
STATUTORY INSTRUMENTS

1970 No. 1049

SMALLHOLDINGS AND ALLOTMENTS

The Smallholdings (Selection of Tenants) Regulations 1970

<i>Made</i>	- - - -	<i>14th July 1970</i>
<i>Laid before Parliament</i>		<i>23rd July 1970</i>
<i>Coming into Operation</i>		<i>1st August 1970</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 44(6) and 63 of the Agriculture Act 1970, and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Smallholdings (Selection of Tenants) Regulations 1970, and shall come into operation on 1st August 1970.

Interpretation

2.—(1) In these regulations “the Act” means the Agriculture Act 1970.

(2) The Interpretation Act 1889 applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Requirements as to agricultural experience of prospective tenants

3.—(1) Except as provided in paragraph (2) of this regulation, no person shall be selected as a tenant to whom a smallholding may be let under section 44 of the Act unless he shows to the satisfaction of the smallholdings authority that for a period of not less than five years (whether continuous or not) he has been occupied in full-time practical farm work;

provided that for the purpose of this regulation any period during which a person was attending a full-time course in agriculture at a university, college or other establishment of further education shall, up to a maximum of three years, be deemed to be a period during which he was occupied in full-time practical farm work.

(2) The foregoing paragraph shall not apply to the widow of a deceased tenant of a smallholding in relation to the first letting of that smallholding after the death of the tenant if, when that letting is under consideration by the smallholdings authority, she is residing on the smallholding.

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Advertisement of vacant holdings

4.—(1) As a preparatory step before letting land as a smallholding under section 44 of the Act, every smallholdings authority shall, once in any year during which any smallholding on their smallholdings estate becomes available for letting, cause a notice to be published in at least one newspaper circulating substantially outside their area stating that the authority provides smallholdings for letting, describing the location and types of the smallholdings on the authority's smallholdings estate or of the smallholdings available for letting and setting out the requirements to be fulfilled by persons to whom smallholdings may be let.

(2) In this regulation “year” means a period of twelve months ending on 31st March.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 6th July 1970.

L.S.

J.M.L. Prior
Minister of Agriculture, Fisheries and Food

Given under my hand on 14th July 1970.

Peter Thomas
Secretary of State for Wales

EXPLANATORY NOTE

These Regulations specify requirements as to agricultural experience to be fulfilled by persons who may be selected as tenants of smallholdings. They also require smallholdings authorities to advertise their smallholdings annually when a vacancy occurs.