

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1947, NINTH SCHEDULE. (See end of Document for details)

SCHEDULES

NINTH SCHEDULE

Sections 68, 71, 73.

CONSTITUTION ETC. OF COMMISSION, SUB-COMMISSION, COMMITTEES AND TRIBUNALS

F1

1—6.

Textual Amendments

F1 Sch. 9 paras. 1–6 repealed by [Agriculture \(Miscellaneous Provisions\) Act 1963 \(c. 11\)](#), **Sch. Pt. I**

F2

7—12.

Textual Amendments

F2 Sch. 9 paras.7–12 repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\)](#), **Sch. 6**

Agricultural Land Tribunals

- [^{F3}13 (1) The Lord Chancellor shall appoint a chairman for each Agricultural Land Tribunal, who shall be a [^{F4}person who has a 7 year general qualification, within the meaning of section 71 of the Courts and Legal Services Act 1990.]
- (2) The chairman shall hold office for three years, and a chairman whose term of office expires shall be eligible to be re-appointed as chairman.
- (3) The chairman may resign his office by notice in writing to the Lord Chancellor.
- (4) If the Lord Chancellor is satisfied that the chairman is incapacitated by infirmity of mind or body from discharging the duties of his office, or if the chairman is adjudged bankrupt or makes a composition or arrangement with his creditors, the Lord Chancellor may revoke the appointment of the chairman.]

Textual Amendments

F3 Sch. 9 paras. 13–16, 16A substituted for paras. 13-16 by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 1 Pt. I para. 5(1)(2)**

F4 Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 71(2), **Sch. 10 para. 6(1)**

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- [^{F5}14 The Lord Chancellor shall draw up for each Agricultural Land Tribunal and from time to time revise a panel of deputy-chairmen, who shall be [^{F6}persons eligible for appointment under paragraph 13(1).]]

Textual Amendments

- F5** Sch. 9 paras. 13–16, 16A substituted for paras. 13-16 by [Agriculture Act 1958 \(c. 71\)](#), [Sch. 1 Pt. I para. 5\(1\)\(2\)](#)
- F6** Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 71(2), [Sch. 10 para. 6\(2\)](#)

- [^{F7}15 (1) The Lord Chancellor shall draw up for each Agricultural Land Tribunal and from time to time revise a panel of persons appearing to him to represent the interests of farmers and a panel of persons appearing to him to represent the interests of owners of agricultural land.
- (2) Subject to the following sub-paragraph, the persons to be placed on either panel shall be selected by the Lord Chancellor from nominations made at his request by persons appearing to him to represent the interests of farmers or of owners of agricultural land, as the case may be.
- (3) The last foregoing sub-paragraph shall not prevent the Lord Chancellor from placing on either of the panels a person not nominated in accordance with that sub-paragraph, if the persons requested to make the nominations for that purpose do not make the required number of nominations, or the nominations they make do not include enough persons who appear to the Lord Chancellor to be suitable.]

Textual Amendments

- F7** Sch. 9 paras. 13–16, 16A substituted for paras. 13-16 by [Agriculture Act 1958 \(c. 71\)](#), [Sch. 1 Pt. I para. 5\(1\)\(2\)](#)

- [^{F8}16 (1) For each hearing by an Agricultural Land Tribunal of an application or reference thereto the members of the Tribunal shall be—
- (a) the chairman, or a person nominated by the chairman either from the panel of deputy-chairmen (whether for that Tribunal or for any other Agricultural Land Tribunal) or from among the chairmen of other Agricultural Land Tribunals, and
- (b) one person nominated by the chairmen from each of the panels for that Tribunal drawn up under the last foregoing paragraph or from a corresponding panel for any other Agricultural Land Tribunal.
- (2) The chairman may, if it appears to him expedient so to do, nominate two assessors to be added to the Tribunal for the hearing of an application or reference thereto in order to assist the Tribunal in the hearing.
- (3) The assessors shall be selected by the chairman from a panel of persons nominated by the President of the Royal Institution of Chartered Surveyors.]

