

Status: Point in time view as at 10/03/2022.

Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1947, Cross Heading: Agricultural Land Tribunal. (See end of Document for details)

SCHEDULES

NINTH SCHEDULE

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

Agricultural Land [F¹Tribunal]

Textual Amendments

- F1** Word in Sch. 9 para. 13 heading substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 193\(2\)\(a\)](#) (with Sch. 3)

- [F²13 (1) The Lord Chancellor shall appoint a chairman for [F³the Agricultural Land Tribunal], who shall be a [F⁴person who satisfies the judicial-appointment eligibility condition on a 5-year basis].
- (2) [F⁵Subject to sub-paragraph (2A) of this paragraph,] the chairman shall hold office for [F⁶such period as may be specified in the terms of his appointment], and a chairman whose term of office expires shall be eligible to be re-appointed as chairman.
- [No appointment of a person to be the chairman shall be such as to extend beyond the F⁷(2A) day on which he attains the age of [F⁸75].]
- (3) The chairman may resign his office by notice in writing to the Lord Chancellor.
- (4) If the Lord Chancellor [F⁹and Lord Chief Justice are both] satisfied that the chairman is incapacitated by infirmity of mind or body from discharging the duties of his office, or if the chairman is [F¹⁰made] bankrupt or makes a composition or arrangement with his creditors, the Lord Chancellor may[F¹¹, with the concurrence of the Lord Chief Justice,] revoke the appointment of the chairman.]

Textual Amendments

- F2** Sch. 9 paras. 13–16, 16A substituted for paras. 13-16 by [Agriculture Act 1958 \(c. 71\)](#), [Sch. 1 Pt. I para. 5\(1\)\(2\)](#)
- F3** Words in Sch. 9 para. 13(1) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 193\(2\)\(b\)](#) (with Sch. 3)
- F4** Words in Sch. 9 para. 13(1) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, [Sch. 10 para. 4](#); [S.I. 2008/1653](#), art. 2(d) (with arts. 34)
- F5** Words in Sch. 9 para. 13(2) inserted (31.3.1995) by [1993 c. 8](#), s. 26, [Sch. 6 para. 46\(2\)\(a\)](#) (with Sch. 7 paras. 2(2), 3(2), 4); [S.I. 1995/631](#), [art. 2](#).
- F6** Words in Sch. 9 para. 13(2) substituted (31.3.1995) by [1993 c. 8](#), s. 26, [Sch. 6 para. 46\(2\)\(b\)](#) (with Sch. 7 paras. 2(2), 3(2), 4); [S.I. 1995/631](#), [art. 2](#).

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- F7** Sch. 9 para. 13(2A) inserted (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para. 46(3)** (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art. 2**.
- F8** Word in Sch. 9 para. 13(2A) substituted (10.3.2022) by Public Service Pensions and Judicial Offices Act 2022 (c. 7), s. 131(1)(4)(a), **Sch. 1 para. 2(2)** (with Sch. 1 para. 43)
- F9** Words in Sch. 9 para. 13(4) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 4 para. 33(2)(a)**; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(d)
- F10** Word in Sch. 9 para. 13(4) substituted (6.4.2016) by The Enterprise and Regulatory Reform Act 2013 (Consequential Amendments) (Bankruptcy) and the Small Business, Enterprise and Employment Act 2015 (Consequential Amendments) Regulations 2016 (S.I. 2016/481), reg. 1, **Sch. 1 para. 18**
- F11** Words in Sch. 9 para. 13(4) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 4 para. 33(2)(b)**; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(d)

[^{F12}14 [^{F13} (1)]The Lord Chancellor shall draw up for [^{F14}the Agricultural Land Tribunal] and from time to time revise a panel of deputy-chairmen, who shall be [^{F15} persons eligible for appointment under paragraph 13(1).]]

[^{F13}(2) A member of the panel of deputy-chairmen shall vacate his office on the day on which he attains the age of [^{F16}75].]

Textual Amendments

- F12** 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)**
- F13** Sch. 9 para. 14 renumbered as sub-paragraph (1) and sub-paragraph 14(2) added (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para. 46(4)** (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art. 2**.
- F14** Words in Sch. 9 para. 14(1) substituted (1.7.2013) by The Transfer of Tribunal Functions Order 2013 (S.I. 2013/1036), art. 1, **Sch. 1 para. 193(3)** (with Sch. 3)
- F15** Words substituted by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 71(2), **Sch. 10 para. 6(2)**
- F16** Word in Sch. 9 para. 14(2) substituted (10.3.2022) by Public Service Pensions and Judicial Offices Act 2022 (c. 7), s. 131(1)(4)(a), **Sch. 1 para. 2(3)** (with Sch. 1 para. 43)

[^{F17}15 (1) The Lord Chancellor shall draw up for [^{F18}the 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.

[A member of either of the panels drawn up under sub-paragraph (1) of this paragraph ^{F19}(1A) shall vacate his office on the day on which he attains the age of [^{F20}75].]

