



Agriculture (Miscellaneous Provisions) Act 1963

1963 CHAPTER 11

An Act to make further provision as to grants and contributions for agricultural and certain horticultural purposes and otherwise to amend the law relating to agriculture, agricultural produce and agricultural land; to provide for the purchase by the Sugar Board of sugar from the Republic of Ireland; to make new provision as to the charging of certain fees; and for purposes connected with those matters. [15th May 1963]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Increase of amounts available for improvement grants under Hill Farming Act 1946

In section 2(4) of the Hill Farming Act 1946 (which, as amended by the Livestock Rearing Act 1951 and the Hill Farming Act 1956, limits the aggregate of the amounts of improvement grants that may be paid under the said Act of 1946 to a maximum of twenty-five million pounds, but provides for increasing that maximum by two million pounds)—

- (a) the proviso (under which the said maximum was so increased) shall be omitted; and
- (b) for the words from " a maximum " to the end of the words preceding the proviso there shall be substituted the words " a maximum of thirty million pounds ".

2 Extension of period for payments of subsidies in respect of hill sheep and cattle

In section 13 of the Hill Farming Act 1946 which (as amended by the Livestock Rearing Act 1951 and the Hill Farming Act 1956) provides—

- (a) for the making of subsidy payments in respect of sheep comprised in flocks on any of the relevant days defined in subsection (2) of that section ; and
- (b) for the making, in respect of certain years, of subsidy payments in respect of cattle ;

for the words " the sixteen next succeeding years ", in both places where they occur, there shall be substituted the words " the twenty next succeeding years " and for the words from " in the nine next succeeding years " to the end of the section there shall be substituted the words " in the nine next succeeding years as may be so specified and such day of December in the last of those years and in the ten next succeeding years as may be so specified ".

3 Increase of amounts available for grants under Part II of Agriculture Act 1957

In section 18 of the Agriculture Act 1957 (which limits the aggregate amount of the grants that may be made under Part II of that Act to fifty million pounds or such greater amount, not exceeding fifty-five million pounds, as may be determined by an order under that section) for the words from " fifty " to the end of the section there shall be substituted the words " ninety million pounds ".

4 Extension of Agriculture (Fertilisers) Act 1952

A scheme under the Agriculture (Fertilisers) Act 1952 (which provides for the payment of contributions in respect of fertilisers) may be so made as to extend—

- (a) to fertilisers used by growers of mushrooms otherwise than on agricultural land ; or
- (b) to fertilisers applied to the crop instead of to the soil;

and the references in that Act to occupiers of agricultural land and to the use of fertilisers for adding to such land to improve the fertility of the soil shall be construed accordingly.

5 Registration of suppliers for purposes of Agriculture (Fertilisers) Act 1952 and penalty for false statements, etc.

- (1) A scheme under the Agriculture (Fertilisers) Act 1952 may require, as a condition of the payment of contributions under that Act in respect of fertilisers acquired by occupiers of agricultural land in Great Britain or growers of mushrooms in Great Britain or acquired by any association for distribution to its members in Great Britain, that, subject to any exceptions allowed by the scheme, the fertilisers are acquired from a person registered by the Minister under this section.
- (2) Subject to the following provisions of this section, where any person carrying on or proposing to carry on a business of supplying fertilisers applies to the Minister for registration under this section, the Minister shall register him if his application—
 - (a) is in such form and manner as the Minister may direct, and
 - (b) is accompanied by an undertaking to give such information as may be required to verify applications for contributions in respect of fertilisers supplied by him and to produce to any person duly authorised by the Minister books and records required for that purpose and to permit such a person to take copies of or extracts from them.

- (3) The Minister may refuse or cancel the registration of a person under this section if within the twelve months immediately preceding his application for registration or, as the case may be, the notification under subsection (4) of this section of the proposed cancellation, he or any person employed by him or any person carrying on business in partnership with him has been convicted of an offence under this section or of any offence involving dishonesty in connection with a scheme under the Agriculture (Fertilisers) Act 1952; and may—
- (a) refuse to register any person on the ground that within the twelve months immediately preceding his application for registration his registration or that of any person with whom he carries on business in partnership has been cancelled under the preceding provisions of this subsection ; and
 - (b) cancel the registration of any person on the ground that since his registration he or any person employed by him or carrying on business in partnership with him has failed to comply with such an undertaking as is mentioned in subsection (2) of this section ;
- and where the registration of any person has been cancelled by reason of his or any other person's failure to give any information or to produce, or to permit the taking of copies or extracts from, any books or records, the Minister may refuse to register him unless the information is given, the books or records are produced, or the taking of copies or extracts is permitted, as the case may be.
- (4) Before refusing to register any person or cancelling the registration of any person under this section the Minister shall give him notice in writing stating the grounds on which he proposes to do so, and shall give him an opportunity of being heard by a person appointed by the Minister for that purpose and shall consider the report of that person.
- (5) Subsections (2) to (4) of this section shall have effect in relation to any application for registration under this section made before the commencement of this Act as if this Act had then been in force; and any registration before the commencement of this Act in pursuance of such an application shall be deemed to be registration under this section.
- (6) If any person—
- (a) knowingly or recklessly makes any false statement; for the purpose of obtaining for himself or any other person any sum payable by way of contribution under the. Agriculture (Fertilisers) Act 1952 ; or
 - (b) wilfully makes a false entry in any document which is required to be produced for the purposes of that Act or of this section or, with intent to deceive, makes use of any such entry which he knows to be false;
- he shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or both, or on conviction on indictment to a fine or to imprisonment for a term not exceeding two years or both.
- (7) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary, or other similar officer, of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (8) For the purposes of this section a director or other officer of a body corporate shall be deemed to be a person employed by that body.