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Textual Amendments

F8 Sch. 9 paras. 13–16, 16A substituted for paras. 13-16 by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 1 Pt. I para. 5(1)(2)**

Modifications etc. (not altering text)

C1 Sch. 9 para. 16(1) modified by [Land Drainage Act 1976 \(c. 70\)](#), **s. 42(1)**

[^{F9}16A If the chairman of an Agricultural Land Tribunal is prevented by sickness or any other reason from making nominations under sub-paragraphs (1) and (2) of the last foregoing paragraph or from otherwise discharging the duties of his office, those duties may be discharged by a person appointed from the panel of deputy-chairmen for that Tribunal by the chairman or, if the chairman is unable to make the appointment, by the Lord Chancellor]

Textual Amendments

F9 Sch. 9 paras. 13–16, 16A substituted for paras. 13-16 by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 1 Pt. I para. 5(1)(2)**

Modifications etc. (not altering text)

C2 Sch. 9 para. 16A extended by [Land Drainage Act 1976 \(c. 70\)](#), **s. 42(2)**

17 (1) [^{F10}The Lord Chancellor] may by order direct that the foregoing provisions of this Schedule as to the nominated members of Agricultural Land Tribunals shall have effect subject to such modification of the number of such members, and such additions to the classes of persons referred to in paragraph 15 of this Schedule, as may be specified in the order.

(2) Any order under this paragraph shall be of no effect unless approved by resolution of each House of Parliament.

Textual Amendments

F10 Words substituted by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 1 Pt. I para. 5(1)(3)**

F11

18

Textual Amendments

F11 Sch. 9 para. 18 repealed by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 2 Pt. I**

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Disqualifications for appointment

- 19 (1) ^{F12}
- (2) A person shall be disqualified for being appointed or being a member of, or assessor to, an Agricultural Land Tribunal so long as he is a member of any other body mentioned in the last foregoing sub-paragraph.

Textual Amendments

F12 Sch. 9 para. 19(1) repealed by [House of Commons Disqualification Act 1957 \(c. 20\)](#), **Sch. 4 Pt. I**

Validity of acts

- 20 (1) Any body mentioned in the last foregoing paragraph shall have power to act notwithstanding any vacancy among its members.
- (2) All acts done at any meeting of any such body shall, notwithstanding that it is afterwards discovered that there was a defect in the appointment or disqualification of a person purporting to be a member thereof, be as valid as if that defect had not existed.
- (3) Nothing in sub-paragraph (1) of this paragraph shall affect any requirement as to the number of members necessary to constitute a meeting of any such body as aforesaid.

^{F13}

21

Textual Amendments

F13 Sch. 9 para. 21 repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\)](#), **Sch. 6**

Officers and Servants

- 22 (1) ^{F14}
- (2) The Minister shall attach to . . . ^{F15} Agricultural Land Tribunals such officers and servants of the Ministry as he may with the approval of [^{F16}the Minister for the Civil Service] determine to be required for providing the . . . ^{F15} tribunals with the necessary officers and servants.
- (3) ^{F14}

Textual Amendments

F14 Sch. 9 para. 22(1)(3) repealed by [Agriculture \(Miscellaneous Provisions\) Act 1963 \(c. 11\)](#), **Sch. Pt. I**

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- F15** Words repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\)](#), [Sch. 6](#)
F16 Words substituted by virtue of [S.I. 1971/2099](#), [arts. 2, 3, 6\(5\)](#)

Remuneration and Expenses

- 23 (1) The Minister may pay to members of . . . ^{F17} Agricultural Land Tribunals such remuneration (whether by way of salaries or of fees) as he may with the approval of [^{F18}the Minister for the Civil Service] determine.
- (2) The Minister may pay to the members of any body mentioned in paragraph 19 of this Schedule and to the assessors to Agricultural Land Tribunals such allowances as he may with the approval of [^{F18}the Minister for the Civil Service] determine.
- (3) The expenses of any body mentioned in paragraph 19 of this Schedule shall be defrayed by the Minister.

Textual Amendments

- F17** Words repealed by [Agriculture \(Miscellaneous Provisions\) Act 1963 \(c. 11\)](#), [Sch. Pt. I](#)
F18 Words substituted by virtue of [S.I. 1971/2099](#), [arts. 2, 3, 6\(5\)](#)

Proof of Instruments

- 24 Any document purporting to be a document duly executed or issued . . . ^{F19} on behalf of any such body as aforesaid shall, until the contrary is proved, be deemed to be a document so executed or issued, as the case may be.

Textual Amendments

- F19** Words repealed by [Agriculture \(Miscellaneous Provisions\) Act 1963 \(c. 11\)](#), [Sch. Pt. I](#)

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