



Agriculture Act 1947

1947 CHAPTER 48

PART V

ADMINISTRATIVE AND GENERAL.

Agricultural Land Tribunals.

73 Establishment, constitution and procedure of Agricultural Land Tribunals.

- (1) For the purposes of this section, the Minister shall by order constitute such number of areas, together comprising the whole of England and Wales, as he may consider expedient, and for each area so constituted there shall be established an Agricultural Land Tribunal, which shall be charged with the duty of determining matters referred to them under this Act
- (2) The provisions in that behalf of the Ninth Schedule to this Act shall have effect as to the constitution of Agricultural Land Tribunals and otherwise in relation thereto.
- (3) The Minister may by order make provision for the procedure of Agricultural Land Tribunals, and in particular—
 - (a) for the taking of evidence on oath, affirmation or otherwise, the cross-examination of witnesses, and for the summoning of witnesses in like manner as for the purposes of an arbitration under the Agricultural Holdings Act, 1923;
 - (b) for the recording and proof of the decisions of the Tribunals, and for enabling the Tribunals to decide by a majority;
 - (c) for the sitting of Tribunals in two or more divisions, and for the assignment of the work of a Tribunal among the divisions thereof.
- (4) An order under the last foregoing subsection may make different provision for the procedure on different classes of reference to the Tribunals.

Status: This is the original version (as it was originally enacted).

74 Proceedings before Agricultural Land Tribunal on reference of Minister's proposals.

- (1) In any case where by any of the provisions of this Act a person is empowered to require that a proposal of the Minister to take any action shall be referred to the Agricultural Land Tribunal, then if within the prescribed time and in the prescribed manner the said person so requires, the proposal shall be referred accordingly.
- (2) On any such reference the Tribunal shall determine—
 - (a) whether the conditions as to which the Minister must be satisfied before taking the action are fulfilled, and
 - (b) whether, having regard to their determination under the foregoing paragraph and to all the circumstances of the case, the Minister should or should not take the action proposed,and shall report to the Minister accordingly; and the Minister shall forward a copy of the report to any person who availed himself of an opportunity to make representations to the Minister afforded to him under the provisions in question of this Act.
- (3) In any such case as is mentioned in subsection (1) of this section the Minister shall not give effect to the proposal until the expiration of the period within which a reference to the Tribunal may be required.
- (4) Where such a reference is duly required the Minister shall act in accordance with the report of the Tribunal and not otherwise.
- (5) Forthwith after taking action in any such case as is mentioned in subsection (1) of this section the Minister shall serve notice thereof in writing on any person who under the provisions in question of this Act was entitled to be afforded an opportunity to make representations to the Minister.