Agriculture (Miscellaneous Provisions) Act 1972

1972 CHAPTER 62

E+W+S

An Act to make new provision for the prevention of diseases suffered or disseminated by animals and to amend the diseases of Animals Act 1950; to amend the law relating to slaughterhouses, to the slaughter of animals in Scotland and to the improvement of live stock; to amend Part II of the Agriculture Act 1967; to make new provision in relation to the Agricultural Marketing Fund and the Agricultural Marketing (Scotland) Fund; to increase the amount which may be advanced under section 2 of the Agriculture Mortgage Corporation Act 1956; to increase the penalties under the Agriculture (Poisonous Substances) Act 1952 and the Agriculture (Safety, Health and Welfare Provisions) Act 1956; to make new provision with respect to arbitrations under the Agricultural Holdings Act 1948; to amend the Cereals Marketing Act 1965; to amend the Corn Returns Act 1882 and the Corn Sales Act 1921; to make new provision for obtaining agricultural statistics; to make further provision as to the use of poison against grey squirrels or coypus; to clarify the Plant Health Act 1967 as respects the recovery of expenses incurred by an authority exercising default powers under orders made by virtue of that Act; to abolish agricultural executive committees and certain other committees having functions in relation to agriculture or apiculture; to confer powers on the Secretary of State in relation to certain parks and other land in Scotland; to repeal paragraph (f) of Case 14 in Schedule 3 to the Rent Act 1968 and paragraph (f) of Case 15 in Schedule 3 to the Rent (Scotland) Act 1971; and for purposes connected with those matters. [9th August 1972]

Modifications etc. (not altering text)

C1 Words of enactment omitted under authority of Statute Law Revision Act 1948 (c. 62), **s. 3**

C2 Act: transfer of functions (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

Commencement Information

I1 Act not in force at Royal Assent; Act wholly in force at 1.1.1974 see s. 27(2)(3).

1, 2 . . . . . [F1] E+W+S

Textual Amendments

F1 Ss. 1, 2 repealed by Animal Health Act 1981 (c. 22, SIF 4:4), s. 10, **Sch. 6**

3 Seizure of milk etc. liable to spread disease. E+W+S

In section 13 of the [M1] Agriculture (Miscellaneous Provisions) Act 1963 (which among other things provides for the seizure and disposal of carcases and other things including eggs with a view to preventing the spread of certain diseases and for the payment in certain cases of compensation for things seized} after the word "eggs" in subsection (1) there shall be inserted the words "milk, skim milk, whey, buttermilk, cream".

Modifications etc. (not altering text)

C3 The text of ss. 3, 8(5), 9(4)(6)(7), 10(5), 11, 12(2),(3) (*b*)(*c*), 17(1), Sch. 5, Sch. 6 (in part) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M1 1963 c. 11.

[F2]4 Furnishing by milk marketing boards of information derived from tests of milk. E+W+S

. . . . . .

Textual Amendments

F2 S. 4 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 2** Group 1

5 E+W+S

. . . . . .

6, 7 E+W+S

. . . . . .

8 Amendment of law relating to improvement of live stock. E+W+S

(1) . . . . . [F3]

[F4](5) . . . . . .

(6) . . . . . [F5]

Textual Amendments

F3 S. 8(1)—(4) repealed by Animal Health and Welfare Act 1984 (c. 40, SIF 2:8), s. 16, **Sch. 2**

F4 S. 8(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 2** Group 1

F5 S. 8(6) repealed by Diseases of Animals Act 1975 (c. 40), s. 4, **Sch. 2**

Modifications etc. (not altering text)

C4 The text of ss. 3, 8(5), 9(4)(6)(7), 10(5), 11, 12(2),(3) (*b*)(*c*), 17(1), Sch. 5, Sch. 6 (in part) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

9 Amendments as to grants and loans in connection with alterations of farm structure. U.K.

(1) Part II of the [M2]Agriculture Act 1967 (grants and loans in connection with alterations in farm structure) shall have effect with the amendments specified in subsections (2) to (6) of this section.

[[F6](2) In section 26—

(a) in subsection (1)—

(i) for the words preceding paragraph (a) there shall be substituted the words "The appropriate Minister may in accordance with a scheme and subject to section 50 of the [M3]Agriculture Act 1970 make, out of money provided by Parliament, grants of amounts determined in such manner as may be provided by or under the scheme in connection with the carrying out of any of the following transactions approved by him in pursuance of that scheme, that is to say—" ;

(ii) after paragraph (b) there shall be inserted—

"(bb) transactions securinf that, where the person occupying an intermediate unit or a commercial unit occupies any part or parts of it otherwise than as owner or as a tenant as defined in the Agricultural Holdings Act 1948 (or, in Scotland, the Agricultural Holdings (Scotland) Act 1949), he comes to occupy that part or all those parts as owner or as such a tenant, and" ;

(iii) at the end of subsection (2) there shall be inserted the words "or, as respects transactions within subsection (1)(bb) of this section, cases where after the transaction has been effected the unit is not in single ownership" ;

(c) subsections (3) and (5) shall be omitted ;

(d) in subsection (6)—

(i) for the words preceding paragraph (a) there shall be substituted the words "Any approval in pursuance of a scheme under this section of an amalgamation or boundary adjustment—" ;

(ii) in paragraph (a) the words "the expenditure has been incurred or" shall be omitted.