- (9) In this section " the Minister ", in relation to any part of Great Britain, means either that one of the Ministers who is concerned with agriculture in that part or the Ministers acting jointly.

6 Grants towards construction of certain buildings used by farmers' machinery syndicates

- (1) The appropriate Minister may make grants towards the cost of constructing, enlarging or adapting buildings for occupation and use by farmers' machinery syndicates for the following purposes or any of them, or mainly for such purposes, that is to say—
- (a) the drying, cleaning or storage of grain produced by their members; and
 - (b) the housing of agricultural machinery belonging to the syndicates;
- and of providing such buildings with such services, means of access and other works as are reasonably required to enable them to be so used.
- (2) A grant under this section shall be made in respect of such works proposed in an application therefor made in accordance with this section as may be approved by the appropriate Minister; and any such approval may be given subject to such conditions as he may determine.
- (3) Subject to subsection (4) of this section, no such approval shall be given after the end of March 1966.
- (4) The Ministers may from time to time by order made by statutory instrument extend the period within which such an approval may be given, but not beyond the end of March 1968.

An order under this subsection shall be of no effect unless approved by a resolution of each House of Parliament.

- (5) An application for a grant under this section may be made by or on behalf of—
- (a) the farmers' machinery syndicate by which the building to which the application relates is or is to be occupied ; or
 - (b) any person intending to make that building available for occupation by a farmers' machinery syndicate.
- (6) In this section " farmers' machinery syndicate " means an association of persons whose members are jointly and severally liable for any debts of the association and whose object or one of whose objects is the acquisition and ownership of agricultural machinery or plant for use by its members or the provision of accommodation for the storage of grain produced by its members; and references to the use of machinery or plant or the production of grain by members of such a syndicate include references to such use or production by a body corporate which is represented by a member of the syndicate.
- (7) Where any member of a farmers' machinery syndicate represents a body corporate this section does not apply in relation to the syndicate unless the body corporate is jointly and severally liable with the other members for the debts of the syndicate.
- (8) This section, in its application to Scotland, shall apply in relation to partnerships as it applies in relation to bodies corporate.

7 Amount of grants under s. 6 and supplementary provisions as to such grants

- (1) The amount of any grant payable under section 6 of this Act towards the cost of any works approved thereunder shall be one-third of that cost so far as approved by the appropriate Minister as having been reasonably incurred.
- (2) The Ministers may by regulations provide that the cost of any works of any class specified in the regulations, or of a specified part of any such works, shall, at the option of the applicant for the grant, be taken to be such amount as may be so specified; and the amount of any grant payable towards the cost of any such works shall, if the applicant for the grant so elects in his application and the works are approved while the regulations are in force, be one-third of the amount so specified or, where the regulations make provision for the cost of part only of any works, one-third of the sum of the amount so specified for that part and of the actual cost (so far as approved by the appropriate Minister as having been reasonably incurred) of the remainder of the works.
- (3) The appropriate Minister may reduce the amount of the grant which would otherwise be payable under the foregoing provisions of this section, or withhold the grant, in any case where assistance in respect of the approved works is given under any other enactment.
- (4) A grant under section 6 of this Act shall be payable on the completion of the approved works and may be paid by instalments.
- (5) Regulations under this section shall be made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) In this section and section 6 of this Act, " the appropriate Minister " means, in the application of the section to Scotland, the Secretary of State, and in its application to the remainder of the United Kingdom, the Minister of Agriculture, Fisheries and Food.

8 Grants to bodies promoting co-operation in agriculture and horticulture

The Minister may, in such manner and subject to such conditions as he may determine, make grants to bodies of persons in England and Wales whose object or main object is the organisation, promotion or development of co-operation in agriculture or horticulture (including any activities carried on in connection therewith), or of co-operation in the marketing of agricultural or horticultural produce.

9 Grants for promotion of efficient marketing

- (1) The appropriate Minister may by a scheme made with the approval of the Treasury make provision for the payment of grants towards the cost of carrying out proposals for promoting the efficient marketing of agricultural or horticultural produce, for carrying out research connected therewith, for making the result of such research available to producers of such produce, or for the formation of bodies carrying on agricultural or horticultural producers' marketing businesses.
- (2) A scheme under this section shall restrict the payment of grants to cases where the proposals are approved by the appropriate Minister before being carried out and may restrict that approval, subject to any exceptions provided by the scheme, to cases where the proposals are supported by persons appearing to the appropriate Minister to represent producers of agricultural or horticultural produce.

