



Agriculture (Miscellaneous Provisions) Act 1944

1944 CHAPTER 28 7 and 8 Geo 6

An Act to provide for the establishment of a National Agricultural Advisory Service, and for increasing the resources of the Agricultural Mortgage Corporation and the Scottish Agricultural Securities Corporation, and otherwise to amend the law relating to agriculture and matters connected therewith. [27th July 1944]

Commencement Information

II Act wholly in force at Royal Assent

1 F1

Textual Amendments

F1 S. 1 repealed by [Agriculture Act 1986 \(c. 49, SIF 2:1\)](#), [Sch. 4](#)

2 **Increases of resources of Agricultural Mortgage Corporation.**

(1) The Minister may agree with the Agricultural Mortgage Corporation formed for the purposes of Part I of the ^{M1}Agricultural Credits Act, 1928 (hereafter in this section referred to as “the Corporation”) that, if the Memorandum and Articles of the Corporation are altered so as to contain the provisions hereafter mentioned in this section, he will for the purpose of increasing the Corporation’s guarantee fund make advances to the Corporation not exceeding in the aggregate, with the advances made by him to that fund under the said Part I, two million five hundred thousand pounds and on the same conditions as to repayment and as to payment of interest as the last-mentioned advances.

Any sums required for the purpose of making advances under this subsection shall be issued out of the Consolidated Fund or the growing produce thereof at such times and

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to such amounts as the Treasury think fit; and any sums paid by the Corporation by way of repayment of or interest on any such advances shall be paid into the Exchequer.

- (2) F2
- (3) The provisions to be contained in the Memorandum or Articles as above mentioned are provisions—
- (a) for securing that, so long as any part of the advances made by the Minister to the guarantee fund (whether under the said Part I or under this section) remains outstanding, two of the directors shall be persons nominated by the Minister and that the number of directors shall not exceed five in addition to the two persons so nominated and the person nominated by the Treasury in accordance with the said Part I;
 - (b) for restricting the dividends on the share capital of the Corporation for any year at the beginning of which any part of the said advances remains outstanding to three and a half per cent. per annum, and for providing that the dividend for any such year shall not be cumulative so as to be payable in a later year;
 - (c) for securing that in any year after the year nineteen hundred and fifty-eight in which the total reserves exceed twelve and a half per cent. of the liabilities of the Corporation there shall be allocated to the repayment of the guarantee fund one half of the profits remaining after payment of the maximum dividend on the share capital, and that for this purpose the reserves shall be taken to include, and the liabilities shall be taken to exclude, the guarantee fund and the share capital.
- (4) The provisions above referred to may be included in the Memorandum or Articles notwithstanding anything in subsection (3) of section two of the ^{M2}Agricultural Credits Act, 1928, or anything in the ^{M3}Companies Act, 1929; and any alterations of the Memorandum for the purpose of inserting any of those provisions, and any alterations thereof declared by the Minister in giving his approval under subsection (2) of the said section two to be incidental to or consequential on their insertion, may be made by special resolution without being confirmed by an order of the Court under section five of the Companies Act, 1929, and shall take effect as soon as made and approved by the Minister:
- Provided that subsections (6) and (7) of the said section five (providing for delivery to the registrar of companies of copies of the order confirming an alteration in the Memorandum of a company and of a printed copy of the Memorandum as altered) shall apply as if any references to an office copy of the order confirming the alteration were a reference to a certified copy of the Minister's approval and the reference to the date of that order were a reference to the date of that approval.

Textual Amendments

F2 S. 2(2) repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. VIII](#)

Modifications etc. (not altering text)

- C1 References to the [Companies Act 1929 \(c. 23\)](#), to be read as mentioned in [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9\)](#) s. 31(6)
- C2 Functions of Minister of Agriculture, Fisheries and Food under s. 2(3)(a) now exercisable by Minister and Secretary of State jointly (W.): [S.I. 1969/388](#), [art. 3](#), [Sch. 2 para. 3](#)

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Marginal Citations

- M1** 1928 c. 43.
- M2** 1928 c. 43.
- M3** 1929 c. 23.

3 **F3**

Textual Amendments

- F3** S. 3. repealed by [Agricultural Wages \(Regulation\) Act 1947 \(c. 15\)](#), **Sch. 3**

4 **F4**

Textual Amendments

- F4** S. 4. repaled by [Statute Law Revision Act 1953 \(c. 5\)](#)

[^{F5}5 Supply of water to farm houses and cottages.