(3) In section 27—

(a) in subsection (1) in the words preceding paragraph (a) for the words "relinquishes his occupation of an uncommercial unit" there shall be substituted the words "relinquishes his occupation of, or of part of, an uncommercial unit" ;

(b) after subsection (5A) there shall be inserted—

"(5B) A scheme made by virtue of subsection (1)(a) or (b) of this section may make provision whereby a person is treated for the purposes of the scheme, to such extent and in such cases as may be prescribed—

(a) as the occupier of any land in respect of which he has granted, or agreed to grant, to another person a licence or tenancy of a kind not making that other person a renant as defined in the Agricultural Holdings Act 1948 (or, in Scotland, the Agricultural Holdings (Scotland) Act 1949) ;

(b) as relinquishing his occupation of that land if he relinquishes his remaining estate or interest in the land ;

(c) as relinquishing his occupation of, or of part of, an uncommercial unit of agricultural land if the land was, or was partof, such a unit immediately before he first granted or agreed togrant such a licence or tenancy as aforesaid ;

and, in relation to any provision made by virtue of this subsection, subsections (2), (4) and (5A) of this section shall not apply but provision may be made in this scheme for corresponding purposes."**]**

(4) In section 28(1) for paragraph (a) there shall be substituted—

"(a) the costs of the amalgamation or boundary adjustment consisting of surveyor's fees and legal costs, stamp duty on any conveyance lease, tenancy agreement or mortgage or heritable security and any compensation for disturbance under section 34 of the Agricultural Holdings Act 1948 or section 35 of the Agricultural Holdings (Scotland) Act 1949, or

(aa) expenditure incurredin the carrying out or provision of works or facilities which the appropriate Minister considers to be necessary or desirable as a consequence of the amalgamation, or to be necessary as a consequence of the boundary adjustment, or" ; and for the words "or expenditure under both paragraphs (a) and (b) above" there shall be substituted the words "or expenditure under all or any two of paragraphs (a), (aa) and (b) above".

[[F6](5) In section 39 (application to Northern Ireland) after subsection (5) there shall be inserted—

"(5A) Sections 26(1)(bb) and 27(5B) of this Act shall, in their application to Northern Ireland, have effect as if references to a tenant as defined in the Acts there mentioned were references to a tenant who holds under a contract of tenancy for a life or lives for a term of years."**]**

(6) In section 40(3) (uncommercial unit not to include dwelling houses) after the words "exclusive of any one dwelling house of the unit" there shall be inserted the words "or of an area sufficient to provide a site for one dwelling house".

(7) In section 50 of the [M4]Agriculture Act 1970 (which among other things precludes the making of certain grants to smallholdings authorities under schemes made under section 26 of the said Act of 1967 unless an application for the grant has been made within five years from the date when the scheme comes into operation) for the words "within five years from the date when the scheme comes into operation" there shall be substituted the words "before the end of 1975".

[[F6](8) Any scheme made by virtue of section 26 of the said Act of 1967 as that section had effect before the passing of this Act shall (without prejudice to its variation or revocation by a subsequent scheme) continue to have effect as if this Act had not been passed.**]**

(9) Sections **[**[F7]26(1) to (6) and**]** 28(1) of the said Act of 1967 as amended by this section are set out in Schedule 4 to this Act.

Textual Amendments

F6 Ss. 9(2)(3)(5)(8), 10(1)(2)(4) repealed (N.I.) by S.I. 1987/166 (N.I. 1), art. 20, **Sch.**

F7 Words repealed (N.I.) by S.I. 1987/166 (N.I. 1), art. 20, **Sch.**

Modifications etc. (not altering text)

C5 The text of ss. 3, 8(5), 9(4)(6)(7), 10(5), 11, 12(2),(3) (*b*)(*c*), 17(1), Sch. 5, Sch. 6 (in part) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M2 1967 c. 22.

M3 1970 c. 40.

M4 1970 c. 40.

10 Conditions applicable to land where amalgamation or boundary adjustment has been assisted by a grant or loan. U.K.

[[F8](1) Subsections (7) and (8) of section 26 of the Agriculture Act 1967 (which apply the conditions in Schedule 3 to that Act to agricultural units where certain grants have been paid) shall not apply in relation to the payment of—

(a) any grant under a scheme made under that section or section 27 of that Act after the passing of this Act; or

(b) any grant under section 29 of the [M5]Agriculture Act 1970 in respect of any work or facility certified under the said section 26 in connection with an amalgamation or boundary adjustment approved under any scheme made under the said section 26 after the passing of this Act.

(2) Where, by reason of the payment of a grant under a scheme made under the said section 27 before the passing of this Act, any land became subject to the provisions of the said Schedule 3, that land shall cease to be subject to those provisions if, by virtue of transitional provisions in a scheme made under that section after the passing of this

Act, the approval in consequence of which the grant was paid falls to be treated as if given under the latter scheme.**]**

(3) Subsections (6) and (7) of section 28 of the said Act of 1967 (which apply the conditions in the said Schedule 3 to agricultural units where loans or guarantees have been made or given under that section) shall not apply in relation to any loan or guarantee in connection with an amalgamation or boundary adjustment approved under a scheme made under the said section 26 after the passing of this Act or treated by virtue of transitional provisions in such a scheme as approved thereunder.

