



Agricultural Land (Utilisation) Act 1931

1931 CHAPTER 41 21 and 22 Geo 5

An Act to promote the better utilisation of agricultural land in Great Britain and the settlement of unemployed persons thereon, to amend the law relating to small holdings and allotments, and for purposes connected with the matters aforesaid. [31st July 1931]

Modifications etc. (not altering text)

- C1** Act restricted (E.W.) by [Allotments Act 1950 \(c. 31\), s. 9](#)
- C2** Style and title of Minister of Agriculture and Fisheries now changed to Minister of Agriculture, Fisheries and Food by [S.I. 1955/554 \(1955 I, p. 1200\)](#)
- C3** Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)
- C4** Certain functions of Minister of Agriculture, Fisheries and Food transferred by [S.I. 1978/272, art. 2](#) [Act: Functions of a Minister of the Crown transferred to the National Assembly for Wales \(W.\) \(1.7.1999\) by S.I. 1999/672, art. 2, Sch. 1](#)

PART I

PROMOTION OF BETTER UTILISATION OF AGRICULTURAL LAND IN GREAT BRITAIN

1—4^{F1}

Textual Amendments

- F1** Ss. 1-4 repealed by [Agriculture Act 1947 \(c. 48\), Sch. 13](#) and [Agriculture \(Scotland\) Act 1948 \(c. 45\), Sch. 10](#)

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Changes to legislation: There are currently no known outstanding effects for the Agricultural Land (Utilisation) Act 1931. (See end of Document for details)

PART II

SMALL HOLDINGS AND ALLOTMENTS

Modifications etc. (not altering text)

- C5** Part II repealed as to small holdings by [Agriculture Act 1947 \(c. 48\), s. 67\(2\)](#)
- C6** Functions of Minister of Agriculture, Fisheries and Food under Part II now exercisable by Secretary of State, [S.I. 1955/554](#) (1955 I, p. 1200), 1965/143, 1967/156 and 1970/1681

Small Holdings

5—7. ^{F2}

Textual Amendments

- F2** [Ss. 5-7](#) repealed by [Statute Law Revision Act 1950 \(14 Geo. 6 c. 6\)](#)

8—10. ^{F3}

Textual Amendments

- F3** [Ss. 8-10](#) repealed by [Agriculture Act 1970 \(c. 40\), ss. 65\(1\), 113\(3\), Sch. 5 Pt. III](#)

^{F4}**11**

Textual Amendments

- F4** [S. 11](#) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\), Sch. 1 Pt.III.](#)

12 Power of county councils to provide cottage holdings.

- (1) The power of county councils to provide small holdings for persons who desire to buy or lease them shall include power to provide a cottage holding for any person who is, in the opinion of the council, a suitable person and who satisfies them that—
 - (a) he will reside permanently in the dwelling-house comprised in the holding; and
 - (b) he has the intention, knowledge and capital to cultivate satisfactorily the land forming part of the cottage holding,

and all the provisions of the Small Holdings and Allotments Acts with respect to small holdings shall apply to cottage holdings accordingly but subject to the modification that section six of the ^{M1}Small Holdings and Allotments Act, 1926, shall, in relation to any such holding, whether provided under this section or under the section thereby repealed, have effect as if among the conditions specified in subsection (1) of the said section six there were included a condition that the owner or occupier, as the

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case may be, shall reside permanently in the dwelling-house comprised in the holding.
[^{F5}Provided that this section shall have effect subject to section 60 of the Agriculture Act 1970]

[^{F6}(1A) If the tenant of a cottage holding feels aggrieved by a prohibition such as is mentioned in the proviso to section 47(1) of the Small Holdings and Allotments Act ^{M2}1908 (prohibition of improvements), he may appeal to the Minister of Agriculture, Fisheries and Food, who may confirm, vary or annul the prohibition, and the decision of the Minister shall be final.]

(2) ^{F7}

Textual Amendments

- F5** Proviso added by [Agriculture Act 1970 \(c. 40\)](#), **Sch. 4**
- F6** [S. 12\(1A\)](#) added by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1\)](#), s. 194, **Sch. 33 para. 2**
- F7** [S. 12\(2\)](#) repealed by [Statute Law Revision Act 1950 \(14 Geo. 6 c. 6\)](#)

Marginal Citations

- M1** [1926 c. 52](#).
- M2** [1908 c. 36\(2:5\)](#).

