



Agriculture Act 1970

1970 CHAPTER 40

PART III

SMALLHOLDINGS IN ENGLAND AND WALES

Financial aid for smallholdings

50 Grants in respect of certain amalgamations, etc.

Any scheme under section 26 of the ^{M1}Agriculture Act 1967 as amended by Part II of this Act which makes provision for grants to smallholdings authorities . . . ^{F1} in connection with the carrying out of transactions to give effect to proposals approved and for the time being in force under sections 40 to 43 of this Act and which provides that this section is to have effect in relation to the scheme shall provide for such grants to be payable only in such cases as the Minister may, with the approval of the Treasury, determine; and no such grant shall be made under that scheme to a smallholdings authority . . . ^{F1} in connection with any particular transaction unless an application for the making of the grant has been made by the authority in accordance with the scheme [^{F2}before the end of 1975]; but—

- (a) the application may be made at any time after the authority have submitted to the Minister proposals under the said section 40 which include proposals relating to that transaction or have submitted to the Minister proposals relating to that transaction under the said section 43; and
- (b) where the transaction is comprised in proposals submitted under the said section 40, the grant may be made at any time after the Minister has approved so much of those proposals as relates to that transaction whether any other part of the proposals submitted by the authority has then been approved or not.

Textual Amendments

- F1** Words repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\), s. 26\(4\), Sch. 6](#)
- F2** Words substituted by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\), s. 9\(7\)](#)

Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1970, Cross Heading: Financial aid for smallholdings. (See end of Document for details)

Modifications etc. (not altering text)

C1 S. 50 extended by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\), s. 9\(1\)\(2\)\(a\)\(i\)](#)

Marginal Citations

M1 [1967 c. 22.](#)

51 Increase of certain capital grants.

(1) Where a grant is made to a smallholdings authority under a scheme made under any provision of this Act in respect of expenditure which—

- (a) was or is to be incurred in the carrying out or provision of works or facilities of such description as the Minister may specify for the purposes of this section in that scheme which are, in the opinion of the Minister, required for giving effect to proposals approved by him under section 41 or 43 of this Act; and
- (b) qualified in accordance with the provisions of the scheme for consideration for the grant before the expiration of the period of five years beginning with the date when the first scheme under the provision of this Act in question providing for grants to smallholdings authorities came into operation,

the Minister may increase the amount of that grant by an amount equal to one-tenth of the expenditure in respect of which the grant was made; but no such increase shall be granted if the land on which the works or facilities were or are to be carried out or provided constitutes or forms part of a holding which, in the opinion of the Minister, would without those works or facilities be a commercial unit within the meaning of Part II of the ^{M2}Agriculture Act 1967.

(2) An application to the Minister for an increase of grant by virtue of subsection (1) of this section in respect of any works or facilities may be made by a smallholdings authority at any time after the authority—

- (a) have submitted to the Minister proposals under section 40 of this Act which include the proposals in connection with which the authority claim that the works or facilities are required (hereafter in this subsection referred to as “the relevant proposals”); or
- (b) have submitted the relevant proposals to the Minister under section 43 of this Act;

and, where the relevant proposals are comprised in proposals submitted under the said section 40, the increase may be granted at any time after the Minister has approved so much of the proposals submitted under that section as consists of the relevant proposals, whether any other part of the proposals so submitted by the authority has been so approved or not.

Marginal Citations

M2 [1967 c. 22.](#)

52 Contributions under previous enactments.

^{F3}(1)

(2) Regulations made by the Ministers with the approval of the Treasury—

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- (a) may require any smallholdings authority to furnish the Minister with such particulars as may be determined in accordance with the regulations of any sale or exchange of land which immediately before the commencement of this Part of this Act is held by the authority for the purposes of smallholdings, of any appropriation of such land for other purposes, and of any letting of such land otherwise than under section 44 of this Act;
 - ^{F4}(b)
 - (c) may provide for withholding or reducing any such contributions where any requirement imposed on a smallholdings authority by or under this Part of this Act ^{F5}... is not complied with;
 - (d) may make provision as to the making of applications for the payment of any such contributions which have been agreed to be made, and as to the time at which payments of any such contributions may be made, and for enabling the Minister to require a smallholdings authority to whom any such contributions have been paid to furnish the Minister with any particulars required by the Minister before payment of contributions is continued; and
 - (e) may make provision for empowering persons authorised by the Minister to inspect books and other documents of a smallholdings authority relating to transactions in connection with which any such contributions are payable to the authority.
- ^{F6}(3)
- ^{F7}(4)
- (5) In this section “contributions” includes any payments; ^{F8}....

Textual Amendments

- F3** S. 52(1) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 3
- F4** S. 52(2)(b) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 3
- F5** Words in s. 52(2)(c) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 3
- F6** S. 52(3) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 3
- F7** S. 52(4) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 3
- F8** Words in s. 52(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 3

53 Loans and guarantees by smallholdings authorities.

- (1) A smallholdings authority may make loans for the purpose of providing working capital for a tenant of a smallholding provided by the authority, or for a person intending to become such a tenant, or may guarantee the repayment of, and the payment of interest on, any loan made for that purpose by another person.
- (2) A loan made or guaranteed by a smallholdings authority under this section in respect of a smallholding (or, if two or more loans are so made or guaranteed, the aggregate amount of those loans) shall not exceed three-quarters of the aggregate working capital which in the opinion of the authority is required for the proper working of the smallholding.
- (3) Subject to subsection (4) of this section, every loan made by a smallholdings authority under this section shall bear interest at a rate of one-half of one per cent. above the rate which, on the date of the agreement to make the loan, is the rate for the time being determined by the Treasury in accordance with section 5 of the ^{M3}National Loans Act

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1968 in respect of local loans made on the security of local rates on that date and for the same period as that loan.

- (4) Where, on the date of the agreement for a loan under this section, there are two or more rates of interest for the time being determined by the Treasury as mentioned in subsection (3) of this section, the reference in that section to the rate so determined shall be construed as a reference to such one of those rates as may be specified in a direction given by the Treasury for the purposes of this section.
- (5) The Treasury shall cause any direction given under subsection (4) of this section to be published in the London Gazette as soon as may be after giving it.
- (6) A smallholdings authority shall not guarantee a loan under this section which bears a rate of interest in excess of the rate which would be chargeable if the loan were made by the authority under this section.
- (7) No loan shall be made or guaranteed under this section except in pursuance of an agreement in writing specifying the maximum period of the loan or guarantee and the rate of interest on the loan.
- (8) In this section “local loans” and “made on the security of local rates” have the same meanings as in section 6(2) of the National Loans Act 1968.

Marginal Citations

M3 1968 c. 13.

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