[[F8](4) In making a grant under the said section 26 the appropriate Minister may impose such conditions as he thinks fit; and any such conditions, and any conditions imposed under section 28(5) of the said Act of 1967 or section 29(3) of the said Act of 1970, may require the recipient of the grant or loan, or the person whose indebtedness is guaranteed, to make such payments or repayments to the appropriate Minister in such circumstances as may be specified in the conditions.**]**

(5) Paragraph 1 of the said Schedule 3 (duration of conditions imposed by that Schedule) shall have effect, and be deemed always to have had effect, with the substitution for the words "fifteen years" of the words "five years".

Textual Amendments

F8 Ss. 9(2)(3)(5)(8), 10(1)(2)(4) repealed (N.I.) by S.I. 1987/166 (N.I. 1), art. 20, **Sch.**

Modifications etc. (not altering text)

C6 The text of ss. 3, 8(5), 9(4)(6)(7), 10(5), 11, 12(2),(3) (*b*)(*c*), 17(1), Sch. 5, Sch. 6 (in part) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M5 1970 c. 40.

[F9]11 Grants for farm improvements U.K.

. . . . . .

Textual Amendments

F9 S. 11 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 2** Group 1

Modifications etc. (not altering text)

C7 The text of ss. 3, 8(5), 9(4)(6)(7), 10(5), 11, 12(2),(3) (*b*)(*c*), 17(1), Sch. 5, Sch. 6 (in part) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

12 Payments into and out of Agricultural Marketing Funds, and abolition of Marketing Facilities Committees. E+W+S

(1) If the Minister considers that the sums standing to the credit of the Agricultural Marketing Fund should be reduced, he may pay such sums as he thinks fit out of that Fund into the Consolidated Fund; and if the Secretary of State considers that the

sums standing to the credit of the Agricultural Marketing (Scotland) Fund should be reduced, he may pay such sums as he thinks fit out of that Fund into the Consolidated Fund:

Provided that nothing in this subsection shall be construed as conferring authority on the Minister or Secretary of State to wind up the Agricultural Marketing Fund or, as the case may be, the Agricultural Marketing (Scotland) Fund.

(2) The limits imposed by subsection (3) of section 22 of the [M6]Agricultural Marketing Act 1958 on the sums which may be paid put of money provided by Parliiament into the Marketing Funds mentioned in the preceding subsection are hereby abolished; and accordingly for paragraphs (a) and (b) of the said subsection (3) (which provide that sums payable out of money so provided into each of those funds shall not in the aggregate exceed the difference between £500,000 in the case of the English Fund and £125,000 in the case of the Scottish fund and the sums paid into the fund in question under section 11(2) of the [M7]Agricultural Marketing Act 1931) there shall be substituted the words "into the English fund and the Scottish fund repectively such sums".

(3) Section 23 of the [M8]Agricultural Marketing Act 1958 (which provides for the appointment of Agricultural Marketing Facilities Committees for England and Wales, for Scotland and for Great Britain) shall cease to have effect; and accordingly—

[F10](a) . . . . . .

(b) in section 24(4) of that Act for the words from "renewal is recommended" to "they are" there shall be substituted the words "Minister is" and in section 53(5) of that Act after the words "consumers' committees" there shall be inserted the word "and" ; [F11]...

[F11](c) . . . . . .

Textual Amendments

F10 S. 12(3)(a) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 2** Group 1

F11 S. 12(3)(c) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 2** Group 1

Modifications etc. (not altering text)

C8 The text of ss. 3, 8(5), 9(4)(6)(7), 10(5), 11, 12(2),(3) (*b*)(*c*), 17(1), Sch. 5, Sch. 6 (in part) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M6 1958 c. 47.

M7 1931 c. 42.

M8 1958 c. 47.

13 . . . . . [F12] **E+W**

Textual Amendments

F12 S. 13 repealed by Agriculture (Miscellaneous Provisions) Act 1976 (c. 55, SIF 2:1), s. 26, **Sch. 4 Pt. II**

[F13]14 Increase of fines. E+W+S

. . . . . .

Textual Amendments

F13 S. 14 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 2** Group 1

15 . . . . . [F14] E+W

Textual Amendments

F14 S. 15 repealed by Agricultural Holdings Act 1986 (c. 5, SIF 2:3), ss. 99, 101, Sch. 13 para. 3, **Sch. 15 Pt. I**

[F15]16 Levies on processers and dealers in home-grown cereals. U.K.

. . . . . .

Textual Amendments

F15 S. 16 repealed (1.4.2008) by The Agriculture and Horticulture Development Board Order 2008 (S.I. 2008/576), art. 1(3), **Sch. 5 para. 7** (with Sch. 4 para. 10)

17 Abolition of requirements that dealings and returns relating to corn must be in hundred-weights. U.K.

[F16](1) . . . . . .

(2) The Minister may as respects England and Wales, and the Secretary of State may as respects Scotland, provide by order made by statutory instrument that sections 8 and 9(6) of the [M9]Corn Returns Act 1882 (which respectively require that computations of corn in returns under that Act shall be in hundredweights and that the annual and septennial average price published in pursuance of that Act shall be for a hundredweight of corn) shall have effect as if for any reference to the hundredweight of one hundred and twelve imperial standard pounds there were substituted a reference to another weight prescribed by the order; and an order under this subsection may—

(a) make such modifications of section 9(4) and (5) of that Act as the authority making the order considers are appropriate in consequence of any other provision made by the order or by another order under this subsection;

(b) be varied or revoked by a subsequent order under this subsection.