- (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.]

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Textual Amendments

- F17** Sch. 9 paras. 13–16, 16A substituted for paras. 13-16 by [Agriculture Act 1958 \(c. 71\)](#), [Sch. 1 Pt. I para. 5\(1\)\(2\)](#)
- F18** Words in Sch. 9 para. 15(1) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), [art. 1](#), [Sch. 1 para. 193\(4\)](#) (with Sch. 3)
- F19** Sch. 9 para. 15(1A) inserted (31.3.1995) by [1993 c. 8, s. 26](#), [Sch. 6 para. 46\(5\)](#) (with Sch. 7 paras. 2(2), 3(2), 4); [S.I. 1995/631](#), [art. 2](#).
- F20** Word in [Sch. 9 para. 15\(1A\)](#) substituted (10.3.2022) by [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), s. 131(1)(4)(a), [Sch. 1 para. 2\(4\)](#) (with Sch. 1 para. 43)

[^{F21}15A(1) A member of the First-tier Tribunal may, at the request of the Chairman of the Agricultural Land Tribunal and with the approval of the Senior President of Tribunals, act as a member of the Agricultural Land Tribunal.

[A member of a tribunal listed in section 59 of the Wales Act 2017 (the Welsh ^{F22}(1A) tribunals) who is not a member of the Agricultural Land Tribunal may, at the request of the Chairman of the Agricultural Land Tribunal and with the approval of the President of Welsh Tribunals, act as a member of the Agricultural Land Tribunal.]

(2) Every person while acting under this paragraph may perform the functions of a member of the Agricultural Land Tribunal.]

Textual Amendments

- F21** Sch. 9 para. 15A inserted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), [art. 1](#), [Sch. 1 para. 193\(5\)](#) (with Sch. 3)
- F22** Sch. 9 para. 15A(1A) inserted (coming into force in accordance with reg. 2(1) of the commencing S.I.) by [Wales Act 2017 \(c. 4\)](#), [ss. 62\(1\)](#), [71\(4\)](#) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/351](#), [reg. 2\(2\)](#) [Editorial note: S.I. 2017/1282 was made under 2017 c. 4, Sch. 5 para. 7(1) and comes into force on 12.12.2017]

[^{F23}^{F24}16(1) Subject to paragraph 15A, for each hearing by the Agricultural Land Tribunal of an application or reference thereto, the members of the Agricultural Land Tribunal shall be—

- (a) the chairman, or a person nominated by the chairman from the panel of deputy-chairmen, and
- (b) one person nominated by the chairman from each of the panels drawn up under paragraph 15.]

(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.]

Textual Amendments

- F23** Sch. 9 paras. 13–16, 16A substituted for paras. 13-16 by [Agriculture Act 1958 \(c. 71\)](#), [Sch. 1 Pt. I para. 5\(1\)\(2\)](#)

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F24 Sch. 9 para. 16(1) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 193(6)** (with Sch. 3)

Modifications etc. (not altering text)

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

[^{F25} 16A [If the chairman of [^{F27}the Agricultural Land Tribunal] is prevented by sickness or [^{F26}(1)] 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 [^{F28}... by the chairman or, if the chairman is unable to make the appointment, by the [^{F29}Lord Chief Justice, after consulting the Lord Chancellor]]

[^{F30}(2) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under sub-paragraph (1).]

Textual Amendments

F25 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)**

F26 Sch. 9 para. 16A(1): Sch. 9 para. 16A renumbered as Sch. 9 para. 16A(1) (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), **Sch. 4 para. 33(3)(a)**; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(d)

F27 Words in Sch. 9 para. 16A(1) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 193(7)(a)** (with Sch. 3)

F28 Words in Sch. 9 para. 16A(1) omitted (1.7.2013) by virtue of [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 193(7)(b)** (with Sch. 3)

F29 Words in Sch. 9 para. 16A(1) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), **Sch. 4 para. 33(3)(b)**; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(d)

F30 Sch. 9 para. 16A(2) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), **Sch. 4 para. 33(3)(c)**; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(d)

Modifications etc. (not altering text)

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

C3 Sch. 9 para. 16A applied (1.12.1991) by [Land Drainage Act 1991 \(c. 59, SIF 73:1\)](#), ss. 31(3), 76(2), (with ss. 67(3)(5)(8), 72(6), 74(3)(4))

17 (1) [^{F31}The Lord Chancellor] may by order direct that the foregoing provisions of this Schedule as to the nominated members of [^{F32}the Agricultural Land Tribunal] 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

F31 Words substituted by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 1 Pt. I para. 5(1)(3)**

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F32 Words in Sch. 9 para. 17(1) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 193(8)** (with Sch. 3)

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Textual Amendments

F33 Sch. 9 para. 18 repealed by [Agriculture Act 1958 \(c. 71\)](#), **Sch. 2 Pt. I**

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