

## SCHEDULES.

### NINTH SCHEDULE

Sections 68, 71, 73.

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

##### *Agricultural Land Commission and Welsh Agricultural Land Sub-Commission.*

- 1 Unless and until the Agricultural Land Commission (hereafter in this Schedule referred to as " the Commission ") otherwise determine, three shall be a quorum at any meeting of the Commission; and subject to the provisions of this Act the Commission shall have power to fix and regulate their own procedure.
- 2 If at any meeting of the Commission the votes are equally divided on any question, the person acting as chairman of the meeting shall have a second or casting vote.
- 3 Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not require to be under seal may be entered into or executed on behalf of the Commission by any person generally or specially authorised by them for the purpose.
- 4 (1) The Welsh Agricultural Land Sub-Commission (hereafter in this Schedule referred to as "the Sub-Commission") shall subject to the provisions of this Act have power to fix and regulate their own procedure.  
(2) Unless and until the Sub-Commission otherwise determine two shall be a quorum at any meeting of the Sub-Commission.  
(3) In default of the chairman such member of the Sub-Commission attending any meeting shall preside at the meeting as may be agreed by the members so attending.  
(4) If at any meeting of the Sub-Commission at which the chairman is present the votes are equally divided on any question, the chairman shall have a second or casting vote.
- 5 Every member of the Commission and the Sub-Commission shall hold and vacate office under the terms of the instrument under which he is appointed, but notwithstanding anything in that instrument he may resign his office by notice in writing served on the Minister.
- 6 Any member of the Commission or the Sub-Commission who ceases to hold office shall be eligible for reappointment.

##### *County Agricultural Executive Committees, Sub-Committees and District Committees.*

- 7 (1) A County Agricultural Executive Committee shall consist of not more than five members appointed by the Minister, and of seven other members (hereinafter referred to as "nominated members ") appointed by the Minister from among persons nominated in accordance with the following provisions of this Schedule.  
(2) One of the said five members shall be a member of the council of the county for which the Committee is established, and shall be appointed by the Minister after consultation with that council.

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In the application of this sub-paragraph—

- (a) to the Isles of Scilly for the references to the council of a county there shall be substituted references to the council of those Isles,
- (b) to a combination of counties which under subsection (2) of section seventy-one of this Act is treated as a single county for the reference to a member of the council of the county there shall be substituted a reference to a member of one of the councils, and for the reference to consultation with the council of a county there shall be substituted a reference to consultation with all of the councils.

- (3) The nominated members shall be appointed from persons nominated—
  - (a) in the case of three members, by persons appearing to the Minister to represent the interests of farmers;
  - (b) in the case of two members, by persons appearing to him to represent the interests of workers employed in agriculture;
  - (c) in the case of two members, by persons appearing to him to represent the interests of owners of agricultural land.
- (4) The Minister may by order direct that the foregoing provisions of this paragraph shall have effect subject to such modifications of the numbers therein specified, or such additions to the classes of nominated members and such consequential additions to the persons required to be consulted under paragraph 1 of the Tenth Schedule to this Act, as may be provided by the order.
- (5) Any order under this paragraph shall be of no effect unless approved by resolution of each House of Parliament.

8       The Minister shall designate a member of each County Agricultural Executive Committee to act as chairman of the Committee and another member to act as deputy chairman in the absence of the chairman.

9       (1) Subject to the provisions of this paragraph, the term of office of any member of a County Agricultural Executive Committee shall be three years, but a member who ceases to hold office shall, subject to the provisions of this Schedule as to nomination, be eligible for reappointment.

- (2) The following provisions shall regulate the tenure of office of the first members of a County Agricultural Executive Committee other than the chairman:—
  - (a) at the end of the first year from the establishment of the Committee one-third (or, if one-third is not an integral number, the nearest integral number not exceeding one-third) of the said members, to be chosen by the Committee, shall retire from the Committee;
  - (b) at the end of two years from the establishment of the Committee one-half (or, if one-half is not an integral number, the nearest integral number not exceeding one-half) of the remaining first members of the Committee, to be chosen by the Committee, shall retire from the Committee.
- (3) Any member of the Committee may resign his membership by notice in writing served on the Minister.
- (4) If the Minister is satisfied that any member of the Committee is incapacitated by infirmity of mind or body from discharging the duties of his office, or is otherwise unsuited to continue to discharge those duties, or if any member of the Committee

is adjudged bankrupt or makes a composition or arrangement with his creditors, the Minister may revoke his appointment as a Member of the Committee.

