



Agriculture Act 1947

1947 CHAPTER 48 10 and 11 Geo 6

PART V

ADMINISTRATIVE AND GENERAL

Statistics of Agriculture in Great Britain

77^{F1}

Textual Amendments

F1 S. 77 repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\), Sch. 6](#)

[^{F2}78] Power to obtain agricultural statistics.

[Where it appears to the Minister expedient so to do for the purpose of obtaining ^{F3}(1) statistical information relating to agriculture, he may 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 to furnish in writing, in such form and manner and to such person as may be specified in the notice, and within such time and with respect to such date or dates or such period or periods as may be specified in the notice, the information referred to in the notice (including, as respects paragraphs (c) to (e) of this subsection, the information referred to in the notice as to quantities, values, expenditure and receipts) relating to—

- (a) The situation, area and description of relevant land owned or occupied by them, the date of acquisition of the land, and the date at which so much thereof as is comprised in any agricultural unit became comprised therein, and the rates payable in respect of the land,
- (b) the names and addresses of the owners and occupiers of the land, whether the land or any, and if so what, part thereof is let and at what rent,

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- (c) the character and use of different parts of the land, the time at which any use thereof was begun or will become fully effective, and their produce at any time during the period beginning one year before, and ending one year after, the time at which the information is required to be furnished,
 - (d) fixed and other equipment, livestock, and the stocks of agricultural produce and requisites held in respect of the land, and the provision and maintenance of such equipment, livestock and requisites and the provision of agricultural services for the benefit of the land,
 - (e) the methods and operations used on the land, the marketing or other disposal of the produce thereof, any payments received under any enactment in respect of such produce, and the provision of agricultural services otherwise than for the benefit of the land,
 - (f) the number and description of persons employed on, or employed by the occupier in disposing of the produce of, the land, and the remuneration paid to, and hours worked by, persons so employed or such persons of different descriptions.
- (1A) In the foregoing subsection—
- “livestock” includes any animal;
 - “relevant land” in the case of any owner or occupier of land used for agriculture, means the aggregate of—
- (a) the land owned or occupied by him which is comprised in any agricultural unit; and
 - (b) any other land owned or occupied by him which is either—
 - (i) used for forestry; or
 - (ii) not used for any purpose, but capable of use for agriculture or forestry, but which, if used as agricultural land by the occupier of that agricultural unit, would be comprised in that unit.]
- (2) For the purpose of obtaining statistical information relating to agriculture, any person authorised by the Minister in that behalf may, after giving not less than twenty-four hours notice and on producing if so required evidence of his authority to act for the purposes of this subsection, orally require the owner or occupier of land to furnish to him within a reasonable time, and either orally or in writing as the said owner or occupier may elect, such information, whether or not specified in the said notice, as the said person authorised by the Minister may require, being information which the owner or occupier, as the case may be, could have been required to furnish under the last foregoing subsection.
- (3) References in the two last foregoing subsections to the owner of land include references to a person exercising, as servant or agent of the owner, functions of estate management in relation to the land, and references in those subsections to the occupier of land include references to a person responsible for the control of the farming of the land as servant or agent of the occupier thereof.
- (4) No person shall be required under the foregoing provisions of this section to furnish any balance sheet or profit and loss account, but this subsection shall not prevent the requiring of information by reason only that it is or might be contained as an item in such a balance sheet or account.
- (5) Without prejudice to the general provisions of this Part of this Act as to the service of notices, any notice authorised or required by subsection (1) or (2) of this section to be served on an occupier shall be deemed to be duly served if it is addressed to

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him by the description of “the occupier” of the land in question and sent by post to, or delivered to some person on, the land.

(6) For the purposes of this and the three next following sections the expression “owner” means, in relation to land, a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of the land, and includes also a person holding, or entitled to the rents and profits of, the land under a lease or agreement.