Textual Amendments

F16 S. 17(1) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 2** Group 1

Modifications etc. (not altering text)

C9 The text of ss. 3, 8(5), 9(4)(6)(7), 10(5), 11, 12(2),(3) (*b*)(*c*), 17(1), Sch. 5, Sch. 6 (in part) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

C10 S. 17(2): certain functions of Minister of Agriculture, Fisheries and Food transferred by S.I. 1978/272, **art. 4**

S. 17(2): transfer of functions, property, rights and liabilities (27.12.1999) by S.I. 1999/3141, arts. 2(1)(5), 4, **Sch.** (with arts. 3, 5)

Marginal Citations

M9 1882 c. 37.

[[F17]18 Power to obtain agricultural statistics by means of notices. E+W+S

Section 78(1) of the [M10]Agriculture Act 1947 shall have effect with the following amendments (which replace provisions authorising the making, after consultation with the relevant advisory committee established in pursuance of section 77 of that Act, of regulations with respect to the service of notices requiring the furnishing of information relating to agriculture by provisions authorising the service of such notices) that is to say—

(a) for the words from "after consultation" to "of notices requiring them" there shall be substituted the words "serve on any owners or occupiers of land used for agriculture, or of land which the Minister has reason to believe may be so used, notices requiring them"; and

(b) for the word "prescribed" where it first occurs there shall be substituted the words "specified in the notice" and for the words "prescribed information" in both places where they occur there shall be substituted the words "information referred to in the notice"; and

(c) the words from "and regulations" to "be prescribed" shall be omitted;

and accordingly section 77 of that Act shall cease to have effect and the committees mentioned in that section are hereby abolished.**]**

Textual Amendments

F17 S. 18 repealed (E.W.) by Agricultural Statistics Act 1979 (c. 13, SIF 2:1), s. 7, **Sch. 2**

Marginal Citations

M10 1947 c. 48.

19 Use of poison against grey squirrels and coypus. E+W+S

(1) The relevant Minister may, by an order made for the purposes of this section and applying either to the whole of Great Britain or to any specified part or area thereof, specify a poison for use for the purpose of destroying grey squirrels or coypus and the manner of its use for that purpose; and it shall be a defence in proceedings for an offence against any of the enactments mentioned in subsection (2) of this section to show that—

(a) the act alleged to constitute the offence was done for the purpose of destroying grey squirrels or coypus and was done at a time when, and in a place where, such an order had effect; and

(b) the poison used and the manner of its use were such as to comply with the provisions of the order.

(2) The said enactments are section 8(b) of the [M11]Protection of Animals Act 1911, section 7(b) of the [M12]Protection of Animals (Scotland) Act 1912 (which restrict the placing on land of poison and poisoned substances) and so much of section 5(1)(a) of the [M13]Protection of Birds Act 1954 as relates to poisoned or poisonous substances.

(3) The relevant Minister shall not make an order for the purposes of this section except after such consultation as he considers appropriate with such organisations as appear to him to represent the interests concerned and unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.

(4) Any order made for the purposes of this section may make different provision in relation to grey squirrels and in relation to coypus; and the power to make orders for the purposes of this section shall be exercisable by statutory instrument and shall include power to vary or revoke a previous order.

(5) In this section "the relevant Minister" means—

(a) in the case of an order which does not apply outside England, the Minister;

(b) in the case of an order which does not apply outside Scotland, the Secretary of State for Scotland;

(c) in the case of an order which applies both in England and in Scotland but not in Wales, the Minister and the Secretary of State for Scotland acting jointly;

(d) in the case of an order which applies in Wales or both in England and Wales but not (in either case) in Scotland, the Minister and the Secretary of State for Wales acting jointly; and

(e) in the case of an order which applies in England, Scotland and Wales, the Minister and those Secretaries of State acting jointly.

For the purposes of this subsection Monmouthshire shall be treated as part of Wales and not of England.

(6) This section is without prejudice to any defence available apart from this section in proceedings for any such offence as is mentioned in subsection (1) of this section; and nothing in this section shall be construed as conferring any exemption from any provision contained in or having effect under any enactment not mentioned in subsection (2) of this section.

Modifications etc. (not altering text)

C11 S. 19: certain functions of Minister of Agriculture, Fisheries and Food transferred by S.I. 1978/272, **art. 2**

S. 19: transfer of functions, property, rights and liabilities (27.12.1999) by S.I. 1999/3141, arts. 2(1)(5), 4, **Sch.** (with arts. 3, 5)

Marginal Citations

M11 1911 c. 27.

M12 1912 c. 14.

M13 1954 c. 30

20 Recovery of expenses incurred by authority exercising default powers under orders made by virtue of Plant Health Act 1967. E+W+S

It is hereby declared that an order made or having effect under the [M14]Plant Health Act 1967 may contain provisions for requiring a person to pay to a competent authority or local authority for the purposes of that Act the cost to the authority of doing anything which that person has, in breach of a requirement imposed on him by or under the order, failed to do.

Subordinate Legislation Made

P1 For previous exercises of power see Index to Government Orders.

P2 S. 20: S. 20 power exercised by S.I. 1991/1905

Marginal Citations

M14 1967 c. 8.

[F18]21 Abolition of agricultural executive committees etc. E+W+S

. . . . . .

Textual Amendments

F18 S. 21 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 2** Group 1

22 Abolition of agricultural wages committees in Scotland. S

The agricultural wages committees constituted under section 2 of the [M15]Agricultural Wages (Scotland) Act 1949 are hereby abolished, and the provisions of Schedule 5 to this Act shall have effect for that purpose and for the purpose of transferring to the Secretary of State certain of the functions of the said committees.

