



Small Holdings and Allotments Act 1908

1908 CHAPTER 36 8 Edw 7

PART III

GENERAL

Acquisition of Land

40 †Powers of certain limited owners to sell and lease land for small holdings or allotments.

- (1) Any person having power to lease land for agricultural purposes for a limited term, whether subject to any consent or conditions or not, may, subject to the like consent and conditions (if any), lease land to a council for the purposes of . . . ^{F1} allotments for a term not exceeding thirty-five years, either with or without such right of renewal as is conferred by this Act in the case of land hired compulsorily for those purposes.
- (2) The like powers of leasing may be exercised . . . ^{F2} in the case of land forming part of the possessions of . . . ^{F3} the Duchy of Cornwall, by the Duke of Cornwall or other the persons for the time being having power to dispose of land belonging to that Duchy.
- (3) The like powers of leasing may be exercised in the case of glebe land or other land belonging to an ecclesiastical benefice by the incumbent thereof with the consent of the Ecclesiastical Commissioners alone upon such terms and conditions and in such manner as the Ecclesiastical Commissioners may approve.
- (4) ^{F4}
- (5) ^{F4}

Textual Amendments

- F1** Words repealed by [Agriculture Act 1970 \(c. 40\), s. 65\(1\), Sch. 5 Pt. III](#)
- F2** Words repealed by [Crown Estate Act 1961 \(c. 55\), Sch. 3 Pt. II](#)
- F3** Words repealed by [Duchy of Lancaster Act 1988 \(c. 10, SIF 29:10\), s. 1\(4\), Sch.](#)
- F4** [Ss. 40\(4\)\(5\) repealed by Settled Land Act 1925 \(c. 18\), Sch. 5](#)

Changes to legislation: There are currently no known outstanding effects for the Small Holdings and Allotments Act 1908, Section 40. (See end of Document for details)

Modifications etc. (not altering text)

- C1** A dagger appended to a marginal note means that it is no longer accurate
- C2** S. 40 saved by [Law of Property Act 1922 \(c. 16\)](#), s. 145, **Sch. 15 para. 9**

Changes to legislation:

There are currently no known outstanding effects for the Small Holdings and Allotments Act 1908, Section 40.