(7) The provisions of this and the three next following sections shall extend to Scotland with the substitution for references to the Minister of references to the Secretary of State, and with the substitution for the definition of the expression “owner” in the last foregoing subsection of the following definition—

“The expression “owner,” in relation to land, includes any person who under the Lands Clauses Acts would be enabled to sell and convey the land to the promoters of an undertaking, and includes also a lessee under a lease.”

[The ^{M1}Agricultural Returns Act 1925, shall cease to have effect, and the reference to ^{F4}(8) that Act in subsection (2) of section thirty-four of the ^{M2}Agricultural Development Act 1939, shall be construed as a reference to this section.]]

Textual Amendments

- F2** S. 78 repealed (E.W.) by [Agricultural Statistics Act 1979 \(c. 13\)](#), [Sch. 2](#)
- F3** S. 78(1)(1A) substituted by virtue of [Agriculture \(Miscellaneous Provisions\) Act 1976 \(c. 55\)](#), s. 6, [Sch. 2](#)
- F4** S. 78(8) repealed as it applies to Scotland by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. II](#)

Marginal Citations

- M1** 1925 c. 39.
- M2** 1939 c. 48.

[^{F5}79 **Information as to dealings in land used for agriculture.**

The Minister may by regulation require the parties to any sale of land which immediately before the completion of the transaction was being used for agriculture, or to any grant, assignment or surrender of a tenancy of such land for an interest not less than that of a tenant for a year, shall within the prescribed period from the completion of the transaction furnish to the Minister, in such manner as may be prescribed, information as to the names and addresses of the parties to the transaction and the situation and extent of the land thereby affected.]

Textual Amendments

- F5** S. 79 repealed (E.W.) by [Agricultural Statistics Act 1979 \(c. 13\)](#), [Sch. 2](#)

[^{F6}80 **Restriction on disclosure of information.**

No information relating to any particular land or business, being information which has been obtained under section seventy-eight or seventy-nine of this Act, shall be published or otherwise disclosed without the previous consent in writing of the person

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by whom the information was furnished and every other person whose interests may in the opinion of the Minister be affected by the disclosure, being an owner or the occupier of the land:

Provided that nothing in this section shall restrict the disclosure of information—

- (a) to the Minister in charge of any Government department, to any authority acting under an enactment for regulating the marketing of any agricultural produce, or to any person exercising functions on behalf of any such Minister or authority for the purpose of the exercise of those functions;
- (b) to an authority having power under any enactment to give permission for the development of land, for the purpose of assisting that authority in the preparation of proposals relating to such development or in considering whether or not to give such permission;
- (c) if the disclosure is confined to situation, extent, number and kind of livestock, character of land, and name and address of owner and occupier, to any person to whom the Minister considers that the disclosure thereof is required in the public interest;
- (d) to any person for the purposes of any criminal proceedings under the next following section or for the purposes of any report of such proceedings, or the use of information in any manner which the Minister thinks necessary or expedient in connection with the maintenance of the supply of food in the United Kingdom.]

Textual Amendments

F6 S. 80 repealed (E.W.) by [Agricultural Statistics Act 1979 \(c. 13\)](#), [Sch. 2](#)

[^{F7}81 Penalties.

- (1) Any person who without reasonable excuse fails to furnish information in compliance with a requirement under section seventy-eight or seventy-nine of this Act shall be liable on summary conviction to a fine not exceeding fifty pounds.
- (2) If any person—
 - (a) in purported compliance with a requirement imposed under section seventy-eight or seventy-nine of this Act knowingly or recklessly furnishes any information which is false in any material particular, or
 - (b) publishes or otherwise discloses any information in contravention of the last foregoing section,

he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds or to both such imprisonment and such fine, or on conviction on indictment to imprisonment for a term not exceeding two years or to a fine not exceeding one hundred pounds or to both such imprisonment and such fine.]

Textual Amendments

F7 S. 81 repealed (E.W.) by [Agricultural Statistics Act 1979 \(c. 13\)](#), [Sch. 2](#)

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