



# Agriculture Act 1947

1947 CHAPTER 48 10 and 11 Geo 6

## PART V

### ADMINISTRATIVE AND GENERAL

#### *General powers of acquisition and management of land by Minister*

#### **82 Powers of Minister to acquire land by agreement.**

- (1) The Minister may acquire by agreement—
  - (a) any land used for agriculture;
  - (b) any other land falling within the definition in this Act of the expression agricultural land;
  - (c) where any such land as aforesaid is offered to the Minister for acquisition by him on the condition that he also acquires other land not falling within the two foregoing paragraphs, that other land;
  - (d) any other land as respects which power is conferred on the Minister by this Act to purchase the land compulsorily in accordance with the provisions of this Act in that behalf.
- (2) Where in pursuance of this section the Minister purchases land under the Ecclesiastical Leasing Acts, the consent of the patron to the sale shall not be necessary.

#### **Modifications etc. (not altering text)**

**C1** S. 82 extended by [Agriculture Act 1967 \(c. 22\), s. 29](#) and [Agriculture Act 1970 \(c. 40\), s. 55](#)

#### **83 Acquisition by Minister of land for research, experiment and demonstration.**

The Minister may acquire by compulsory purchase or hiring in accordance with the provisions of this Act in that behalf any land for the purposes of agricultural research or experiment or of demonstrating agricultural methods.

*Status: Point in time view as at 01/02/1991.*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, Cross Heading: General powers of acquisition and management of land by Minister. (See end of Document for details)*

**84 Acquisition of land by Minister to ensure full and efficient use thereof.**

(1) Where—

(a) ..... <sup>F1</sup>

(c) agricultural land has been severed from other such land in the exercise of powers conferred, for purposes other than agricultural purposes, by or under any enactment, or has been otherwise injuriously affected in the exercise of such powers, or such powers have been conferred and the Minister is satisfied that they will be exercised so that agricultural land will be severed or otherwise injuriously affected as aforesaid, and (in any case) the Minister is satisfied that the full and efficient use of the land for agriculture cannot be achieved unless the land is used therefor in conjunction with other land and that it cannot reasonably be expected to be so used unless the Minister exercises his powers under this subsection,

then, if the Minister proposes to secure . . . <sup>F2</sup> the use of the land in conjunction with other land, . . . <sup>F2</sup> he may acquire the land, or any part thereof, by compulsory purchase or hiring in accordance with the provisions of this Act in that behalf.

(2) ..... <sup>F3</sup>

(7) The Minister may acquire by compulsory purchase or hiring in accordance with the provisions of this Act in that behalf any land as to which he is satisfied that its acquisition by him is necessary in order to put to full and efficient use for agriculture land acquired by him under subsection (1) of this section.

**Textual Amendments**  
**F1** S. 84(1)(a)(b) repealed by [Agriculture \(Miscellaneous Provisions\) Act 1963 \(c. 11\)](#), **Sch. Pt. I**  
**F2** Words repealed by [Agriculture \(Miscellaneous Provisions\) Act 1963 \(c. 11\)](#), **Sch. Pt. I**  
**F3** S. 84(2)–(6) repealed by [Agriculture \(Miscellaneous Provisions\) Act 1963 \(c. 11\)](#), **Sch. Pt. I**

**85** ..... <sup>F4</sup>

**Textual Amendments**  
**F4** S. 85 repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), **Sch. I Pt. VIII**

**86 Control of subdivision of agricultural units.**

(1) If while this section is in force a major disposition to which this section applies is made of land forming part only of an agricultural unit, and the consent of the Minister to the disposition is not obtained either before or after the making thereof, then subject to the provisions of this section the Minister may within three years from the making of the disposition purchase compulsorily in accordance with the provisions of this Act in that behalf the said land and any other land which when the disposition was made formed part of the agricultural unit:

Provided that the Minister shall not have power under this subsection to purchase any such other land which since the disposition was made has been the subject of a disposition to which the consent of the Minister has been obtained or a major disposition to which when it was made this section did not apply.

---

*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, Cross Heading: General powers of acquisition and management of land by Minister. (See end of Document for details)*