- (3) A scheme under this section may provide for the recovery of grants made thereunder in any case where it appears to the appropriate Minister that the carrying out of an approved proposal has been unreasonably delayed or is unlikely to be completed or that any approved proposal has been badly carried out or that any condition subject to which approval was given has not been complied with.
- (4) Where a scheme under this section provides for the recovery of grants made thereunder it shall make provision for securing that before any person is required to repay any grant—
 - (a) he is given notice in writing stating the grounds on which it is proposed to recover the grant and is given an opportunity of being heard by a person appointed by the appropriate Minister for that purpose ; and
 - (b) the appropriate Minister will consider the report of the person so appointed.
- (5) Subject to the next following subsection, no approval under this section shall be given after the end of March 1965.
- (6) The Ministers may from time to time by order made by statutory instrument extend the period during which such approvals may be given, but no such extension shall be for more than three years.
- (7) Where a scheme under this section requires any proposals to be supported as mentioned in subsection (2) of this section the appropriate Minister may make contributions to the expenses incurred in connection with the examination of proposals submitted for that support.
- (8) Grants made in pursuance of a scheme under this section, so much of the expenses of administering the scheme as may be incurred on behalf of the appropriate Minister by the persons mentioned in subsection (2) of this section, and contributions made under subsection (7) thereof, shall be treated as production grants for the purposes of section 3 of the Agriculture Act 1957.
- (9) The power to make a scheme under this section shall be exercisable by statutory instrument and includes power to vary or revoke the scheme by a subsequent scheme.
- (10) A statutory instrument containing such a scheme shall be subject to annulment in pursuance of a resolution of either House of Parliament; and an order under subsection (6) of this section shall be of no effect unless it is approved by a resolution of each House of Parliament.

10 Winter keep grants

- (1) The appropriate Minister may from time to time by a scheme made with the approval of the Treasury make provision for the payment of grants, to be known as winter keep grants, in respect of livestock rearing land which, in any year falling within the period specified in the scheme (which shall not exceed three years) is used for growing such crops for the winter feeding of livestock as may be specified in the scheme.
- (2) A scheme under this section—
 - (a) shall specify the rates of the grants by reference to the area of the land in respect of which the grants are made; and
 - (b) may provide for defining or limiting the kinds of land in respect of which the grants are to be made; and
 - (c) may make different provision in relation to different land or different crops.

- (3) In this section "livestock rearing land" means land falling within the definition of livestock rearing land set out in subsection (3) of section 1 of the Livestock Rearing Act 1951 and any land suitable for use with such land for livestock rearing purposes as defined by that subsection.

11 Grassland renovation grants

- (1) The appropriate Minister may from time to time by a scheme made with the approval of the Treasury make provision for the payment of grants, to be known as grassland renovation grants, in respect of land under grass which is renovated by means of such operations as may be specified in the scheme.
- (2) A scheme under this section—
- (a) shall specify the rates of the grants by reference to the area of the land in respect of which the grants are made; and
 - (b) may provide for defining or limiting the kinds of land under grass in respect of which the grants are to be made, and shall require the land to have been continuously under grass for a minimum period specified in the scheme before the carrying out of the operations ; and
 - (c) shall restrict the payment of grants to cases where the operations, before being carried out, are approved by the appropriate Minister in pursuance of applications made in such manner as he may direct; and
 - (d) shall specify the period, which shall not exceed three years, within which the applications must be made; and
 - (e) may make different provision in relation to different operations.
- (3) References in this section to land under grass include references to any grazing land and, in particular, to land under clover, lucerne or sainfoin or mixtures of clover, lucerne or sainfoin with grass, but this provision shall be without prejudice to any definition or limitation contained in a scheme under this section.

12 Supplementary provisions as to schemes under two preceding sections

- (1) A scheme under section 10 or section 11 of this Act may restrict the amounts of grants in any manner and make the payment of grants subject to any conditions, and may, in particular.—
- (a) specify a minimum area of land in respect of which grants may be made ;
 - (b) provide for securing that a grant shall not be made, or shall be restricted in amount, if the appropriate Minister is of opinion that any operation relevant to the payment of the grant has been inefficiently carried out or that adequate facilities for inspection of the land have not been given;
 - (c) make provision as to the persons to whom grants are to be made;
 - (d) prohibit or restrict the payment of grants in cases in which payments out of moneys provided by Parliament under any other Act are available in respect of any operation relevant to the payment of the grants.
- (2) A scheme under section 10 or section 11 of this Act may prohibit or restrict the payment of grant in respect of land in respect of which such grant as may be specified in the scheme has been made under this or any other Act within such period as may be so specified.

- (3) The power to make a scheme under section 10 or section 11 of this Act shall be exercisable by statutory instrument and includes power to vary or revoke such a scheme by a subsequent scheme.
- (4) No statutory instrument making, varying or revoking such a scheme shall be made unless a draft thereof has been laid before Parliament and has been approved by a resolution of each House of Parliament.

13 Seizure of carcasses, etc. liable to spread disease

- (1) The Ministers may by order make such provision for the seizure of carcasses, fodder, litter, eggs or fertilisers and the destruction, burial, disposal or (treatment of anything seized under the order as they may think expedient for preventing the spread of any disease to which this section applies.
- (2) The Minister shall pay compensation—
 - (a) for anything seized under such an order for the purpose of preventing the spread of foot-and-mouth disease;
 - (b) for anything seized under such an order for the purpose of preventing the spread of any other disease to which this section applies, except the carcass of any animal or bird affected with that disease.
- (3) The Ministers may by order provide for the payment by the Minister of compensation for carcasses seized as aforesaid of animals or birds affected with any disease to which this section applies other than foot-and-mouth disease or fowl pest.

