



Agriculture (Safety, Health and Welfare Provisions) Act 1956

1956 CHAPTER 49

Safety, Health and Welfare of Employees

1 Regulations for securing safety and health of employees

- (1) Provision may be made by regulations under this section for protecting workers employed in agriculture against risks of bodily injury or injury to health arising out of the use of any machinery, plant, equipment or appliance, the carrying on of any operation, the use of any process or the management of animals, for securing to such workers safe places to work in and safe means of access thereto and for protecting them against risks of bodily injury arising out of their falling through apertures in floors or walls, or from their workplaces, or while ascending or descending staircases or ladders.
- (2) Regulations under this section may make any such provision for any of the purposes mentioned in the foregoing subsection as appears to the authority by whom the regulations are made to meet the necessity of the case as far as is reasonably practicable, and may impose obligations, restrictions and prohibitions on employers of workers employed in agriculture, on such workers themselves, and on others.
- (3) Without prejudice to the generality of the last foregoing subsection, regulations under this section may provide for—
 - (a) regulating or prohibiting the use of any machinery, plant, equipment or appliance, the carrying on of any operation or the use of any process ;
 - (b) imposing requirements with respect to the construction, installation, examination, repair, maintenance, alteration, adjustment and testing of machinery, plant, equipment or appliances and the safeguarding of dangerous parts thereof and prohibiting the sale or letting on hire of any machinery, plant, equipment or appliance which does not comply with requirements of the regulations ;

- (c) requiring the observance of precautions in connection with the management of animals and imposing requirements with respect to the construction of enclosures in which animals are kept;
 - (d) requiring the giving of instructions with respect to the proper manner of using any machinery, plant, equipment or appliance, carrying on any operation, using any process or managing animals ;
 - (e) prohibiting the employment in work of any kind prescribed by the regulations of persons who have not attained the age of eighteen, either absolutely or except upon the condition of their having received a sufficient training in work of that kind or being subject to such supervision as may be so prescribed;
 - (f) imposing requirements with respect to the fencing of apertures in floors or walls, the construction and maintenance of staircases and the provision in connection therewith of handrails and other safeguards and the construction and maintenance of ladders;
 - (g) requiring the taking of such steps as may be prescribed by the regulations for the purpose of bringing provisions of the regulations to the notice of workers employed in agriculture ; and
 - (h) any incidental, supplementary or consequential matters for which it appears to the authority by whom the regulations are made requisite or expedient to provide for the purposes of the regulations.
- (4) Regulations under this section may make different provision to meet different circumstances.
- (5) Regulations under this section may provide for empowering the appropriate Minister to grant certificates exempting (for such periods as may be specified therein and subject to such conditions, if any, as may be so specified) particular cases or particular persons from the operation of provisions of the regulations.
- (6) A person who contravenes any provision of regulations under this section shall be guilty of an offence.
- (7) The Threshing Machines Act, 1878, shall be repealed on such day as may be appointed for that purpose by order made by the Minister of Agriculture, Fisheries and Food by statutory instrument, and the Chaff-Cutting Machines (Accidents) Act, 1897, shall be repealed—
- (a) as respects England and Wales, on such day as may be appointed for that purpose by order made as aforesaid;
 - (b) as respects Scotland, on such day as may be appointed for that purpose by order made by the Secretary of State by statutory instrument.

2 **Lifting excessive weights**

- (1) A young person shall not be employed as a worker in agriculture to lift, carry or move a load so heavy as to be likely to cause injury to him.
- (2) Regulations may be made for prescribing the maximum weights which may be lifted, carried or moved by workers employed in agriculture; and any such regulations may prescribe different weights in different circumstances and may relate either to workers generally or to any class of workers or to workers employed in work of any class.

- (3) In the event of a contravention, in the case of any worker, of the provisions of subsection (1) of this section or of regulations made under subsection (2) thereof, his employer shall be guilty of an offence.

