



Agriculture (Safety, Health and Welfare Provisions) Act 1956

1956 CHAPTER 49

Safety, Health and Welfare of Employees

3 General provisions as to sanitary conveniences and washing facilities

- (1) If it appears to a sanitary authority that an agricultural unit within their district on which workers are employed in agriculture is without suitable and sufficient sanitary conveniences available for the use of workers so employed, the authority shall, by notice to the appropriate person, require him, within such time as may be specified in the notice, to execute such works or take such other steps for the purpose of providing the unit with suitable and sufficient sanitary conveniences available for the use of workers employed thereon in agriculture as may be specified in the notice.
- (2) If it appears to the appropriate Minister that an agricultural unit on which workers are employed in agriculture is without suitable and sufficient washing facilities available for the use of workers so employed, the appropriate Minister shall, by notice to the appropriate person, require him, within such time as may be specified in the notice, to execute such works or take such other steps for the purpose of providing the unit with suitable and sufficient washing facilities available for the use of workers employed thereon in agriculture as may be specified in the notice.
- (3) In considering, for the purposes of this section, whether an agricultural unit is or is not without suitable and sufficient sanitary conveniences available for the use of workers employed on the unit in agriculture or, as the case may be, is or is not without suitable and sufficient washing facilities for the use of workers so employed, regard shall be had to the number and sex of the workers so employed, the location and duration of their work and all other relevant circumstances.
- (4) A notice under this section requiring the execution of works involving the provision of fixed equipment must specify the place where the works are to be executed.
- (5) Neither a sanitary authority nor the appropriate Minister shall serve a notice under this section requiring the execution of works involving the provision of fixed equipment

unless they are, or he is, satisfied that special circumstances exist which render requisite the provision of such equipment, and no such notice shall be of any effect unless it states that the authority are, or (as the case may be) that the Minister is, so satisfied and what those circumstances are.

- (6) For the purposes of this section the expression " appropriate person " means—
- (a) in the case of a notice requiring the execution, on land comprised in an agricultural holding, of works involving the provision of fixed equipment, the landlord of the holding;
 - (b) in any other case, the occupier of the unit to which the notice relates.
- (7) A person aggrieved by a notice under this section requiring him to execute works involving the provision of fixed equipment may, within twenty-eight days from the service of the notice, appeal to a magistrates' court on any of the following grounds which are appropriate to the circumstances of the case, namely—
- (a) that the authority or Minister by whom the notice was served have, or has, refused unreasonably to approve the execution of alternative works, or that the works required by the notice to be executed are otherwise unreasonable in character or extent, or are unnecessary ;
 - (b) that it is unreasonable to require the execution of the works at the place specified in the notice ;
 - (c) that the time within which the works are to be executed is not reasonable for the purpose;

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

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

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

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