



Agriculture (Miscellaneous Provisions) Act 1954

1954 CHAPTER 39 2 and 3 Eliz 2

9 Collection of kitchen waste etc. for animal feeding stuffs in England and Wales.

- (1) A local authority in England or Wales may, whether in the discharge of their functions as to the removal of house or trade refuse or otherwise, collect kitchen or other waste in their area for use as animal feeding stuffs, with or without processing.
- (2) An authority collecting waste under this section may agree to pay for waste saved for collection by them, may process the waste they collect, and may sell it processed or unprocessed: and, if they process it, they may acquire other materials for processing with it, including kitchen or other waste collected by any other local authority or person.
- (3) ^{F1}
- (4) A local authority collecting waste under this section may provide receptacles in which the waste may be deposited for collection, and may place any receptacles so provided in any street or public place.
- (5) If a person wilfully deposits in any receptacle provided under the last foregoing subsection, or otherwise used for the deposit of waste to be collected under this section, anything which he knows or has reasonable cause to believe to be unsuitable for use as animal feeding stuffs, he shall be liable on summary conviction to a fine not exceeding [^{F2}level 1 on the standard scale]; and if any person (other than a person employed in connection with the local authority's collection of the waste) removes the whole or part of the contents of any such receptacle when placed in a street or public place or set out for the purpose of its contents being removed under this section, he shall be liable on summary conviction to a fine not exceeding [^{F3}ten pounds][^{F3}level 1 on the standard scale]or, if he has been previously convicted of the like offence, to a fine not exceeding [^{F4}twenty pounds][^{F4}level 1 on the standard scale].
- (6) A local authority may make bye-laws regulating in their area or any part of it the collection of kitchen or other waste for use as animal feeding stuffs and the carriage of waste so collected (whether there or elsewhere), and in particular for securing the use

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of suitable times, routes, vehicles and receptacles; and the fines which may be imposed by the bye-laws on persons offending against them may be of an amount not exceeding [^{F5}ten pounds][^{F5}level 1 on the standard scale], with, in the case of a continuing offence, a further sum not exceeding [^{F6}£2] for each day during which the offence continues after conviction therefor.

Bye-laws made under this subsection shall require confirmation of the [^{F7}Secretary of State].

- (7) Proceedings in respect of an offence created by or under this section shall not be taken by any person other than the local authority in whose area the offence is alleged to have been committed, unless taken by or with the consent of the Director of Public Prosecutions:
Provided that, where a local authority collects waste under this section outside their area, they may without the consent of the Director of Public Prosecutions take proceedings in respect of an offence under subsection (5) of this section alleged to have been committed at any place within the limits of their collection.
- (8) Nothing in this section shall be taken as authorising anything to be used unprocessed as animal feeding stuffs where processing is required by or under any other enactment.
- (9) In this section the expression “local authority” means the council of a borough, urban district or rural district or an authority which is a sanitary authority for the purposes of the ^{M1}Public Health (London) Act, 1936.
- (10) There shall be paid out of moneys provided by Parliament any increase attributable to this section in the sums so payable under Part I of the ^{M2}Local Government Act, 1948, or under the ^{M3}Local Government (Financial Provisions) (Scotland) Act, 1954.

Textual Amendments

- F1** S. 9(3) repealed by [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), **Sch. 30**
- F2** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21 SIF 39:1\)](#), ss. 289F, 289G
- F3** Words “level 1 on the standard scale” substituted (S.) for words “ten pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21 SIF 39:1\)](#), ss. 289E—289G
- F4** Words “level 1 on the standard scale” substituted (S.) for words “twenty pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21 SIF 39:1\)](#), ss. 289E—289G
- F5** Words “level 1 on the standard scale” substituted (S.) for words “ten pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21 SIF 39:1\)](#), ss. 289F, 289G, 457A
- F6** Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19, SIF 10\)](#), **s. 10 (1)**
- F7** Words substituted by virtue of [S.I. 1965/319](#) arts. 2(1), 10(1), [Sch. 1 Pt. 1](#) and [1970/1681](#) arts 2, 6(3)

Modifications etc. (not altering text)

- C1** [S. 9\(5\): Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss.35** (in relation to liability on first and subsequent convictions), **38** (increase of fines) and **46** (substitution of references to levels on the standard scale) apply (E.W.)
- C2** [S. 9\(9\): references to the council of a borough etc to be construed in accordance with Local Government Act 1972 \(c. 70 SIF 81:1\)](#), s. 179
- C3** [S. 9\(9\): references to the Public Health \(London\) Act 1936 to be construed as mentioned in London Government Act 1963 \(c. 33, SIF 81:1\)](#), **s. 93(2)** and [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#), **s. 17(2)(a)**

Changes to legislation: There are currently no known outstanding effects for the Agriculture (Miscellaneous Provisions) Act 1954, Section 9. (See end of Document for details)

Marginal Citations

- M1** 1936 c. 50.
- M2** 1948 c. 26.
- M3** 1954 c. 13.

Changes to legislation:

There are currently no known outstanding effects for the Agriculture (Miscellaneous Provisions) Act 1954, Section 9.