In this subsection " fowl pest" means fowl pest in any of its forms, including Newcastle disease and fowl plague.

- (4) The compensation payable under subsection (2) or subsection (3) of this section for anything seized shall be the value thereof at the time of the seizure.
- (5) Where anything destroyed, buried or disposed of under an order made under paragraph (v) of section 11 of the Diseases of Animals Act 1950 (which relates to infected places and areas) could have been seized under an order made under subsection (1) of this section, the Minister shall pay the like compensation (if any) therefor as if it had been so seized at the time of the destruction, burial or disposal.
- (6) This section applies to the diseases in the case of which powers of slaughter are exercisable under the Diseases of Animals Act 1950, that is to say.—
 - (a) to cattle plague, pleuro-pneumonia, foot-and-mouth disease and swine-fever, and any disease, within the meaning of section 17 of that Act, to which that section for the time being applies ; and
 - (b) to any disease as defined in relation to poultry by or under section 84(3) of that Act.
- (7) The Ministers may make such orders as they think fit for all or any of the following purposes—
 - (a) for prescribing how the value of anything seized under this section is to be ascertained;
 - (b) for regulating applications for, and the mode of payment of, any compensation payable by virtue of this section ;

- (c) for prescribing and regulating the destruction, burial or disposal of anything seized under this section.
- (8) This section shall be construed as one with the Diseases of Animals Act 1950 ; and in relation to any disease with respect to which functions under that Act in its application to Scotland are for the time being exercisable by the Secretary of State, there shall be substituted—
- (a) in the application of this section to England and Wales, for references to the Ministers references to the Minister; and
 - (b) in its application to Scotland, for references to the Minister or to the Ministers, references to the Secretary of State.

14 Protection of farm animals exposed for sale

In paragraph (x) of section 20 of the Diseases of Animals Act 1950 (which enables orders to be made for protecting animals from unnecessary suffering during transit) after the word " transit" there shall be inserted the words " or while exposed for sale or awaiting removal after being exposed for sale ".

15 Distribution of fowl pest vaccine at subsidised prices

- (1) The Minister may with the consent of the Treasury make arrangements for making available, at prices designed to encourage the vaccination of poultry against fowl pest, any vaccine suitable for that purpose, but no vaccine shall be made available under those arrangements after the end of March 1965.
- (2) In this section " fowl pest" means fowl pest in any of its forms, including Newcastle disease and fowl plague.

16 Fees

- (1) Notwithstanding anything in section 76 of the Diseases of Animals Act 1950 (which restricts the taking of fees for business transacted under that Act) the Ministers may by order made with the approval of the Treasury prescribe fees to be paid with respect to such business transacted or to be transacted under that Act as may be specified in the order.
- (2) So long as any powers under the Tithe Acts 1836 to 1925 are exercisable, by virtue of section 30 of the Tithe Act 1936 and an Order in Council under section 11 of the Tithe Act 1951, by the Commissioners of Inland Revenue, those Commissioners may by order made with the approval of the Treasury prescribe fees to be paid with respect to such business transacted or to be transacted by them under those powers as may be specified in the order.
- (3) Where an order under either of the preceding subsections provides for the payment of a fee before the transaction of the business with respect to which it is payable and the business is not transacted or not wholly transacted, the Minister to whom the fee was paid or, as the case may be, the Commissioners of Inland Revenue, may, if he or they think fit, repay the whole or part of the fee.
- (4) The power to prescribe fees under the enactments specified in column 1 of the following Table (which relate to the granting of licences and permits to keep bulls and stallions and, by virtue of section 6 of the Agriculture (Miscellaneous Provisions) Act

1944, boars, and to inspection by referees) shall not be subject to the limitations as to amount respectively specified in those enactments and set out in column 2 of that Table, and the power to prescribe any such fee in relation to a licence or permit may be so exercised as to require the fee to be paid on an application therefor.

TABLE

| <i>Enactment</i> | <i>Existing maximum fee</i> |
|---|-----------------------------|
| The Improvement of Live Stock (Licensing of Bulls) Act 1931 | |
| section 2(1) | 5 shillings |
| section 5 (1) | 2 guineas |
| The Horse Breeding Act 1958 | |
| section 2 (1) | 1 guinea |
| section 3 (1) | 1 guinea |
| section 5(1) | 5 guineas |

- (5) Any power conferred by this section to make an order shall be exercisable by statutory instrument and shall include power to vary or revoke any such order by a subsequent order; and any statutory instrument containing such an order or containing rules under section 13 of the Horse Breeding Act 1958 prescribing fees shall be subject to annulment in pursuance of a resolution of the Commons House of Parliament.
- (6) Where an order under this section provides for any fee to be paid on the making of an application in a case where previously a fee was payable only if the application was granted, then, as respects anything done in pursuance of an application made before the coming into operation of the order, the same fee shall be payable as before the coming into operation of the order and shall be so payable at the time at which it would then have been payable.
- (7) No fee shall after the commencement of this Act be payable by virtue of section 9 (2) of the Glebe Lands Act 1888 or section 39 of the Universities and College Estates Act 1925 or, subject to subsection (8) of this section, by virtue of section 6 of the Inclosure, &c. Expenses Act 1868.
- (8) Any fee payable by virtue of an enactment repealed by this Act with respect to any business with respect to which an order may be made under subsection (1) or subsection (2) of this section shall, until the coming into operation of such an order with respect to that business, be payable as if this Act had not been passed.