Marginal Citations

M15 1949 c. 30.

23 Powers of Secretary of State in relation to certain parks, gardens etc. in Scotland. S

(1) Subject to the provisions of subsection (3) of this section, the [M16]Parks Regulation Acts 1872 and [M17]1926 shall apply to all parks, gardens, recreation grounds, open spaces and other land for the time being vested in, or under the control or management of, the Secretary of State for Scotland in the same manner as to land vested in him to which they applied before the commencement of this Act.

(2) As respects land to which the said Parks Regulation Acts are extended by subsection (1) of this section, the Secretary of State shall have the following powers—

(a) the power to carry out or commission the carrying out of scientific inquiries, experiments and research on and in connection with the land, either on his own account or jointly with other persons;

(b) the power to manage, maintain and improve the land and to erect and maintain buildings and other structures on the land for the purpose of providing office or other accommodation in connection with the exercise of any of his powers relating to the land;

(c) the power to make such charges as he thinks fit for admission to the land and in connection with any of the activities mentioned in paragraph (a) of this subsection.

(3) This section shall not apply to land in respect of which byelaws may be made under [F19]... section 60 of the [M18]Countryside (Scotland) Act 1967.

Textual Amendments

F19 Words in s. 23(3) repealed (1.4.2019) by Forestry and Land Management (Scotland) Act 2018 (asp 8), s. 85(2), **sch. 2** (with s. 83); S.S.I. 2019/47, reg. 2 (with regs. 3-22)

Marginal Citations

M16 1872 c. 15.
M17 1926 c. 36.
M18 1967 c. 86.

24 Recovery of possession of redundant farmhouses. E+W+S

[[F20]Paragraph (f) of Case 14 in Schedule 3 to the [M19]Rent Act 1968 and**]** paragraph (f) of Case 15 in Schedule 3 to the [M20]Rent (Scotland) Act 1971 (under which the right conferred by **[**[F21]those Cases**]**[[F21]that case**]** to recover possession of a dwelling-house is available only if proceedings are commenced within the appropriate time limit specified in those paragraphs) shall cease to have effect except where the relevant date for the purposes of the said **[**[F20]Case 14 or, as the case may be**]**, Case 15 was before the passing of this Act.

Textual Amendments

F20 Words repealed (E.W.) by Rent Act 1977 (c. 42, SIF 75:3), s. 156, **Sch. 25** (subject to the savings and transitional provisions in Sch. 24)

F21 "that Case" substituted (E.W.) for "those Cases" by Rent Act 1977 (c. 42, SIF 75:3), s. 156, **Sch. 23 para. 57** (subject to the savings and transitional provisions in Sch. 24)

Marginal Citations

M19 1968 c. 23.
M20 1971 c. 28.

25 Expenses and receipts. E+W+S

There shall be defrayed out of moneys provided by Parliament—

(a) any expenses incurred by any Minister under this Act;

(b) any increase attributable to this Act in the sums payable out of moneys so provided under any other Act;

and any sums received by any Minister by virtue of this Act shall be paid into the Consolidated Fund.

26 Interpretation and repeals. U.K.

(1) Except where the context otherwise requires, in this Act "the Minister" means the Minister of Agriculture, Fisheries and Food.

(2) Except where the context otherwise requires, any reference in this Act to any enactment is a reference to it as amended, and includes a reference to it as applied, by or under any other enactment, including this Act.

(3) Subject to subsection (4) of this section, the enactments mentioned in Schedule 6 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(4) The repeals in section 26 of the [M21]Agriculture Act 1967 and in sections 32, 33 and 50 of the [M22]Agriculture Act 1970 shall not have effect in relation to any scheme made under section 26 of the said Act of 1967 before the passing of this Act.

Marginal Citations

M21 1967 c. 22.
M22 1970 c. 40.

27 Short title, commencement and extent. U.K.

(1) This Act may be cited as the Agriculture (Miscellaneous Provisions) Act 1972.

[F22](2) . . . . . .

[F23](3) . . . . . .

(4) Sections . . . [F24], [F25]... 22 and 23 of, and Schedules [F25]... 5 to, this Act extend to Scotland only.

(5) Except for the following provisions, that is to say—

(a) sections 9, 10, 11, 16, 17(1), 26(1) and (2) and this section and Schedule 4; and

(b) section 26(3) and (4) and Schedule 6 so far as they relate to the [M23]Corn Sales Act 1921, . . . [F26], to section 26 of the [M24]Agriculture Act 1967 and to sections 32, 33 and 50 of the [M25]Agriculture Act 1970,

this Act does not extend to Northern Ireland.

Textual Amendments

F22 S. 27(2) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 2** Group 1
F23 S. 27(3) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 2** Group 1
F24 Number repealed by Slaughterhouses Act 1974 (c. 3, SIF 112), s. 47(2), **Sch. 6**
F25 Words in s. 27(4) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 2** Group 1
F26 Words repealed by House of Commons Disqualification Act 1975 (c. 24, SIF 89), s. 10(2), **Sch. 3**

Marginal Citations

M23 1921 c. 35.
M24 1967 c. 22.
M25 1970 c. 40.

