



# Agriculture (Miscellaneous Provisions) Act 1963

## 1963 CHAPTER 11

### 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.

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*Status: This is the original version (as it was originally enacted).*

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## 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.