3 General provisions as to sanitary conveniences and washing facilities

- (1) If it appears to a sanitary authority that an agricultural unit within their district on which workers are employed in agriculture is without suitable and sufficient sanitary conveniences available for the use of workers so employed, the authority shall, by notice to the appropriate person, require him, within such time as may be specified in the notice, to execute such works or take such other steps for the purpose of providing the unit with suitable and sufficient sanitary conveniences available for the use of workers employed thereon in agriculture as may be specified in the notice.
- (2) If it appears to the appropriate Minister that an agricultural unit on which workers are employed in agriculture is without suitable and sufficient washing facilities available for the use of workers so employed, the appropriate Minister shall, by notice to the appropriate person, require him, within such time as may be specified in the notice, to execute such works or take such other steps for the purpose of providing the unit with suitable and sufficient washing facilities available for the use of workers employed thereon in agriculture as may be specified in the notice.
- (3) In considering, for the purposes of this section, whether an agricultural unit is or is not without suitable and sufficient sanitary conveniences available for the use of workers employed on the unit in agriculture or, as the case may be, is or is not without suitable and sufficient washing facilities for the use of workers so employed, regard shall be had to the number and sex of the workers so employed, the location and duration of their work and all other relevant circumstances.
- (4) A notice under this section requiring the execution of works involving the provision of fixed equipment must specify the place where the works are to be executed.
- (5) Neither a sanitary authority nor the appropriate Minister shall serve a notice under this section requiring the execution of works involving the provision of fixed equipment unless they are, or he is, satisfied that special circumstances exist which render requisite the provision of such equipment, and no such notice shall be of any effect unless it states that the authority are, or (as the case may be) that the Minister is, so satisfied and what those circumstances are.
- (6) For the purposes of this section the expression " appropriate person " means—
- (a) in the case of a notice requiring the execution, on land comprised in an agricultural holding, of works involving the provision of fixed equipment, the landlord of the holding;
 - (b) in any other case, the occupier of the unit to which the notice relates.
- (7) A person aggrieved by a notice under this section requiring him to execute works involving the provision of fixed equipment may, within twenty-eight days from the service of the notice, appeal to a magistrates' court on any of the following grounds which are appropriate to the circumstances of the case, namely—
- (a) that the authority or Minister by whom the notice was served have, or has, refused unreasonably to approve the execution of alternative works, or that the works required by the notice to be executed are otherwise unreasonable in character or extent, or are unnecessary ;

- (b) that it is unreasonable to require the execution of the works at the place specified in the notice ;
- (c) that the time within which the works are to be executed is not reasonable for the purpose;

and the court may make such order either confirming or quashing or varying the notice as it thinks fit.

- (8) A person aggrieved by a decision of a magistrates' court under this section may appeal to a court of quarter sessions.
- (9) Subject to the rights of appeal conferred by the foregoing, provisions of this section and (where an appeal is brought in exercise of any such right) to any order made by the court on the appeal, a person upon whom a notice is served under this section who fails to comply with the requirements of the notice shall be guilty of an offence:

Provided that, in any proceedings under this subsection for an offence consisting in a failure to comply with the requirements of a notice other than one to which subsection (7) of this section applies, it shall be open to the defendant to question the reasonableness of the requirements of the notice.

- (10) Section nine of the Agricultural Holdings Act, 1948 (which provides for increasing the rent of an agricultural holding upon which the landlord has executed improvements in the circumstances mentioned in subsection (1) of that section) shall have effect as if, in that subsection, the reference to works for the supply of water to the holding included a reference, to works executed thereon for the purpose of complying with the requirements of a notice under this section.

4 Power to require provision of sanitary conveniences by agricultural contractors

- (1) Regulations may be made for requiring, in such circumstances as may be prescribed by the regulations, the provision, by the employer of workers employed in agriculture on land which is not occupied by him, of such sanitary conveniences for the use of those workers as may be so prescribed.
- (2) Regulations under this section may make different provision to meet different circumstances.
- (3) A person who contravenes any provision of regulations under this section shall be guilty of an offence.

5 Power of sanitary authority to secure maintenance and cleanliness of sanitary conveniences

- (1) If it appears to a sanitary authority that a sanitary convenience provided for the use of workers employed in agriculture on an agricultural unit within their district (being a convenience provided on the unit or provided in pursuance of regulations under the last foregoing section elsewhere) is not being properly maintained or is not being kept clean, they shall, by notice to the occupier of the unit (or, where the convenience is provided in pursuance of such regulations as aforesaid, to the person who provided it) require him, as the case may be, to take, within such time as may be specified in the notice, such steps for the purpose of securing the proper maintenance of the convenience as may be so specified or to cleanse the convenience forthwith.

- (2) A person who fails to comply with the requirements of a notice under this section shall be guilty of an offence:

Provided that, in any proceedings under this subsection for an offence consisting in a failure to comply with the requirements of a notice requiring the taking of steps for the purpose of securing the proper maintenance of a convenience, it shall be open to the defendant to question the reasonableness of the requirements of the notice.

6 First aid

- (1) A worker employed in agriculture shall not be employed to work on an agricultural unit unless there is provided thereon a first aid box or cupboard which—
- (a) contains first aid requisites and appliances of such descriptions and in such quantities as may be prescribed by regulations applicable to the part of Great Britain in which the unit is situate;
 - (b) contains no articles other than first aid requisites or appliances;
 - (c) is conspicuously marked on the outside with the words " First Aid ";
 - (d) and is accessible to him.
- (2) Regulations may be made for requiring the provision, at such places on an agricultural unit on which workers are employed in agriculture as may be prescribed by the regulations, and either at all times or at such times as may be so prescribed, of containers containing first-aid requisites and appliances of such descriptions and in such quantities as may be so prescribed, being containers complying with such requirements (if any) as may be so prescribed with respect to the form thereof and the marking thereof for the purpose of indicating the nature of the contents thereof, but nothing in any such regulation shall be construed as derogating from subsection (1) of this section.
- (3) Regulations under this section may make different provision to meet different circumstances.
- (4) In the event of a contravention of the provisions of subsection (1) of this section in the case of a worker, his employer shall be guilty of an offence, and a person who contravenes any provision of regulations under subsection (2) of this section shall be guilty of an offence.