- (1) Where water is supplied or proposed to be supplied to any agricultural land, whether under a scheme under subsection (1) of section fifteen of the ^{M4}Agriculture (Miscellaneous War Provisions) Act, 1940, or otherwise, and a scheme for extending the said supply so as to supply water for domestic purposes to dwelling houses occupied or usually occupied in connection with, or by persons employed in connection with, that land or any other agricultural land—
 - (a) has been submitted by the owner or occupier of each of the houses to the War Agricultural Executive Committee for the county or county borough in which the houses are situated; and
 - (b) has been approved for the purposes of this section by that Committee;the Minister may out of moneys provided by Parliament make, towards expenditure incurred by any person in carrying out the scheme for extending the said supply, grants of such amounts and subject to such conditions as the Treasury may approve: Provided that no grant shall be made under this section if the Minister is satisfied that the scheme is not likely to be of practical and lasting utility having regard in particular to the situation of the houses in relation to any water mains maintained by statutory water undertakers and any probable extension of those mains.
- (2) The reference in this subsection to subsection (1) of section fifteen of the ^{M5}Agriculture (Miscellaneous War Provisions) Act, 1940, shall be construed as a reference to that subsection as amended by section one of the ^{M6}Agriculture (Miscellaneous War Provisions) (No. 2) Act, 1940, and by section three of the ^{M7}Agriculture (Miscellaneous Provisions) Act, 1941]

Textual Amendments

- F5** S. 5 repealed (E.W.) by [Agriculture \(Miscellaneous Provisions\) Act 1968 \(c. 34\)](#), **Sch. 8**

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Marginal Citations

- M4 1940 c. 14.
- M5 1940 c. 14.
- M6 1940 c. 50
- M7 1941 c. 50

- 6 (1) F6
- (4) F7

Textual Amendments

- F6 S. 6(1)–(3) repealed by Agriculture (Miscellaneous Provisions) Act 1972 (c. 62, SIF 2:1), **Sch. 6**
- F7 S. 6(4)–(6) repealed by Animal Health and Welfare Act 1984 (c. 40, SIF 2:8), **Sch. 2**

- 7 F8

Textual Amendments

- F8 S. 7 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. VIII**

8 Application to Scotland.

This Act shall in its application to Scotland have effect subject to the following modifications—

- (a) section one shall not apply;
- (b) in section two—
 - (i) for references to [^{F9}the Minister of Agriculture, Fisheries and Food] there shall be substituted references to the Secretary of State;
 - (ii) for references to the ^{M8}Agricultural Credits Act, 1928, and the Agricultural Mortgage Corporation there shall be respectively substituted references to the ^{M9}Agricultural Credits (Scotland) Act, 1929, and the Scottish Agricultural Securities Corporation; and for the reference in subsection (1) to two million five hundred thousand pounds there shall be substituted a reference to [^{F10}two million pounds];
 - (iii) ^{F11}
 - (iv) subsection (3) shall have effect as if paragraph (a) were omitted and as if in paragraph (c) for the reference to the year nineteen hundred and fifty-eight there were substituted a reference to the year nineteen hundred and sixty-three;
- (c) ^{F12}
- (d) ^{F13}

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Textual Amendments

- F9** Words substituted by virtue of S. I. 1955/554, **art. 3**
- F10** Words substituted by **Agriculture Act 1967 (c. 22), s. 63(2)**
- F11** S. 8 (b)(iii) repealed by **Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. VIII**
- F12** S. 8 (c) repealed by **Agriculture Wages (Regulation) Act 1947 (c. 15), Sch. 3**
- F13** S. 8 (d) repealed by **Agriculture Act 1970 (c. 40), SIF 2:11, Sch. 5 Pt. I**

Marginal Citations

- M8** 1928 c. 43.
- M9** 1929 c. 43.

9 Application to Northern Ireland.

This Act, . . . ^{F14}, shall not extend to Northern Ireland.

Textual Amendments

- F14** Words repealed by **Statute Law (Repeals) Act 1973 (c. 39), Sch. 1 Pt. VIII**

10 Short title.

This Act may be cited as the Agriculture (Miscellaneous Provisions) Act, 1944.

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F15F15 SCHEDULE

Textual Amendments

F15 Sch. repealed by [Agriculture Act 1986 \(c. 49, SIF 2:1\)](#), [Sch. 4](#)

..... F15

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