---

- (2) If while this section is in force any minor disposition to which this section applies is made of land forming part only of an agricultural unit, and the consent of the Minister to the disposition is not obtained either before or after the making thereof, the land shall be treated for the purposes of this section as continuing to form part of the unit notwithstanding the disposition or anything done in pursuance thereof:  
Provided that where at any time it is shown that land has throughout the last preceding three years been farmed as part of the same agricultural unit as other land, nothing in this subsection shall require the first-mentioned land to be treated at the said time as being outside the agricultural unit comprising that other land.
- (3) Subject to the provisions of the Eleventh Schedule to this Act as to mortgages and charges, in this section the expression “disposition” means a conveyance, assignment, surrender, grant, or agreement for the grant of an interest in land; the expression “major disposition” means a conveyance of the fee simple, a grant or agreement for the grant of a tenancy for an interest greater than from year to year, or an assignment or surrender of a tenancy granted for any such interest; and the expression “minor disposition” means any other disposition; and subject to the provisions of the said Eleventh Schedule the dispositions to which this section applies are all dispositions except—
- (a) a conveyance, assignment or surrender of an interest where the disposition comprises the whole of the land in an agricultural unit to which that interest extends, or a grant or agreement for the grant of an interest out of another interest if the disposition comprises the whole of the land in an agricultural unit to which the said other interest extends;
  - (b) a conveyance of the fee simple, or an assignment, grant or agreement for the grant of a tenancy, made in pursuance of a specific devise, bequest or direction in that behalf contained in any testamentary instrument;
  - (c) any disposition made in pursuance of a contract in writing entered into at a time when this section is not in force.
- (4) The Minister shall not refuse his consent under this section to any disposition, or exercise any power of compulsory purchase under subsection (1) of this section, unless, after affording—
- (a) in the case of an application for the Minister’s consent to a disposition, to the parties thereto;
  - (b) in the case of a compulsory purchase of land, to every person on whom under [F5section 12 of the Acquisition of Land Act 1981.], a notice would be required to be served of a proposed compulsory purchase order under that Act, authorising the compulsory purchase of the land,
- an opportunity of making representations to the Minister, whether in writing or on being heard by a person appointed by the Minister, the Minister is satisfied that it is expedient so to do in order to avoid a less efficient use for agriculture of the land in question, and certifies accordingly.
- (5) Before giving a certificate in a case falling within paragraph (b) of the last foregoing subsection the Minister shall give notice in writing to every such person as is specified in that paragraph of his proposal to give the certificate.
- (6) Any person to whom notice of a proposal is given under the last foregoing subsection may require that the proposal shall be referred to the Agricultural Land Tribunal, and the provisions of this Part of this Act in that behalf shall apply accordingly.

*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, Cross  
Heading: General powers of acquisition and management of land by Minister. (See end of Document for details)*

- (7) This section shall be in force during any such period as the Minister may by order determine, and any order under this subsection may have effect either generally or in relation to such area as may be specified therein.
- (8) Any order under the last foregoing subsection shall be of no effect unless approved by resolution of each House of Parliament.

**Textual Amendments**

**F5** Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, **Sch. 4 para. 3(2)**

**87** ..... **F6**

**Textual Amendments**

**F6** [S. 87](#) repealed by [Agriculture \(Miscellaneous Provisions\) Act 1963 \(c. 11\)](#), **Sch. Pt. I**

**88 Transfer to Minister of land vested in other Government departments.**

- (1) The appropriate Ministers may by order provide for the transfer to the Minister, by virtue of the order and without further assurance,—
- (a) of any interest in land vested in the Minister of Works which was acquired by that Minister for the purposes of any functions of the Minister,
  - (b) of any interest in other land, being an interest held on behalf of His Majesty for the purposes of any Government department, in any case where it appears to the appropriate Ministers to be expedient that the interest should be transferred to the Minister either on the ground that it is no longer required to be held for the purpose for which it was acquired or otherwise,
- and any order under this section may contain such incidental and supplementary provisions as appear to the appropriate Ministers necessary or expedient for giving effect to the order.
- (2) In this section the expression “the appropriate Ministers” means the Minister and—
- (a) in relation to paragraph (a) of the last foregoing subsection, the Minister of Works;
  - (b) in relation to paragraph (b) thereof, the Minister in charge of the Government department in question.

**Modifications etc. (not altering text)**

**C2** Functions of Minister of Works now exercisable by Secretary of State: [S.I. 1962/1549](#), **art. 2** and 1970/1681, arts. 2, 3

**89 Transfer of land from Land Settlement Associations to Minister.**

Where any body of persons having as its object or one of its objects the promotion of land settlement agrees with the Minister for the transfer to him of land owned by the said body, the Minister shall have power to acquire the land notwithstanding that not

*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, Cross Heading: General powers of acquisition and management of land by Minister. (See end of Document for details)*

all of it is agricultural land; and the agreement may with the approval of the Treasury provide for the remission by the Minister, in consideration of the acquisition by him of the land or of the land and other property, of debts due to the Minister from the said body.

**90 Powers of management, etc., of land acquired by Minister.**

- (1) The Minister may manage, farm, sell, let or otherwise deal with or dispose of land acquired by him—
- (a) in such manner as appears to him expedient for the purpose for which the land was acquired; or
  - (b) if he is satisfied that the land ought to be devoted to some other purpose, in such manner as appears to him expedient therefor:

Provided that—

- (i) the Minister shall not sell land acquired by him except where it appears to him that, having regard to the use proposed to be made of the land, it is expedient that it should be sold by him;
  - (ii) this section shall have effect subject to any restrictions imposed by or under any enactment on the powers of the Minister.
- (2) The powers of management conferred on the Minister by subsection (1) of this section shall include power to provide such facilities for the welfare of tenants of, or other persons employed in agriculture on, land managed by him as the Minister thinks expedient.

**Modifications etc. (not altering text)**

- C3** S. 90 extended by [Agriculture Act 1967 \(c. 22\), s. 29](#)
- C4** Functions of Minister of Agriculture, Fisheries and Food under s. 90 as it applies to land acquired for certain purposes now exercisable (W.) by Secretary of State: [S.I. 1965/319, art. 4\(1\)](#) and 1967/156, art. 2(3)

**91** ..... **F7**

**Textual Amendments**

- F7** S. 91 repealed by [Agriculture Act 1958 \(c. 71\), Sch. 3](#)

**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, Cross Heading: General powers of acquisition and management of land by Minister.