(1) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 190(b)** (with Sch. 3)
- F3** Words in s. 73(2) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 190(c)** (with Sch. 3)
- F4** Words substituted by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 1 Pt. I para. 3(a)**
- F5** Words in s. 73(3) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 190(d)(i)** (with Sch. 3)
- F6** S. 73(3)(aa) inserted by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 1 Pt. I para. 3(c)**
- F7** Words in s. 73(3)(aa) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 190(d)(ii)** (with Sch. 3)
- F8** Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99, 100, Sch. 13 para. 3, **Sch. 14 para. 18**
- F9** Words in s. 73(3)(b) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 190(d)(ii)** (with Sch. 3)
- F10** S. 73(3)(c) repealed by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 2 Pt. I**
- F11** S. 73(3)(d) inserted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 190(d)(iii)** (with Sch. 3)
- F12** Words inserted by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 1 Pt. I para. 3(d)**
- F13** Words in s. 73(4) substituted (1.7.2013) by virtue of [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 190(e)** (with Sch. 3)
- F14** S. 73(5) added by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 1 Pt. I para. 3(e)**
- F15** Words in s. 73(5) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 190(f)** (with Sch. 3)

#### Modifications etc. (not altering text)

- C1** S. 73(3) extended by [Agriculture \(Miscellaneous Provisions\) Act 1954 \(c. 39\)](#), s. 6(4)(6) and [Agriculture \(Miscellaneous Provisions\) Act 1976 \(c. 55\)](#), s. 20(14)
- C2** S. 73(3) functions transferred (W.) (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), 4

#### Marginal Citations

- M1** 1986 c. 5 (2:3)

## 74 Proceedings before Agricultural Land Tribunal on reference of Minister's proposals.

- (1) In any case where by any of the provisions of this Act a person is empowered to require that a proposal of the Minister to take any action shall be referred to the Agricultural

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Land Tribunal, then if within the prescribed time and in the prescribed manner the said person so requires, the proposal shall be referred accordingly.

- (2) On any such reference the Tribunal shall determine—
  - (a) whether the conditions as to which the Minister must be satisfied before taking the action are fulfilled, and
  - (b) whether, having regard to their determination under the foregoing paragraph and to all the circumstances of the case, the Minister should or should not take the action proposed,and shall report to the Minister accordingly; and the Minister shall forward a copy of the report to any person who availed himself of an opportunity to make representations to the Minister afforded to him under the provisions in question of this Act.
- (3) In any such case as is mentioned in subsection (1) of this section the Minister shall not give effect to the proposal until the expiration of the period within which a reference to the Tribunal may be required.
- (4) Where such a reference is duly required the Minister shall act in accordance with the report of the Tribunal and not otherwise.
- (5) Forthwith after taking action in any such case as is mentioned in subsection (1) of this section the Minister shall serve notice thereof in writing on any person who under the provisions in question of this Act was entitled to be afforded an opportunity to make representations to the Minister.

**Changes to legislation:**

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