17 Prescribed standards for bulls and boars licensed for breeding purposes

The powers of the Minister or, in Scotland, the Secretary of State, under section 2(2) of the Improvement of Livestock (Licensing of Bulls) Act 1931, or under that section as applied to pigs by section 6 of the Agriculture (Miscellaneous Provisions) Act 1944, to refuse to grant a licence to keep a bull or boar for breeding purposes shall include power to refuse to grant such a licence if he is not satisfied that the bull or boar conforms to such standard of suitability for breeding purposes as may be prescribed for bulls or boars respectively under the said Act of 1931; and different standards may be so prescribed for different classes of bulls or boars.

18 Dissolution of Agricultural Land Commission and Welsh Agricultural Land Sub-Commission

- (1) The Minister may by order made by statutory instrument provide for the dissolution of the Agricultural Land Commission and the Welsh Agricultural Land Sub-Commission and the transfer to the Minister of any property, rights, obligations or liabilities of the first-mentioned Commission.
- (2) On the dissolution of the Commissions the enactments specified in Part I of the Schedule to this Act shall cease to have effect to the extent specified in column 3 of that Part.

19 Restriction on operation of notices to quit agricultural holdings

- (1) For the purposes of paragraph (d) of section 24(2) of the Agricultural Holdings Act 1948 (which excludes the restriction placed by subsection (1) of that section on the operation of a notice to quit an agricultural holding in certain cases where a tenant has failed to comply with a notice requiring him to remedy a breach of the terms and conditions of his tenancy)—
 - (a) a notice requiring the tenant to remedy a breach of any term or condition must be in the prescribed form and must specify the period within which the breach is to be remedied;
 - (b) where such a notice in the prescribed form requires the doing of any work of repair, maintenance or replacement, any further notice requiring the doing of any such work and served on the tenant less than twelve months after the earlier notice shall be disregarded, unless the earlier notice was withdrawn with his agreement in writing;
 - (c) a period of less than six months shall not be treated as a reasonable period within which to do any such work ;but this subsection shall not be taken to affect the operation of the said section 24 in relation to any notice served before the coming into operation of this section or to any failure to comply with a notice so served.
- (2) The Lord Chancellor may by order pro vide—
 - (a) for the determination by arbitration under the said Act of 1948 of any question arising under such a notice as is mentioned in the said paragraph (d), being a notice requiring the doing of any work of repair, maintenance or replacement (including the question whether the notice is capable of having effect for the purposes of that paragraph);
 - (b) for enabling the time within which anything is to be done in pursuance of such a notice as is mentioned in the said paragraph (d), being a notice requiring the remedying of any breach of the terms and conditions of the tenancy, to be extended or to be treated as having been extended;
 - (c) for enabling a tenancy, in a case where that time is extended, to be terminated either by a notice to quit served less than twelve months before the date on which it is to be terminated, or at a date other than the end of a year of the tenancy, or both by such a notice and at such a date ;
 - (d) for the recovery by a tenant of the cost of any work which is done by him in compliance with a notice requiring him to do it but which is found by such an arbitration to be work which he was not under an obligation to do.
- (3) Different forms may be prescribed for the purposes of paragraph (a) of subsection (1) of this section in relation to different circumstances.

- (4) The power to make an order under the preceding provisions of this section shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, and includes power to revoke or vary any order by a subsequent order.
- (5) Any expression used in this section and in the Agricultural Holdings Act 1948 has the same meaning in this section as in that Act.
- (6) In paragraph (d) of section 24 (2) of the Agricultural Holdings Act 1948 the words " within a reasonable time or " are hereby repealed.
- (7) This section shall not come into operation until such day as the Minister may by order made by statutory instrument appoint.

20 Extension of time limits in arbitration proceedings relating to agricultural holdings

The periods specified respectively by—

- (a) paragraph 6 of Schedule 6 to the Agricultural Holdings Act 1948 and paragraph 5 of Schedule 6 to the Agricultural Holdings (Scotland) Act 1949;
- (b) paragraph 13 of Schedule 6 to the said Act of 1948,

as the period within which the parties to an arbitration are to deliver statements of their cases and the period within which the arbitrator is to make his award shall each be extended by fourteen days ; and accordingly—

- (i) for the word " fourteen ", in both places where it occurs in the said paragraph 6 or the said paragraph 5, there shall be substituted the word " twenty-eight ";
- (ii) for the word " forty-two" in the said paragraph 13 there shall be substituted the word " fifty-six ".

21 Amendment of rules as to valuation of sheep stocks in Scotland

- (1) In Schedule 2 to the Hill Farming Act 1946 (which Schedule contains provisions as to the valuation of sheep stocks in Scotland where such stock is to be taken over at the termination of the tenancy of an agricultural holding by the landlord or the incoming tenant, and for the purposes of any such valuation provides for the adjustment of certain prices and values within limits specified in the Schedule and for the addition to certain other values of amounts so specified) the said limits and amounts shall, instead of being expressed as sums of money, be expressed as percentages, and accordingly—
 - (a) in paragraph 5 of Part I of the said Schedule, for the words " ten shillings " there shall be substituted the words " twenty per cent. ";
 - (b) in head (a) of paragraph 6 of the said Part I, for the words " fifteen shillings " there shall be substituted the words " thirty per cent. of such value ";
 - (c) in head (c) of the said paragraph 6, for the words " five shillings " there shall be substituted the words " ten per cent. ";
 - (d) in paragraph 2 of Part II of the said Schedule, for the words " five shillings " there shall be substituted the words " ten per cent ";
 - (e) in head (a) of paragraph 3 of the said Part II, for the words " fifteen shillings " there shall be substituted the words " thirty per cent. of such value ";
 - (f) in head (b) of the said paragraph 3, for the words " five shillings " there shall be substituted the words " ten per cent ".