Allotments

^{F8}**13**

Textual Amendments

- F8** [S. 13](#) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), **Sch. 1 Pt.III**.

^{F9}**14**

Textual Amendments

- F9** [S. 14](#) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), **Sch. 1 Pt.III**.

^{F10}**15**

Textual Amendments

- F10** [S. 15](#) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), **Sch. 1 Pt.III**.

^{F11}**16**

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Textual Amendments

F11 S. 16 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt.III.

General

17 Minor amendments of Small Holdings and Allotments Acts.

(1) The amendments specified in the second column of the Second Schedule to this Act (which relate to matters in minor detail) shall be made in the enactments specified in the first column of that Schedule.

(2) ^{F12}

Textual Amendments

F12 S. 17(2) repealed by Statute Law (Repeals) Act 1973 (c. 39), s. 1(1), Sch. 1 Pt. VIII

Modifications etc. (not altering text)

C7 Small Holdings and Allotments Account wound up by Agriculture Act 1947 (c. 48), s. 59.

C8 The text of S. 17(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

^{F13}**18**

Textual Amendments

F13 S. 18 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt.III.

^{F14}**19**

Textual Amendments

F14 S. 19 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt.III.

20 Interpretation and construction.

(1) In this Part of this Act, unless the context otherwise requires—

“Cottage holding” means a holding comprising a dwelling-house, together with not less than forty perches and not more than one acre of agricultural land which can be cultivated by the occupier of the dwelling-house and his family;

“Small Holdings and Allotments Acts” means the Small Holdings and Allotments Acts, 1908 to 1926, the Allotments Acts, 1908 to 1925, and this Act;

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“Society” includes any body of persons, whether incorporated or unincorporated, and shall have the same meaning in all the enactments with which this Act is construed as one.

- (2) Except where the context otherwise requires, references in this Part of this Act to any enactment or to any provision of any enactment shall be construed as references to that enactment or provision as amended by any subsequent enactment, including this Part of this Act, and this Part of this Act shall, except so far as it applies to Scotland, be construed as one with the Small Holdings and Allotments Acts, 1908 to 1926, and the Allotments Acts, 1908 to 1925.

PART III

SUPPLEMENTARY

^{F15}21

Textual Amendments

F15 S. 21 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.III**.

22 ^{F16}

Textual Amendments

F16 S. 22 repealed by National Loans Act 1968 (c. 13), s. 24(2), **Sch. 6 Pt. I**

^{F17}23

Textual Amendments

F17 S. 23 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.III**.

24 Application to Scotland.

In the application of this Act to Scotland the following provisions shall have effect:—

- ^{F18}(a) ^{F19}
- (b) ^{F19}
- ^{F20}(c) ^{F19}
- (d) ^{F19}
- (e) ^{F19}
- (f) Subsections (1) and (4) of section five and section six of this Act shall not apply, but the Department shall have power to provide, in accordance with the provisions of the ^{M3}Small Holding Colonies Acts, 1916 and ^{M4}1918, or of the Small Landholders (Scotland) Acts, 1886 to 1919, either on land belonging

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to the Department or on land belonging to another person with the consent of that person, a holding for an unemployed person within the meaning of the said subsection (1) or for an agricultural worker, or for a person who, being or having been a member of His Majesty's Forces, has had a suitable course of training for agriculture, notwithstanding that such unemployed person, agricultural worker or other person would be unable to cultivate the holding unless the facilities set forth in subsection (2) of the said section five were extended to him.

- (g) F21
- (h) F21
- (i) Section one of the ^{M5}Land Settlement (Scotland) Act, 1919, which relates to the compulsory acquisition of land for the purposes of the ^{M6}Small Holding Colonies Acts, 1916 and ^{M7}1918, shall have effect as if the limitation of the period, during which the powers thereby conferred may be exercised, were omitted, and any provision in any Act in force at the passing of this Act which limits the period for which that section is to remain in operation shall cease to have effect.
- (j) Subsection (3) of section eighteen of the Land Settlement (Scotland) Act, 1919, shall have effect as if for the purpose therein specified there were substituted the following purposes:—
- (i) the provision of allotments or allotment gardens and the purchase or leasing and equipment of land therefor;
- (ii) the making of grants or loans to local authorities or to societies or associations having as their object or one of their objects the provision of allotments or allotment gardens in aid of expenditure by such authorities societies or associations in connection with the provision of allotments or allotment gardens.
- (k) F22 sections twelve and seventeen shall not apply.

