



Agriculture Act 1947

1947 CHAPTER 48 10 and 11 Geo 6

PART IV

SMALLHOLDINGS

47— F1
52.

Textual Amendments

F1 Ss. 47–52 repealed by [Agriculture Act 1970 \(c. 40\)](#), s. 113(3), [Sch. 5 Pt. III](#)

53 F2

Textual Amendments

F2 [S. 53](#) repealed by [Agriculture Act 1958 \(c. 71\)](#), [Sch. 2 Pt. I](#)

54— F3
57.

Textual Amendments

F3 Ss. 54–57, 60–66, 67(1) repealed by [Agriculture Act 1970 \(c. 40\)](#), s. 113(3), [Sch. 5 Pt. III](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1947, Part IV. (See end of Document for details)

Financial provisions

58 Contributions by Minister to losses incurred by smallholdings authorities.

- (1) Where a smallholdings authority have after the commencement of this Part of this Act formulated proposals for the provision of smallholdings or for the laying out, alteration or equipment of smallholdings provided by the authority, and it appears to the authority that the proposals are likely to involve them in a loss, they may [^{F4}at any time before the passing of the ^{M1}Agriculture Act 1970] submit to the Minister estimates, in such form and containing such particulars as the Minister may prescribe, of the expenditure which the proposals will involve, whether on capital or revenue account, and of the receipts which will accrue from the proposals, whether by way of rent or otherwise.
- (2) Where estimates are submitted to the Minister under the last foregoing subsection, the Minister may approve the proposals and estimates either with or without modifications, and if the proposals are carried out as approved by the Minister, the Minister may, subject to such conditions as to records, certificates, audit and otherwise as he may with the approval of the Treasury prescribe, make or undertake to make contributions towards losses incurred by the smallholdings authority in the carrying out of the proposals.
- (3) Subject to the provisions of the next following subsection, contributions made by the Minister under this section to any authority shall be annual contributions not exceeding three-quarters of the amount by which in carrying out the proposals in question the authority's receipts in respect of the year for which each contribution is made, as estimated in the estimates approved under subsection (2) of this section, fall short of their expenditure in respect of the said year, as estimated as aforesaid:
 Provided that in so far as the said expenditure consists of the payment of interest or sinking fund charges on moneys borrowed for the purpose of carrying out the proposals, the amount thereof shall be calculated for the purposes of this subsection by reference to the actual amount of the moneys so borrowed.
- (4) The Minister shall not make an annual contribution under this section for any year earlier than the first year in which in his opinion the proposals of the smallholdings authority have been brought into full operation; but in respect of all such earlier years taken together the Minister may make to the authority a contribution not exceeding three-quarters of the amount by which the actual receipts of the authority in respect of those years in carrying out the proposals fall short of their actual expenditure in respect of those years in the carrying out thereof, the said expenditure being calculated, in so far as it consists of expenses of management, in such manner as the authority may with the approval of the Minister determine.
- (5) Where a smallholdings authority have submitted estimates under subsection (1) of this section in connection with any proposals, and the authority subsequently vary their proposals, the authority shall submit to the Minister such estimates in relation to the proposals as varied as are specified in subsection (1) of this section; and—
 - (a) the foregoing provisions of this section shall apply, in relation to the making of contributions in respect of any period after the submission of the last-mentioned estimates, as if those estimates and the proposals as varied had been the original estimates and proposals of the authority;
 - (b) the Minister may vary any agreement to make contributions made by him under this section accordingly.

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- (6) Where the Minister is satisfied that a smallholdings authority has reasonably incurred expenses in connection with the preparation of such proposals and estimates as aforesaid, or in connection with preparations for the acquisition of land for the purposes of any such proposals, and the proposals are not carried out, the Minister may make to the authority a contribution towards the expenses of an amount not exceeding three-quarters thereof.
- (7) The Minister may with the approval of the Treasury make regulations for the purposes of the foregoing provisions of this section, and in particular such regulations—
 - (a) may make provision for treating the submission of a scheme which is approved under section fifty of this Act as if it were the submission of estimates under subsection (1) or subsection (5) of this section . . . ^{F5}

Textual Amendments

- F4 Words inserted by [Agriculture Act 1970 \(c. 40\), s. 52\(1\), Sch. 4](#)
- F5 Words repealed by [Agriculture Act 1970 \(c. 40\), s. 113\(3\), Sch. 5 Pt. III](#)

Modifications etc. (not altering text)

- C1 [S. 58\(3\)](#) amended by [Agriculture \(Miscellaneous Provisions\) Act 1954 \(c. 39\), s. 3\(3\)](#)

Marginal Citations

- M1 [1970 c. 40.](#)

59 Winding-up of Small Holdings and Allotments Account.

The Small Holdings and Allotments Account shall, in accordance with directions of the Treasury, be wound up as at such date as the Treasury may direct, being a date not later than the end of the financial year next after that in which this Part of this Act comes into operation, and—

- (a) any payments which apart from this section would be authorised to be paid out of that Account shall, if falling due after that date, be defrayed out of moneys provided by Parliament;
- (b) any balance in the said Account at that date, and any receipts of the Minister after that date, being receipts which apart from this section would be authorised to be paid into that Account, shall be paid into the Exchequer.

60 ^{F6}

Textual Amendments

- F6 [Ss. 54–57, 60–66, 67\(1\)](#) repealed by [Agriculture Act 1970 \(c. 40\), s. 113\(3\), Sch. 5 Pt. III](#)

Supplementary provisions

61— ^{F7}
66.

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Textual Amendments

F7 Ss. 54–57, 60–66, 67(1) repealed by Agriculture Act 1970 (c. 40), s. 113(3), **Sch. 5 Pt. III**

†67 Application and repeal of provisions of Small Holdings and Allotments Acts, 1908 to 1931.

- (1) ^{F8}
- (2) Subject to the foregoing provisions of this Part of this Act, the said Acts, . . . ^{F9} are hereby repealed in so far as they relate to smallholdings:
Provided that—
- (a) without prejudice to [^{F10}subsection (1) of section 16 of the ^{M2}Interpretation Act 1978] (which relates to the effect of repeals), the provisions of the said Acts specified in the first column of Part II of the Eighth Schedule to this Act, which relate to the matters specified in that column, shall continue in operation to the extent specified in the second column of the said Part II, but subject to any modification so specified;
 - (b) nothing in this subsection shall affect the provisions of the said Acts relating to the acquisition, and to proceedings in relation to the acquisition, of land for the purposes of small holdings as those provisions apply, by virtue of section seventeen of the ^{M3}Land Settlement (Facilities) Act 1919, to the acquisition of land by county councils for allotments.

Textual Amendments

F8 Ss. 54–57, 60–66, 67(1) repealed by Agriculture Act 1970 (c. 40), s. 113(3), **Sch. 5 Pt. III**

F9 Words repealed by Agriculture Act 1970 (c. 40), s. 113(3), **Sch. 5 Pt. III**

F10 Words substituted by virtue of Interpretation Act 1978 (c. 30), **s. 25(2)**

Modifications etc. (not altering text)

C2 Unreliable margin note

C3 “The said Acts” means Small Holdings and Allotments Acts 1908 to 1931

Marginal Citations

M2 1978 c. 30.

M3 1919 c. 59.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Agriculture Act 1947, Part IV.