Changes to legislation: *There are currently no known outstanding effects for the Agriculture (Miscellaneous Provisions) Act 1972. (See end of Document for details)*

SCHEDULES

SCHEDULES 1, 2 S

. . . [F27]

Textual Amendments

F27 Schs. 1, 2 repealed by Slaughter of Animals (Scotland) Act 1980 (c. 13, SIF 112), s. 24(2), **Sch. 3**

SCHEDULE 3 E+W+S

. . . [F28]

Textual Amendments

F28 Sch. 3 repealed by Animal Health and Welfare Act 1984 (c. 40, SIF 2:8), s. 16, **Sch. 2**

[[F29]SCHEDULE 4 U.K.

Section 9.

SECTIONS 26(1) TO (6) AND 28(1) OF [M26]AGRICULTURE ACT 1967 AS AMENDED

Textual Amendments

F29 Sch. 4 repealed (N.I.) so far as it relates to s. 26(1) to (6) of the Agriculture Act 1967 by S.I. 1987/166 (N.I. 1), art. 20, **Sch.**

Modifications etc. (not altering text)

C12 For subsequent amendments of ss. 26(1)–(6) and 28(1) of Agriculture Act 1967 (c. 22, SIF 2:1) see the entries for that Act.

Marginal Citations

M26 1967 c. 22.

26 (1) The appropriate Minister may in accordance with a scheme and subject to section 50 of the [M27]Agriculture Act 1970 make, out of money provided by Parliament, grants of amounts determined in such manner as may be provided by or under the scheme in connection with the carrying out of any of the following transactions approved by him in pursuance of the scheme, that is to say—

(a) transactions for securing that agricultural land which is or forms part of an uncommercial unit, but which together with some other agricultural land could form an intermediate unit or commercial unit, shall be owned and occupied with that other land, and

(b) transactions for securing that, where an intermediate unit or a commercial unit is not all in the same ownership, any part of it comes to be in the same ownership as the rest of that unit, or in the same ownership as some other part of that unit, but excluding transactions which bring into the same ownership and occupation two or more parts of the unit each of which could by itself form a commercial unit, and

(bb) transactions for securing that, where the person occupying an intermediate unit or a commercial unit occupies any part or parts of it otherwise than as owner or as a tenant as defined in the [M28]Agricultural Holdings Act 1948 (or, in Scotland, the [M29]Agricultural Holdings (Scotland) Act 1949), he comes to occupy that part or all those parts as owner or as such a tenant, and

(c) transfers or exchanges of agricultural land (or estates or interests in agricultural land) for the purpose of giving more satisfactory boundaries to one or more agricultural units;

and for the purposes of paragraph (a) above, such assumptions as the appropriate Minister may consider reasonable may be made as to the works and facilities which will be carried out or provided for the benefit of the unit to be formed.

Transactions within paragraphs (a), (b) and (bb) above are in this Part of this Act referred to as "amalgamations", and transactions within paragraph (c) are in this Part of this Act referred to as "boundary adjustments".

(2) A scheme under this section may restrict the amalgamations and boundary adjustments to which it applies in any way, and may in particular exclude amalgamations of land which has reverted from being in single ownership or occupation or, as respects transactions within subsection (1)(bb) of this section, cases where after the transaction has been effected the unit is not in single ownership.

(4) A scheme under this section may make different provision for different circumstances.

(6) Any approval in pursuance of a scheme under this section of an amalgamation or boundary adjustment—

(a) may be given either before or, in any case where the appropriate Minister thinks fit, after the amalgamation or boundary adjustment has been carried out;

(b) may be given subject to such conditions as the appropriate Minister may specify, and in particular subject to any condition as to the time within which the amalgamation or boundary adjustment is to be carried out or as to the carrying out or provision within a specified period of specified works or facilities appearing to the appropriate Minister to be necessary as a consequence of the amalgamation or boundary adjustment;

(c) may be varied or withdrawn by the appropriate Minister with the written consent of the person on whose application the approval was given;

and the appropriate Minister may, if he thinks fit, for the purposes of a claim for grant under section 29 of the [M30]Agriculture Act 1970 issue a certificate with respect to any work or facility that he considers it to be necessary or desirable as a consequence

of an amalgamation, or to be necessary as a consequence of a boundary adjustment, approved by that Minister in pursuance of the scheme.

Marginal Citations

M27 1970 c. 40.
M28 1948 c. 63.
M29 1949 c. 75.
M30 1970 c. 40.

28 (1) The appropriate Minister may with the approval of the Treasury make or guarantee loans to meet expenditure incurred in connection with an amalgamation or boundary adjustment approved by the appropriate Minister in pursuance of a scheme under section 26 of this Act, being—

(a) the costs of the amalgamation or boundary adjustment consisting of surveyor's fees and legal costs, stamp duty on any conveyance, lease, tenancy agreement or mortgage or heritable security and any compensation for disturbance under section 34 of the [M31]Agricultural Holdings Act 1948 or section 35 of the [M32]Agricultural Holdings (Scotland) Act 1949, or

(aa) expenditure incurred in the carrying out or provision of works or facilities which the appropriate Minister considers to be necessary or desirable as a consequence of the amalgamation, or to be necessary as a consequence of the boundary adjustment, or

(b) any part of the purchase price of any land acquired as part of the amalgamation or as the case may be any part of the purchase price of land acquired, or of money given by way of equality of exchange, as part of the boundary adjustment,

or expenditure under all or any two of paragraphs (a), (aa) and (b) above.**]**

Marginal Citations

M31 1948 c. 63.
M32 1949 c. 75.

SCHEDULE 5 S

Section 22.