- (2) The foregoing subsection shall not apply for the purposes of a valuation made in respect of a lease entered into before the commencement of this Act.
- (3) This section shall be construed as one with the Sheep Stocks Valuation (Scotland) Acts 1937 and 1946 and may be cited with those Acts as the Sheep Stocks Valuation (Scotland) Acts 1937 to 1963.

22 Allowances to persons displaced from agricultural land

- (1) Where any interest in land is compulsorily acquired in pursuance of a notice to treat served after 31st October 1962 or is sold by agreement, in pursuance of a contract made after that date, to an authority possessing compulsory purchase powers, and—
 - (a) the land is used for the purposes of agriculture (within the meaning of the Agricultural Holdings Act 1948) and is so used by way of a trade or business; and
 - (b) the person carrying on the trade or business is displaced from the land;the acquiring authority may pay to him such reasonable allowance as they think fit towards his removal expenses and the loss which, in their opinion, he will sustain by reason of the resulting disturbance of his trade or business.
- (2) In estimating that loss the authority shall have regard to the period for which the land might reasonably have been expected to be available for the purpose of the trade or business, and to the availability of other land suitable for that purpose.
- (3) The preceding provisions of this section shall have effect without prejudice to the operation of any other enactment authorising the making of payments to persons displaced from any land.
- (4) Section 39 of the Land Compensation Act 1961 (which makes provision as to the interpretation of that Act) shall apply in relation to the preceding provisions of this section as if they were contained in that Act.
- (5) In the application of this section to Scotland—
 - (a) for the reference in subsection (1) to an authority possessing compulsory purchase powers, there shall be substituted a reference to a public authority possessing compulsory purchase powers;
 - (b) in paragraph (a) of subsection (1) the words " (within the meaning of the Agricultural Holdings Act 1948)" shall be omitted;
 - (c) for the reference in subsection (4) to section 39 of the Land Compensation Act 1961, there shall be substituted a reference to section 54 of the Town and Country Planning (Scotland) Act 1959.
- (6) In the application of this section to Northern Ireland—
 - (a) " authority possessing compulsory purchase powers" means, in relation to any interest, any person or body of persons who, by or under any enactment of the Parliament of the United Kingdom, have been authorised to acquire the interest compulsorily or could have been so authorised for the purposes for which it was acquired, but with respect to whom the Parliament of Northern Ireland has no power to make laws corresponding to this section;
 - (b) " enactment" in subsection (3) includes any enactment of the Parliament of Northern Ireland ; and

- (c) subject to the preceding provisions of this subsection, subsections (1) to (4) of this section shall be construed as they are construed in their application to England and Wales, notwithstanding that the Agricultural Holdings Act 1948 and the Land Compensation Act 1961 do not extend to Northern Ireland.

23 Cold and chemical storage of eggs

(1) For the purposes of section 4 of the Agricultural Produce (Grading and Marking) Act 1928 (which regulates the cold and chemical storage of eggs)—

- (a) eggs shall not be treated as being kept in cold storage in any premises unless the temperature at which they are kept there is artificially reduced to below fifty degrees Fahrenheit;
- (b) premises shall not be treated as being used by way of trade or for purposes of gain for the cold storage of eggs by reason only that eggs intended to be sold in the course of a retail trade carried on there are kept there in cold storage in the ordinary course of that trade.

(2) In subsection (2) of the said section 4 the following shall be substituted for paragraph .

(b):—

“(b) it shall not be lawful to cause British eggs to be placed in cold storage or chemical storage in any registered premises unless notice in writing containing the prescribed particulars is given at or before the time of the placing to the council by which the premises are registered, and either—

- (i) the eggs are marked in the prescribed manner; or
- (ii) the eggs are not intended for sale by retail in shell and are kept in a container which is marked in the prescribed manner;

and if any person contravenes or fails to comply with (the provisions of this paragraph he shall be guilty of an offence under this section:

(ba) where British eggs have been placed in cold storage or chemical storage in any registered premises without being marked in the prescribed manner it shall not be lawful to cause them to be removed from those premises unless not less than forty-eight hours' notice in writing containing the prescribed particulars has been given to the council by which the premises are registered, and either—

- (i) the eggs are marked in the prescribed manner; or
- (ii) the eggs are kept in a container marked in the prescribed manner and such evidence has been furnished to that council as is reasonably sufficient to satisfy the council that they are not intended for sale by retail in shell;

and if any person contravenes or fails to comply with the provisions of this paragraph he shall be guilty of an offence under this section:

(bb) the occupier of any registered premises and any person who causes British eggs to be placed in cold storage or chemical storage in such premises shall keep the prescribed records and permit any duly authorised officer of the council of the county or county borough to inspect those records at all reasonable times; and if any person fails to comply with the provisions of this paragraph he shall be guilty of an offence under this section”.