- (5) Where the Minister appoints a person in the place of a member whose office is vacated otherwise than in accordance with sub-paragraph (1) or (2) of this paragraph, the said sub-paragraphs (1) and (2) shall apply to the person so appointed as if he had become a member of the Committee at the same time as the member in whose place he was appointed, or, where two or more persons are appointed as aforesaid in succession, as if he had become a member of the Committee at the same time as the first member whose office was vacated as aforesaid.
- 10 A County Agricultural Executive Committee may add to any sub-committee established by them persons not being members of the Committee, who shall continue as members of the sub-committee for such period as the Committee may determine.
- 11 A district committee shall consist of such number of members, whether or not members of the County Agricultural Executive Committee by which the district committee are established, as the County Agricultural Executive Committee may determine, and the members of a district committee shall be appointed by the County Agricultural Executive Committee and hold office for such period, determinable in such circumstances, as may be fixed by the County Agricultural Executive Committee.
- 12 A County Agricultural Executive Committee, sub-committee or district committee shall have power to fix and regulate their own procedure, including power to determine the number of members necessary to form a quorum.

*Agricultural Land Tribunals.*

- 13 (1) An Agricultural Land Tribunal shall consist of a chairman and two other members.
- (2) The Minister may, if it appears to him expedient so to do, direct that for any reference to the Tribunal specified in the direction two assessors shall be added to the Tribunal to assist the members thereof in the hearing of the matter of the reference.
- 14 (1) The chairman shall be appointed by the Lord Chancellor and shall be a barrister or solicitor of not less than seven years' standing.
- (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 served on 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.
- (5) If the Lord Chancellor is satisfied that the chairman is prevented by sickness or any other reason from acting on any reference to the Agricultural Land Tribunal, the Lord Chancellor may appoint a person having the qualifications mentioned in sub-paragraph (1) of this paragraph to be chairman of the Tribunal for that reference.
- 15 The two members of an Agricultural Land Tribunal other than the chairman (hereinafter referred to as "nominated members") shall, for each reference to the

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Tribunal, be appointed by the Minister and shall be so appointed respectively from a panel of persons nominated in the case of one such member by persons appearing to the Minister to represent the interests of farmers, and in the case of the other by persons appearing to the Minister to represent the interests of owners of agricultural land.

- 16 The assessors shall be selected by the Minister, for any reference for which the Minister directs the addition of assessors to the Tribunal, from a panel of persons nominated by the President of the Royal Institution of Chartered Surveyors.
- 17 (1) The Minister 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.
- 18 Where provision is made for the sitting of an Agricultural Land Tribunal in two or more divisions, this Schedule shall apply as if each division were an Agricultural Land Tribunal.

*Disqualifications for appointment.*

- 19 (1) A person shall be disqualified for being appointed or being a member of the Commission or Sub-Commission or of a County Agricultural Executive Committee, sub-committee or district committee, or a member of or assessor to an Agricultural Land Tribunal, so long as he is a member of the Commons House of Parliament.
- (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.

*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.

*Nomination of persons for appointment as nominated members.*

- 21 (1) Where for the purpose of appointing nominated members for any county or area provision is made under the foregoing paragraphs of this Schedule for nomination by persons appearing to the Minister to be representative of the interests of farmers, workers or owners of land or by any other persons specified by order of the Minister under sub-paragraph (4) of paragraph 7 or sub-paragraph (1) of paragraph 17 of this Schedule, the said persons shall, on a requirement in that behalf being made by the

Minister, submit to the Minister such number of names for the county or area in question as the Minister may require.

- (2) If in relation to any appointment of a nominated member it appears to the Minister that any such persons have failed within a reasonable time to comply with any requirement under the last foregoing sub-paragraph, the Minister may notwithstanding anything in the foregoing provisions of this Schedule appoint as the nominated member in question such person as he thinks fit, being a person who appears to him to represent the interests of farmers, workers or owners, or being a person of such class as may be specified by such an order as aforesaid, as the case may be.

*Officers and servants.*

- 22 (1) The Minister shall appoint a secretary and a chief technical officer to the Agricultural Land Commission and to the Welsh Agricultural Land Sub-Commission respectively, and the Commission and the Sub-Commission may appoint such other officers and servants as they may, with the approval of the Minister and the Treasury, determine; and the Minister may pay to the officers and servants of the Commission and the Sub-Commission such salaries, wages and allowances as he may with the approval of the Treasury determine.
- (2) The Minister shall attach to County Agricultural Executive Committees and sub-committees thereof and to district committees and Agricultural Land Tribunals such officers and servants of the Ministry as he may with the approval of the Treasury determine to be required for providing the committees and tribunals with the necessary officers and servants.
- (3) The Commission or the Sub-Commission may employ such agents as they consider desirable for the discharge of their functions, and may pay to agents employed by them such remuneration as they may, with the approval of the Minister and the Treasury, determine.

*Remuneration and Expenses.*

- 23 (1) The Minister may pay to members of the Commission, the Sub-Commission and Agricultural Land Tribunals such remuneration (whether by way of salaries or of fees) as he may with the approval of the Treasury 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 the Treasury determine.
- (3) The expenses of any body mentioned in paragraph 19 of this Schedule shall be defrayed by the Minister.

*Proof of Instruments.*

- 24 Any document purporting to be a document duly executed or issued under the seal of the Commission or 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.