

1968 No. 704

AGRICULTURE

**The Farm Improvements (Settled Land and Trusts for Sale)
Regulations 1968**

<i>Made</i>	- . . .	<i>2nd May 1968</i>
<i>Laid before Parliament</i>		<i>10th May 1968</i>
<i>Coming into Operation</i>		<i>13th May 1968</i>

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by sections 36 and 41(7) of the Agriculture Act 1967^(a) and of all other powers enabling him in that behalf, hereby makes the following regulations :—

Extent, citation and commencement

1. These regulations, which apply to England and Wales, may be cited as the Farm Improvements (Settled Land and Trusts for Sale) Regulations 1968 ; and shall come into operation on 13th May 1968.

Interpretation

2. The Interpretation Act 1889^(b) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Inclusion of certain works in Schedule 3 to the Settled Land Act 1925

3. The provisions of the Settled Land Act 1925^(c) relating to improvements authorised by that Act (including those provisions as extended to trusts for sale by section 28 of the Law of Property Act 1925^(d)) shall have effect as if works of any description specified in Part I, II or III of the Schedule to these regulations (being works of a kind mentioned in Schedule 4 to the Agriculture Act 1967 or prescribed by a scheme under section 26 or 41 of that Act) were included in Schedule 3 to the Settled Land Act 1925 (which sets out the improvements so authorised, distinguishing in Parts I, II and III thereof between improvements the costs of which are not liable to be replaced, may be required to be replaced, and must be required to be replaced) and were contained in Part I, II or III of that Schedule respectively, so however that no work of a description specified in Part II or III of the Schedule to these regulations shall be taken to be contained in any other Part of the said Schedule 3 than Part II or III thereof respectively.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 2nd May 1968.

(L.S.)

Cledwyn Hughes,
Minister of Agriculture, Fisheries and Food.

^(a) 1967 c. 22.^(b) 1889 c. 63.^(c) 1925 c. 18.^(d) 1925 c. 20.

SCHEDULE

PART I

1. Making or improvement of permanent loading banks and stocks.
2. Making and improvement of fords, railway crossings and creeps.
3. Provision and improvement of pens and other fixed equipment for use in connection with the sheltering, gathering, marking, dipping, spraying, treatment or feeding of sheep and cattle.
4. Improvement of silos, and the provision of means of disposal of effluent from silos.
5. Improvement and renewal of permanent fences (including hedges), walls and gates.
6. Provision of cattle-grids.
7. Provision of shelter belts.
8. Land levelling work, including filling in ponds, ditches and depressions which impede cultivation.
9. Making and improvement of slips.
10. Provision or laying-on of gas to farms.
11. Separation of a dwelling-house and the land occupied therewith from a unit of land resulting from an amalgamation approved in accordance with section 26 of the Agriculture Act 1967 and any scheme for the time being in force thereunder, including partitioning, fencing, the provision of independent means of access and the provision or laying-on of electric light or power, gas, water and other services to the said house and land.

PART II

12. Demolition, dismantling, removal or re-siting of any fixed equipment on farms.

PART III

13. Laying down of permanent pasture.
14. Provision and installation of fixed plant or machinery (including fixtures and fittings) for agricultural purposes, other than plant or machinery which has been used before installation or which is installed in, or is wholly or partly for the benefit of, a dwelling-house.
15. Demolition, dismantling, removal or re-siting of any fixed plant or machinery on farms.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

The Settled Land Act 1925 (as extended to trusts for sale by the Law of Property Act 1925) provides that capital money held on trust under a settlement, or trust for sale, may be spent on improvements authorised by that Act. Those improvements are set out in Schedule 3 to that Act, distinguishing in Parts I, II and III thereof between improvements the costs of which are not liable to be replaced, may be required to be replaced and must be required to be replaced respectively.

These regulations, which apply to England and Wales only, provide that the Settled Land Act 1925 shall have effect as if the works specified in Parts I, II and III of the Schedule to these regulations were contained in the respective Parts of Schedule 3 to that Act. The works in question are some of those which are eligible for grant under section 26, 30 or 41 of the Agriculture Act 1967. Other works which are eligible for grant under one or other of those sections are already contained in Part I of Schedule 3 to the Act of 1925 or deemed to be so contained by virtue of the Agricultural Holdings Act 1948, section 81 (c.63).