- (3) This section shall not come into operation until such day as the Ministers may by order made by statutory instrument appoint.

24 Seed potatoes

- (1) The following provisions of this section shall have effect with respect to the particulars to be stated under section 1 of the Seeds Act 1920 by persons selling or exposing for sale any seed potatoes and with respect to the containers in which seed potatoes are to be delivered to a purchaser.
- (2) So much of that section as relates to the time at which any statement is to be delivered to a purchaser, and the manner in which it may be delivered, shall not apply; but regulations under that Act may provide for the time at which any statement containing all or any of the said particulars is to be delivered, and may require such a statement—
- (a) to be in a form prescribed by the regulations ;
 - (b) to be delivered to the purchaser in such manner as may be so prescribed;
 - (c) instead of or as well as being delivered in any other manner, to be delivered by being enclosed with the potatoes in their bags or other containers or by being marked on or attached to those bags or containers in such manner as may be so prescribed, or by being both so enclosed and so marked or attached;
- and any such regulations may exclude any of the said particulars from those to be contained in a statement displayed under subsection (2) of that section with seed potatoes exposed for sale.
- (3) Regulations under the said Act may prohibit, subject to any exceptions provided for by or under the regulations, the delivery to a purchaser of any seed potatoes otherwise than in such bags or other containers as may be prescribed by the regulations.
- (4) In subsection (3) of the said section 1 the words " or seed potatoes, as the case may be " are hereby repealed.
- (5) This section shall not come into operation until such day as the Ministers may by order made by statutory instrument appoint.

25 Purchases of sugar from Republic of Ireland

The Sugar Board shall purchase such sugar, at such prices, as the Minister may from time to time direct for the purpose of fulfilling any agreement made by him after the passing of this Act for the purchase of sugar to be used as an ingredient of goods to be exported from the Republic of Ireland.

26 Provisions as to schemes, and meaning of "the appropriate Minister" in relation to schemes

A scheme under this Act may be a separate scheme for England and Wales, or for Scotland, or for Northern Ireland, or a joint scheme for the United Kingdom, or for Great Britain, or for England and Wales and Northern Ireland or for Scotland and Northern Ireland; and in this Act "the appropriate Minister " means—

- (a) in relation to a separate scheme for England and Wales or for Northern Ireland or a joint scheme for those countries, the Minister of Agriculture, Fisheries and Food;

- (b) in relation to any other joint scheme, the said Minister and the Secretary of State acting jointly ; and
- (c) in relation to a separate scheme for Scotland, the Secretary of State.

27 Expenses

There shall be paid out of moneys provided by Parliament—

- (a) any grant, contribution, compensation or allowance payable by a Minister of the Crown by virtue of this Act (other than an allowance payable by the Postmaster General under section 22 of this Act);
- (b) any expenses incurred by the Minister under section 15 of this Act;
- (c) any expenses of administration incurred by a Minister of the Crown by virtue of this Act; and
- (d) any increase attributable to this Act in the sums payable out of moneys so provided under any other enactment.

28 Repeals

The enactments specified in Part II of the Schedule to this Act are hereby repealed to the extent specified in column 3 of that Part.

29 Short title, interpretation and extent

- (1) This Act may be cited as the Agriculture (Miscellaneous Provisions) Act 1963.
- (2) In this Act " the Minister ", except in section 5, means the Minister of Agriculture, Fisheries and Food, and " the Ministers" means the Minister and the Secretary of State acting jointly.
- (3) Sections 8, 16(2), 18(1) and 19 of this Act do not extend to Scotland, and section 21 of this Act extends to Scotland only.
- (4) The following provisions of this Act do not extend to Northern Ireland, that is to say, subsections (2) to (5) and (8) of section 5, and sections 8, 13 to 17, 18 (1), 19, 20, 21 and 23.

SCHEDULE

Sections 18 and 28.

ENACTMENTS REPEALED

PART I

REPEALS TAKING EFFECT ON DISSOLUTION OF AGRICULTURAL LAND COMMISSION

| Session and Chapter | Short Title | Extent of Repeal |
|--|---------------------------|---|
| 10 & 11 Geo. 6. c. 48. | The Agriculture Act 1947. | <p>Section 68.</p> <p>Section 69.</p> <p>Section 70, except as respects any financial year commencing before the dissolution of the Agricultural Land Commission.</p> <p>In section 75, the words from " partly in the area " where those words first occur, to " that area, or ", the words " by or before the Sub-Commission or the Agricultural Land Commission or ", and the words " as the case may be ".</p> <p>In section 84, in subsection (1), paragraphs (a) and (b), the words from " the carrying out " to " equipment, or " and the words " as the case may be"; and subsections (2) to (6).</p> <p>Section 87.</p> <p>In section 105(2), the words " the Agricultural Land Commission or" and the word " other ".</p> <p>In Schedule 9, paragraphs 1 to 6, in paragraph 22, sub-paragraphs (1) and (3), in paragraph 23(1), the words " the Commission, the Sub-Commission and", and in paragraph 24 the words " under the seal of the Commission or ".</p> |

Status: This is the original version (as it was originally enacted).

