



Agriculture Act 1967

1967 CHAPTER 22

PART I

LIVESTOCK AND MEAT MARKETING

Supplemental

20 Directions to Commission by Ministers.

- (1) The Ministers, after consultation with the Commission, may give to the Commission such directions of a general character with respect to the performance of any functions of the Commission as appear to the Ministers to be requisite in the public interest
- (2) The Commission's report for any year under section 19(1) above shall set out any direction given by the Ministers under subsection (1) of this section to the Commission during that year, unless the Ministers have notified the Commission their opinion that it is against the interests of national security to do so.
- (3) It shall be the duty of the Commission to comply with any directions given by the Ministers under this section.

21 Inquiries by Commission.

- (1) The Commission may hold such inquiries as they consider necessary or desirable for the discharge of any of their functions.
- (2) For the purpose of any inquiry under this section the Commission may by summons require any person to attend to give evidence on any of the matters specified in the summons, or to produce all documents in his possession or control which relate to any such matters.
- (3) The summons shall specify the hour and day, being a day not earlier than twenty-one days after the service of the summons, and the place, at which that person is to attend, and shall refer to the right of appeal conferred by subsection (4) below.

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- (4) Within fourteen days of service of a summons under this section, the person served may appeal to the High Court on the ground that any of the evidence, or any document, which he may be required to give or produce in pursuance of the summons is not reasonably required by the Commission for the execution of their functions under this Act, and—
- (a) the operation of the summons shall be suspended until the final determination of the appeal, and
 - (b) the court may make such order either confirming or quashing or varying the summons as the court thinks fit and, except where the order is quashed, providing if need be for the time and place of attendance under the summons.
- (5) The jurisdiction conferred by this section on the High Court may be exercised by a Master, but subject to rules of court and to the rights of appeal from the decisions of a Master thereby conferred, and this subsection shall have effect notwithstanding section 63(1) of the Supreme Court of Judicature (Consolidation) Act 1925 (which requires an appeal from any person to the High Court to be heard and determined by a divisional court).
- (6) No person shall be compelled for the purposes of an inquiry under this section to give any evidence or produce any document which he could not be compelled to give or produce in proceedings before the High Court.
- (7) No person shall be required, in obedience to a summons under this section, to go more than ten miles from his place of residence unless the necessary expenses of his attendance are paid or tendered to him.
- (8) For the purpose of any inquiry under this section the Commission may take evidence on oath and for that purpose administer oaths, or may, instead of administering an oath, require the person examined to make and subscribe a declaration of the truth of the matter respecting which he is examined.
- (9) If any person who is to give evidence at any inquiry under this section so requests at the hearing, or by a notice in writing served on the Commission before the day of the hearing, the Commission shall exclude the public from the hearing while that person gives his evidence.
- (10) The procedure at any such inquiry shall, subject to the foregoing provisions of this section and any direction under section 20 above, be determined by the Commission, but so that any person appearing thereat shall be entitled to representation by counsel, solicitor or any other person.
- (11) A person who—
- (a) refuses or wilfully neglects to attend in obedience to a summons under this section, or to give evidence as required by such a summons, or
 - (b) wilfully alters, suppresses, conceals, destroys or refuses to produce any book or other document which he may be required to produce for the purposes of this section,
- shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both.
- (12) In the application of this section to Scotland—
- (a) for any reference to the High Court there shall be substituted a reference to the sheriff,
 - (b) subsection (5) shall not apply, and

- (c) for any reference to a summons there shall be substituted a reference to a notice in writing.

22 Dissolution of Pig Industry Development Authority.

- (1) On the date of the coming into force of this section the assets, liabilities and obligations of the Pig Industry Development Authority established under Part III of the Agriculture Act 1957 shall by virtue of this subsection and without further assurance be transferred to the Commission.
- (2) The Authority's financial year current on the said date shall be deemed to end on that date.
- (3) As soon as the Ministers are satisfied that the requirements of section 28 of the Agriculture Act 1957 (annual report and accounts) have been complied with on the part of the Authority in respect of years down to and including that financial year, they shall by order in a statutory instrument dissolve the Authority, and thereupon any expenses incurred by the Authority in complying with the said section 28 after the said date shall become a liability of the Commission.

