



Agriculture Act (Northern Ireland) 1949

1949 CHAPTER 2

PART V

MISCELLANEOUS AND GENERAL

43 Interpretation.

(1) In this Act unless the contrary intention appears the following expressions have the meanings hereby assigned to them, that is to say:—

“Act of 1899” means the Agriculture and Technical Instruction (Ireland) Act, 1899 ;

“Act of 1919” means the Local Government (Ireland) Act, 1919 ;

“Act of 1939” means the Agriculture (Emergency Provisions) Act (Northern Ireland), 1939 ;

“agricultural land”^{F1} means land used for agriculture, which is so used for the purposes of a trade or business, or which is designated by the Ministry for the purposes of this Act, and includes any land so designated as land which in the opinion of the Ministry ought to be brought into use for agriculture, but no such designation shall extend to any land—

- (a) used as pleasure grounds, private gardens or allotment gardens; or
- (b) kept or preserved mainly or exclusively for the purposes of sport or recreation, except where the Ministry is satisfied that its use for agriculture would not be inconsistent with its use for the said purposes and so states in the designation;

^{F2}“agriculture” includes, without prejudice to any other provision of this Act, horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly;

“allotment garden” means an allotment not exceeding [^{F3} 0.10 hectare] in extent which is wholly or mainly cultivated by the occupier for the production of vegetables or fruit for consumption by himself or his family;

Status: Point in time view as at 01/01/2006.

*Changes to legislation: There are currently no known outstanding effects for the
 Agriculture Act (Northern Ireland) 1949, Section 43. (See end of Document for details)*

“civil servant” and “civil service” have the same meanings as in the Superannuation Acts;

“county” shall not include a county borough; and references to the council of a county shall be construed accordingly;

“enactment” includes any provision in any Act (whether public general, local or private) of the Parliament of Northern Ireland or of the Parliament of the United Kingdom and a provision in any Order in Council, order, regulation, rule, bye-law, scheme or other instrument made under any such Act;

Definition rep. by 1951 c.3 (NI)

“estate or interest” includes the estate or interest of a mortgagee whether legal or equitable and a right secured by the deposit of a land certificate or other documents of title;

“functions” includes powers and duties;

“hill farming land” has the same meaning as in section one of the Hill Farming Act, 1946 ;

“livestock” includes any animal kept for the production of food, wool, skins or fur or for the purpose of its use in the farming of land;

“pasture” includes meadow;

“perform” includes exercise;

“plant” includes fungus;

“prescribed” means prescribed by regulations made by the Ministry;

“produced” means anything (whether alive or dead) produced in the course of agriculture; and “production” shall be construed accordingly;

“relevant circumstances” in relation to any land includes all circumstances affecting the farming thereof other than circumstances personal to the owner or occupier thereof;

“statutory period” means...

definition in 1954 c.33 (NI) s.41(2) substituted by 1979 NI 12 art.10

“Superannuation Acts” means the Superannuation Acts (Northern Ireland), 1921 to 1947^{F4}.

- (2) References in this Act to the farming of land include references to the carrying on in relation to the land of any agricultural activity.

Subs.(3)(4) rep. by 1954 c.33 (NI)

- | | |
|-----------|----------------------------|
| F1 | 1951 c.65 |
| F2 | mod. by 1987 NI 1 |
| F3 | SR 1978/133 |
| F4 | 1967 c.24 (NI); 1972 NI 10 |

Status:

Point in time view as at 01/01/2006.

Changes to legislation:

There are currently no known outstanding effects for the Agriculture Act (Northern Ireland) 1949, Section 43.