| Session and Chapter | Short Title | Extent of Repeal |
|------------------------|---|---|
| 11 & 12 Geo. 6. c. 63. | The Agricultural Holdings Act 1948. | Schedule 12. In section 34(4), the words from " and shall " to the end of the subsection. In section 60, paragraph (ii) of the proviso and the word " and " preceding that paragraph. |
| 14 & 15 Geo. 6. c. 60. | The Mineral Workings Act 1951. | In section 23 (1), the words " (a) to ". |
| 5 & 6 Eliz. 2. c. 20. | The House of Commons Disqualification Act 1957. | In Schedule 1, in Part II, the entry relating to the Agricultural Land Commission and the Welsh Agricultural Land Sub-Commission. |

PART II

OTHER REPEALS

| Session and Chapter | Short Title | Extent of Repeal |
|--------------------------|--|--|
| 31 & 32 Vict. c. 89. | The Inclosure, etc. Expenses Act 1868. | Section 6. |
| 51 & 52 Vict. c. 20. | The Glebe Lands Act 1888. | Section 9(2). |
| 15 & 16 Geo. 5. c. 18. | The Settled Land Act 1925. | In section 115(3), the words " to fees or ". |
| 15 & 16 Geo. 5. c. 24. | The Universities and College Estates Act 1925. | Section 39. |
| 18 & 19 Geo. 5. c. 19. | The Agricultural Produce (Grading and Marking) Act 1928. | Section 6(3). |
| 21 & 22 Geo. 5. c. 43. | The Improvement of Live Stock (Licensing of Bulls) Act 1931. | In section 2(1), the words " (not exceeding five shillings) ". In section 5(1), the words " (not exceeding two guineas)". |
| 22 & 23 Geo. 5. c. lxiv. | The Kendal Corn Rent Act 1932. | In section 11, in subsection (1), the words from " together with " to " redemption "; in subsection (2), in paragraph (i) the words from |

Status: This is the original version (as it was originally enacted).

| Session and Chapter | Short Title | Extent of Repeal |
|------------------------|--|---|
| 6 & 7 Geo. 6. c. 9. | The Universities and Colleges (Trusts) Act 1943. | " Any expenses " to the end of the paragraph; and in subsection (5) the words " and of the expenses incident to the redemption ". |
| 14 Geo. 6. c. 36. | The Diseases of Animals Act 1950. | In section 2 (2), the words " and thirty-nine ". |
| 14 & 15 Geo. 6. c. 18. | The Livestock Rearing Act 1951. | Section 34. Section 36(2). Section 37(6). Section 41(4). Section 49(3). Section 76 so far as it relates to fees. |
| 4 & 5 Eliz. 2. c. 72. | The Hill Farming Act 1956. | Sections 3 and 6. |
| 6 & 7 Eliz. 2. c. 43. | The Horse Breeding Act 1958. | Section 1(2). Section 2. In section 2(1), the words "(not exceeding one guinea)". In section 3(1), the words "(not exceeding one guinea)". In section 5(1), the words "(not exceeding five guineas)". |

TABLE OF STATUTES REFERRED TO IN THIS ACT

| Short Title | Chapter |
|---|-------------------------------|
| Inclosure &c. Expenses Act 1868 | 31 & 32 Vict. c. 89. |
| Glebe Lands Act 1888 | 51 & 52 Vict. c. 20. |
| Seeds Act 1920 | 10 & 11 Geo. 5. c. 54. |
| Universities and College Estates Act 1925 | 15 & 16 Geo. 5. c. 24. |
| Agricultural Produce (Grading and Marking) Act 1928 | 18 & 19 Geo. 5. c. 19. |
| Improvement of Live Stock (Licensing of Bulls) Act 1931 | 21 & 22 Geo. 5. c. 43. |
| Tithe Act 1936 | 26 Geo. 5. & 1 Edw. 8. c. 43. |
| Sheep Stocks Valuation (Scotland) Act 1937 | 1 Edw. 8. & 1 Geo. 6. c. 34. |

Status: This is the original version (as it was originally enacted).

| Short Title | Chapter |
|---|------------------------------------|
| Agriculture (Miscellaneous Provisions) Act 1944 | 7 & 8 Geo. 6. c. 28. |
| Hill Farming Act 1946 | 9 & 10 Geo. 6. c. 73. |
| Agricultural Holdings Act 1948 | 11 & 12 Geo. 6. c. 63. |
| Agricultural Holdings (Scotland) Act 1949 | 12, 13 & 14 Geo. 6. c. 75. |
| Diseases of Animals Act 1950 | 14 Geo. 6. c. 36. |
| Livestock Rearing Act 1951 | 14 & 15 Geo. 6. c. 18. |
| Tithe Act 1951 | 14 & 15 Geo. 6. c. 62. |
| Agriculture (Fertilisers) Act 1952 | 15 & 16 Geo. 6 & 1 Eliz. 2. c. 15. |
| Hill Farming Act 1956 | 4 & 5 Eliz. 2. c. 72. |
| Agriculture Act 1957. | 5 & 6 Eliz 2 c. 57. |
| Horse Breeding Act 1958 | 6 & 7 Eliz. 2. c. 43. |
| Town and Country Planning (Scotland) Act 1959 | 7 & 8 Eliz. 2. c. 70. |
| Land Compensation Act 1961 | 9 & 10 Eliz. 2. c. 33. |