AMENDMENTS RELATING TO ABOLITION OF AGRICULTURAL WAGES COMMITTEES IN SCOTLAND.

Modifications etc. (not altering text)

C13 The text of ss. 3, 8(5), 9(4)(6)(7), 10(5), 11, 12(2),(3) (*b*)(*c*), 17(1), Sch. 5, Sch. 6 (in part) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

[M33]*The Agricultural Wages (Scotland) Act 1949*

Marginal Citations

M33 1949 c. 30.

In section 1, in subsection (1), the words from "in relation" to "section" shall cease to have effect.

In section 1, subsection (2) shall cease to have effect.

Section 2 shall cease to have effect.

In section 3, in subsection (1), the words from "for each" to "Act" shall cease to have effect.

F30 …

Textual Amendments

F30 Words in Sch. 5 repealed (1.10.2004) by Agricultural Wages (Permits to Infirm and Incapacitated Persons) (Repeals) (Scotland) Regulations 2004 (S.S.I. 2004/384), reg. 1(1), **Sch.**

F30 …

F30 …

F30 …

F30 …

F30 …

In section 6, subsections (1) to (4) shall cease to have effect.

In section 6, in subsection (5) the words from "in a district" to "this Act" shall cease to have effect, and for the words "agricultural wages committee" there shall be substituted the words "Secretary of State".

In section 6, subsection (8) shall cease to have effect.

In section 7, in subsection (1), the words from "for each district" to "established under this Act" shall cease to have effect.

In section 7, in subsection (3), for the words "an agricultural wages committee are" there shall be substituted the words "the Secretary of State is" ; the words "in their district" shall cease to have effect ; for the words "the committee" there shall be substituted the words "the Secretary of State" ; and the words from "subject" to "Act" where it first occurs shall cease to have effect.

Section 8 shall cease to have effect.

In section 9, in subsection (1), for the words from "and complaints" to "thereof" there shall be substituted the words "to the Secretary of State under section 5 or section 7 of this Act".

In section 9, subsection (2) shall cease to have effect.

In section 12, in subsection (4)(a), the words from "or" to "work" shall cease to have effect.

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In section 13, the words "and of agricultural wages committees" and "and each committee" shall cease to have effect.

In section 14, the words from "or" to "thereof" shall cease to have effect.

In section 15, the words "or an agricultural wages committee" and "or committee, as the case may be" shall cease to have effect.

The second Schedule shall cease to have effect.

In the third Schedule, in paragraph 1, sub-paragraph (b) shall cease to have effect.

In the third Schedule, in paragraph 4, the words from "and serve" to the end of the paragraph shall cease to have effect.

In the third Schedule, in paragraph 5, for the words from "in the district" to "such a special area" there shall be substituted the words "or to any class of workers (as defined in the order) or to any area or to any such class in any area".

[M34]*The Agriculture (Miscellaneous Provisions) Act 1968*

Marginal Citations

M34 1968 c. 34.

In section 46, subsection (3) shall cease to have effect.

SCHEDULE 6 U.K.

Section 26(3) and (4).

REPEALS

Modifications etc. (not altering text)

C14 The text of ss. 3, 8(5), 9(4)(6)(7), 10(5), 11, 12(2),(3) (*b*)(*c*), 17(1), Sch. 5, Sch. 6 (in part) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short title	Extent of repeal
11 — 12 Geo. 5. c. 35.	The Corn Sales Act 1921.	Section 1.
18 — 19 Geo. 5. c. 29.	The Slaughter of Animals (Scotland) Act 1928.	Sections 5, 6, 9 and 10.
4 — 5 Geo. 6. c. 50.	The Agriculture (Miscellaneous Provisions) Act 1941.	Sections 11(2) and (7).
6 — 7 Geo. 6. c. 16.	The Agriculture (Miscellaneous Provisions) Act 1943.	In section 17, subsection (4) and, in subsection (6) the words "or subsection (4)".

7 — 8 Geo. 6. c. 28.	The Agriculture (Miscellaneous Provisions) Act 1944.	In section 6, subsections (1) to (3) and in subsection (4) the words “by virtue of the last foregoing subsection or” and the words “or boar” in both places where they occur.
9 — 10 Geo. 6. c. 26.	The Emergency Laws (Transitional Provisiions) Act 1946.	In Schedule 2, in the paragraph dealing with amendments of the Improvement of Live Stock (Licensing of Bulls) Act 1931, the words “in its application to England and Wales”.
9 — 10 Geo. 6. c. 73.	The Hill Farming Act 1946.	In section 3(6), all the words after “appropriate Minister” and before “for the doing” and the words “or committee”. Section 33. In section 34, in subsection (1) all the words after “given by him” and before “shall, on producing”, and in subsection (2) all the words after “authorised as aforesaid” and before “in the exercise”.
10 — 11 Geo. 6. c. 48.	The Agriculture Act 1947.	Sections 71 and 72. In section 75 the words “partly in the area of one County Agricultural Executive Committee and partly in the area of another, or” and the words “committee or”. Section 77. In section 78(1), the words from “and regulations” to “be prescribed”. Section 104(5). In Schedule 9, paragraphs 7 to 12 and 21 and in paragraph 22(2) the words from “County” to “district committees and” and the words “committees and” in

