



Agriculture (Miscellaneous War Provisions) Act 1940

1940 CHAPTER 14

PART II

OATS, RYE, BARLEY AND PLOUGHING

8 Amendment of oats subsidy

The provisions of sections one and two of the Act of 1939 (which relate to oats subsidy payments) shall have effect subject to the following amendments :—

- (a) the said payments shall be payable at the higher rate mentioned in paragraph (a) of subsection (1) of the said section two, whether or not the condition specified in subsection (2) of the said section one (which relates to wheat deficiency payments) is satisfied;
- (b) no reduction in the said rate shall be made in any year under subsection (2) of the said section two, whatever the total acreage qualifying for oats subsidy payments in that year.

9 Extension of oats subsidy to rye

- (1) For the purposes of any provision of the Act of 1939 (as amended by this Act) which relates to land being under oats at a particular time, land on which a crop of rye was growing at any time during a year to which this section applies shall be treated as land which was under oats at that time:

Provided that, for the purpose of computing the acreage qualifying in the case of any year for oats subsidy payments, the acreage of any land under rye shall be disregarded.

- (2) The provisions of sections three, four and six of the said Act (which relate respectively to mixed crops, negligent cultivation, and changes in the occupation of farms) shall have effect, in the case of any year to which this section applies, subject to the amendments specified in the Third Schedule to this Act, being amendments consequential on the provisions of subsection (1) of this section.

- (3) In the application to Scotland of the last foregoing subsection and the Third Schedule to this Act, any reference to section six of the Act of 1939 shall be construed as a reference to the section substituted therefor by paragraph (b) of section thirty-nine of the Act of 1939.
- (4) The years to which this section applies are every year falling wholly or partly within the war period, and the year next following the last such year.

10 Amendment of barley subsidy

No reduction shall be made in any sum payable for any year out of moneys provided by Parliament to the barley subsidy fund under section thirteen of the Act of 1939, or by way of barley subsidy payments under section fourteen of that Act, whatever the amount of home grown barley harvested in that year.

11 Amendment as to ploughing grants

- (1) The Ministers may, by order made with the consent of the Treasury, direct that Part IV of the Act of 1939 (which makes provision for ploughing grants in respect of the ploughing up of land in the year nineteen hundred and thirty-nine) shall apply to the ploughing up of land in any subsequent year falling wholly or partly within the war period as it applies (as amended by this or the next following section) to the ploughing up of land in the year nineteen hundred and thirty-nine.
- (2) Subsection (2) of section twenty-seven of the Act of 1939 (which specifies conditions which must be satisfied in order that land may be qualified for a ploughing grant) shall have effect as if the following paragraphs were substituted for paragraphs (a) and (d) thereof:—
- “(a) that the land has been ploughed up during such period in any year as may be specified by regulations made by the Ministers;”
- “(d) that the land either—
- (i) was capable of being substantially improved, in respect of fitness for re-seeding or re-introduction into a suitable rotation, by being ploughed up and dealt with as aforesaid, and would be capable of producing satisfactory arable crops for harvesting in the year in which it was ploughed up or the next following year; or
- (ii) was capable of being substantially improved by being re-seeded to grass and has been or will have been so re-seeded, in accordance with regulations made by the Ministers, before such date in the year in which it was ploughed up or the next following year as may be specified in the regulations;”
- (3) The following two subsections shall be substituted for subsections (2) and (3) of section twenty-eight of the Act of 1939 :—
- “(2) A ploughing grant shall not be made—
- (a) in respect of any such land as aforesaid comprised in a farm, if the total area of such land comprised in the farm is less than one acre in extent; or

(b) in respect of any parcel of such land as aforesaid which is not comprised in a farm, if the area of the parcel is less than one acre in extent.

(3) In computing the amount of any such grant payable in respect of any such land comprised in a farm, or in respect of any parcel of such land not so comprised, if the total area of such land so comprised or the area of the parcel, as the case may be, is not an exact number of half acres, the odd fraction of a half acre shall be disregarded.”

12 Ploughing grants in respect of smallholdings in Scotland where landholders share in common grazing

For the purposes of Part IV of the Act of 1939, the holdings of any landholders who share in a common grazing for which a committee has been appointed in pursuance of the Small Landholders (Scotland) Acts, 1886 to 1931, may, if the Secretary of State so determines, be treated as one farm, and in that event ploughing grants payable in respect of such holdings shall be paid to the committee, who shall apportion the same among the landholders according to the areas ploughed on their respective holdings.

13 Interpretation, construction, citation and expenses of Part II, and repeals consequential thereon

- (1) For the purposes of this Part of this Act, the expression " the Act of 1939 " means the Agricultural Development Act, 1939.
- (2) This Part of this Act shall be construed as one with the Act of 1939, and may be cited together with that Act as the Agricultural Development Acts, 1939 and 1940.
- (3) There shall be defrayed out of moneys provided by Parliament any increase attributable to the passing of this Part of this Act in—
 - (a) the sums which are authorised to be so defrayed by Part I, Part II or Part IV of the Act of 1939; and
 - (b) the expenses incurred for the purposes of those Parts of that Act which are authorised to be so defrayed by section thirty-three of that Act.
- (4) The provisions of the Act of 1939 set out in the first column of the Fourth Schedule to this Act are hereby repealed to the extent specified in the second column of that Schedule.