23 Power of entry.

- (1) For the purpose of obtaining information with respect to any matter which is of concern to the Commission, an authorised officer of the Commission, on producing if so required a duly authenticated document showing his authority, shall have a right to enter, at any reasonable time, any premises (other than a building used only as a private dwellinghouse) which he has reasonable cause to believe to be premises used for the slaughter of livestock or for the storage, processing, grading, classification, packing, cutting or sale of meat.
- (2) An authorised officer entering any premises by virtue of this section may take with him such other persons as may appear to him necessary.
- (3) A person may on any premises which he enters by virtue of this section inspect any livestock or meat or, if a retail meat undertaking is carried on the premises, any price lists or price marks, labels, tags or tickets or any other displays of prices of meat for sale.
- (4) If any person wilfully obstructs an authorised officer or other person in the exercise of powers conferred on him by this section he shall be liable on summary conviction to a fine not exceeding twenty pounds.
- (5) The foregoing provisions of this section shall apply in relation to a stall or vehicle as they apply in relation to premises, but nothing in this section shall authorise a person to stop any vehicle on a highway.

24 Disclosure of information.

- (1) Returns or other information furnished or obtained by any person in pursuance of a requirement made under a levy scheme, and any other information with respect to any particular undertaking which has been obtained under or by virtue of this Part of this Act, shall not be disclosed except—
 - (a) with the consent of the person by whom the information was furnished, or

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- (b) to a member, officer or servant of the Commission or to any person exercising functions on behalf of the Commission, or
 - (c) to either of the Ministers or to an officer or servant appointed by, or by one of, the Ministers or to any person exercising functions on behalf of the Ministers, or either of them, or
 - (d) in the form of a summary of similar returns or information furnished by or obtained from a number of persons, being a summary so framed as not to enable particulars relating to any one person or undertaking to be ascertained from it, or
 - (e) for the purpose of any proceedings pursuant to this Part of this Act, or of any criminal proceedings which may be taken, whether pursuant to this Act or otherwise, or for the purpose of a report of any such proceedings.
- (2) This section shall not be taken as applying to information obtained at an inquiry under section 21 of this Act, except information derived from evidence given at the inquiry at a time when the public are excluded.
- (3) Any person who discloses any information in contravention of this section shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or both, or on conviction on indictment to a fine or to imprisonment for a term not exceeding two years or both.
- (4) This section, except subsections (1)(b) and (2), extends to Northern Ireland.

25 Interpretation of Part I.

- (1) In this Part of this Act " the Ministers " means the Minister of Agriculture, Fisheries and Food and the Secretary of State concerned with agriculture in Scotland and, in the case of anything falling to be done by the Ministers, means those two Ministers acting jointly, except that payments to the Commission under section 15 of this Act shall be separate payments by the two Ministers in proportions agreed by them with the approval of the Treasury.
- (2) In this Part of this Act, unless the context otherwise requires—
- " carcasses " means whole carcasses of livestock, and sides, quarters and other wholesale cuts of carcasses;
 - " the Commission " has the meaning given by section 1 of this Act;
 - " fatstock " means fat cattle, fat sheep and fat pigs and the carcasses of those animals ;
 - " imported " means imported, removed or brought into Great Britain from elsewhere, and cognate expressions shall be construed accordingly ;
 - " joint committee " has the meaning given by section 2(7) of this Act;
 - " levy scheme " has the meaning given by section 13 of this Act;
 - " livestock " means cattle, sheep and pigs;
 - " livestock industry " means all the activities comprised in the production, marketing and distribution of livestock in Great Britain, including the carrying on of slaughterhouses and livestock auctions and markets;
 - " livestock product " means any product for human consumption which is derived to any substantial extent, with or without any process of manufacture, from livestock, but excluding milk and milk products, so, however, that references to the production or processing or manufacture of livestock products include references to the production or processing or manufacture

in slaughterhouses of any inedible products obtained from the slaughter of livestock in slaughterhouses;

" livestock products industry " means the activities comprised in the production, processing, manufacture, marketing and distribution of livestock products in Great Britain, including the carrying on of livestock product auctions and markets ;

" meat " means—

(a) carcase meat and offal obtained from livestock and intended for human consumption, and

(b) bacon and ham;

" retail meat undertaking " means a business which consists of or includes the selling of meat by retail;

" slaughterhouse " has, in England and Wales and Northern Ireland, the meaning given by section 135(1) of the Food and Drugs Act 1955 and, in Scotland, the meaning given by section 16 of the Slaughterhouses Act 1954.

- (3) Any reference in this Part of this Act to a person having the control and management of a slaughterhouse includes a reference to a local authority providing slaughterhouse facilities under Part II of the Slaughterhouses Act 1954 or Part IV of the Food and Drugs Act 1955, or providing any similar facilities under any local enactment.
- (4) Subsections (1), (2) and (3) of section 107 of the Agriculture Act 1947 or, as the case may be, subsections (1), (2) and (3) of section 83 of the Agriculture (Scotland) Act 1948 (manner of service of notice) shall apply to documents required or authorised to be served under this Part of this Act.