Textual Amendments

F18 S. 24(a) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.III.**

F19 S. 24(b)(d)(e) repealed by Agriculture (Scotland) Act 1948 (c. 45), **Sch. 10**

F20 S. 24(c) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.III.**

F21 S. 24(g)(h) repealed by Statute Law (Repeals) Act 1973 (c. 39), s. 1(1), **Sch. 1 Pt. VIII**

F22 Words repealed by Statute Law (Repeals) Act 1973 (c. 39), s. 1(1), **Sch. 1 Pt. VIII**

Modifications etc. (not altering text)

C9 Functions of Department of Agriculture for Scotland now exercisable by Secretary of State: [Reorganisation of Offices \(Scotland\) Act 1939 \(c. 20\), s. 1.](#)

C10 Agriculture (Scotland) Fund wound up by [Agriculture \(Scotland\) Act 1948 \(c. 45\), s. 67](#)

Marginal Citations

M3 1916 c. 38.

M4 1918 c. 26.

M5 1919 c. 97.

M6 1916 c. 38.

M7 1918 c. 26.

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25 Short title, citation and extent.

- (1) This Act may be cited as the Agricultural Land (Utilisation) Act, 1931, and Part II of this Act and the Small Holdings and Allotments Acts, 1908 to 1926, may be cited as the Small Holdings and Allotments Acts, 1908 to 1931, and so much of the said Part II as relates to allotments and the Allotments Acts, 1908 to 1925, may be cited as the Allotments Acts, 1908 to 1931.
- (2) This Act shall not extend to Northern Ireland.

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F23F23 FIRST SCHEDULE

Textual Amendments

F23 Sch. 1 repealed by Agriculture (Scotland) Act 1948 (c. 45), **Sch. 10** and Statute Law Revision Act 1950 (14 Geo. 6 c. 6)

F23

SECOND SCHEDULE

Section 17.

MINOR AMENDMENTS OF SMALL HOLDINGS AND ALLOTMENTS ACTS.

Modifications etc. (not altering text)

C11 The text of Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Enactment to be amended.	Amendment.
The Small Holdings and Allotments Act, 1908: Section 52	After the words “the purchase of land” in both places where those words occur there shall be inserted the words “or the defraying of the expenses of borrowing for that purpose.”
Section 61	After the word “council,” where that word occurs for the second time, there shall be inserted the words “and the expression of a “council of a county””
The Allotments Act, 1925: Section 8	After the word “purchased” there shall be inserted the words “or appropriated,” and after the word “consent,” where that word occurs for the second time, there shall be inserted the words “may be given unconditionally or subject to such conditions as the Minister thinks fit, but”
The Small Holdings and Allotments Act, 1926: Section 2	In subsection (2) of the section, for the words “moneys provided by Parliament” there shall, as from the first day of April, nineteen hundred and thirty-one, be substituted the words “Small holdings and Allotments

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	<p>Account,” and at the end of the section there shall be inserted the following subsections:—</p> <p>(7) Land in respect of which a contribution has been made or undertaken to be made by the Minister under this section shall not be sold, mortgaged, exchanged, let, or appropriated, for any purpose other than the provision of small holdings except with the consent of the Minister, who may give such consent either unconditionally or subject to such conditions as he thinks fit.</p> <p>(8) Where the Minister is satisfied that a council has reasonably incurred expenses in connection with the preparation of proposals or estimates with a view to the submission thereof to the Minister under this section he may if he thinks fit, notwithstanding that the proposals or estimates are not submitted to him or if submitted to him are not approved by him, make contributions toward the expenses so incurred, in the like manner and to the like extent as if the expenses had been a loss shown in approved estimates.</p>
Section 13	<p>After the word “repayable” there shall be inserted the words “with interest at such rate as may be agreed between the council and the purchaser”</p>
Section 14	<p>After the words “provided by” in both places where those words occur there shall be inserted the words “, or purchased with the assistance of,”</p>

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