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		the second place where they occur.
		Schedule 10.
10 — 11 Geo. 6. c. 53.	The Town and Country Planning (Scotland) Act 1947.	In section 8(2)(a), the words from “and” onwards.
11 — 12 Geo. 6. c. 45.	Agriculture (Scotland) Act 1948.	Section 68 and 69.
		Section 80(5).
		In Schedule 8, Part I with the exception of paragraph 11.
12 — 13 Geo. 6. c. 30.	The Agricultural Wages (Scotland) Act 1949.	In section 1, in subsection (1), the words from “in relation” to “section”, and susbection (2).
		Section 2.
		In section 3, in subsection (1), the words from “for each” to “Act”.
		In section 5, in subsection (1), the words “in their district”, and in subsection (4), the words from “agricultural” to “aforesaid and”.
		In section 6, subsections (1) to (4), in subsection (5), the words from “in a district” to “this Act”, and subsection (8).
		In section 7, in subsection (1), the words from “for each district” to “established under this Act”, and in subsection (3), the words “in their district”, and the words from “subject” to “Act” where it first occurs.
		Section 8.
		Section 9(2).
		In section 12(4)(a), the words from “or” to “work”.
		In section 13, the words “and of agricultural wages

		committees" and "and each committee".
		In section 14, the words from "or" to "thereof".
		In section 15, the words "or an agricultural wages committee" and "or committee, as the case may be,".
		Schedule 2.
		In Schedule 3, paragraph 1(b), and in paragraph 4, the words from "and serve" onwards.
12 — 13 Geo. 6. c. 52.	The Slaughter of Animals (Scotland) Act 1949.	The whole Act.
12 — 13 Geo. 6. c. 55.	The Prevention of Damage by Pests Act 1949.	In section 4, subsections (3) and (6)(a).
14 — 15 Geo. 6. c. 18.	The Livestock Rearing Act 1951.	Sections 9 and 10.
1 — 2 Eliz. 2. c. 27.	The Slaughter of Animals (Pigs) Act 1953.	In section 3, in subsection (1), the definition of "pig", and subsection (2)
2 — 3 Eliz. 2. c. 30.	The Protection of Birds Act 1954.	In section 10(4) the words from "and those powers" onwards.
2 & 3 Eliz. 2. c. 42.	The Slaughterhouses Act 1954.	Section 8(1).
		In section 10, subsections (1) and (2); in subsection (3), paragraphs (a) and (c) and in paragraph (b) the words from "that any" to "specified" where last occurring and the word "or" at the end of the paragraph; subsection (5); and in subsection (6), the words "to the Secretary of State".
		Section 11.
		In section 18, subsections (2) and (3).
		Section 19(b).
2 — 3 Eliz. 2. c. 59.	The Slaughter of Animals (Amendment) Act 1954.	In section 2, in subsection (3); in

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		subsection (5), the words from "and" onwards; and subsection (6).
		Schedule 1.
4 Eliz. 2. c. 16.	The Food and Drugs Act 1955.	Section 65 so far as it relates to slaughterhouses.
		Section 70(1).
		Sections 75 to 78.
5 — 6 Eliz. 2. c. 20.	The House of Commons Disqualification Act 1957.	In Part IV of Schedule 1, the entries relating to the Agriculture Act 1947 and the Agriculture (Scotland) Act 1948.
6 — 7 Eliz. 2. c. 47.	The Agricultural Marketing Act 1958.	In section 22(6) the words from "and there may" to "sum so written off".
		Section 23.
		In sections 24(1) and 25 the words "on the recommendation of the appropriate Agricultural Marketing Facilities Committee" and in section 24(1), the proviso.
		In section 53(5) the words from "and Agricultural" to "for Scotland".
		In Schedule 3, paragarph 4 of Part II, paragraph 5 of Part V and paragraph 5 of Part VI.
6 & 7 Eliz. 2. c. 70.	The Slaughterhouses Act 1958.	In section 1, subsections (1), (3) and (4).
		Sections 2 to 4.
		In section 6, subsection (1), in subsection (2) the words "the foregoing subsection or under" and in subsection (3) paragraphs (a) to (f).
		In section 11 the words "this Act and" where they first occur and the words "to this Act and".
		Section 12(2).
		In Section 13(2) the words "or in the First Schedule to".

		Schedule 1.
1963 c. 11.	The Agriculture (Miscellaneous Provisions) Act 1963.	In section 16(4), the words from “and by virtue” to “boars”.
		Section 17.
1963 c. 33.	The London Government Act 1963.	Section 54(2).
1967 c. 22.	The Agriculture Act 1967.	In section 26, subsections (3) and (5), and in subsection (6)(a) the words “the expenditure has been incurred or”.
		Section 63(1).
1968 c. 23.	The Rent Act 1968.	In Schedule 3, paragraph (f) of Case 14 except where the relevant date for the purposes of that Case was before the passing of this Act.
1968 c. 34.	The Agriculture (Miscellaneous Provisions) Act 1968.	Section 46(3).
1970 c. 40.	The Agriculture Act 1970.	Section 32(4)(b).
		Section 33(4).
		In section 50 the words “in respect of expenditure incurred” in both places where they occur.
		In Schedule 4 the entry relating to the London Government Act 1963.
1971 c. 28.	The Rent (Scotland) Act 1971.	In Schedule 3, paragraph (f) of Case 15 except where the relevant date for the purposes of that Case was before the passing of this Act.
1971 c. lxvii.	The Manchester Corporation (General Powers) Act 1971.	In section 65, in subsection (3) the words “public abattoir”, in subsection (4) the words “the abattoir or of”, and subsection (6).

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