



Health and Safety at Work etc. Act 1974

1974 CHAPTER 37

PART I

HEALTH, SAFETY AND WELFARE IN CONNECTION WITH WORK, AND CONTROL
OF DANGEROUS SUBSTANCES AND CERTAIN EMISSIONS INTO THE ATMOSPHERE

Special provisions relating to agriculture

29 General functions of Ministers responsible for agriculture in relation to the relevant agricultural purposes

- (1) It shall be the duty of the appropriate Agriculture Minister—
 - (a) to do such things and make such arrangements as he considers appropriate for the relevant agricultural purposes; and
 - (b) to make such arrangements as he considers appropriate for securing that employers, employees, organisations representing employers and employees respectively, and other persons concerned with matters relevant to any of those purposes are kept informed of, and adequately advised on, such matters.
- (2) The Minister of Agriculture, Fisheries and Food shall make an annual report to Parliament of his proceedings under the relevant statutory provisions, and may include that report in the annual report made to Parliament in pursuance of section 13 of the Agricultural Wages Act 1948.
- (3) The Secretary of State concerned with agriculture in Scotland shall make an annual report to Parliament of his proceedings under the relevant statutory provisions.

30 Agricultural health and safety regulations

- (1) Regulations under this section (in this Part referred to as "agricultural health and safety regulations".) may be made for any of the relevant agricultural purposes.
- (2) Agricultural health and safety regulations may be either regulations applying to Great Britain and made by the Minister of Agriculture, Fisheries and Food and the Secretary

of State acting jointly, or regulations applying to England and Wales only and made by the said Minister, or regulations applying to Scotland only and made by the Secretary of State.

- (3) Where health and safety regulations make provision for any purpose with respect to a matter that relates to (but not exclusively to) agricultural operations—
- (a) provision for that purpose shall not be made with respect to that matter by agricultural health and safety regulations so as to have effect while the first-mentioned provision is in force except for the purpose of imposing requirements additional to those imposed by health and safety regulations, being additional requirements which in the opinion of the authority making the agricultural health and safety regulations are necessary or expedient in the special circumstances of agricultural operations; and
 - (b) in the event of any inconsistency between the first-mentioned provision and any provision made with respect to that matter by agricultural health and safety regulations, the first-mentioned provision shall prevail.
- (4) The provisions of section 15(2) to (10) and Schedule 3 shall have effect in relation to agricultural health and safety regulations as they have effect in relation to health and safety regulations subject to the following modifications, that is to say—
- (a) references to the relevant statutory provisions or the existing statutory provisions shall be read as references to such of those provisions as relate to agriculture;
 - (b) in section 15(4) the references to the Commission shall be read as references to the appropriate Agriculture Minister;
 - (c) in section 15(6) and (10) and paragraph 23 of Schedule 3, the reference to health and safety regulations shall be read as a reference to agricultural health and safety regulations.
- (5) Without prejudice to the generality of subsection (1) above, agricultural health and safety regulations may, as regards agricultural licences under any of the relevant statutory provisions, make provision for requiring the authority having power to issue, renew, vary, transfer or revoke such licences to notify—
- (a) any applicant for the issue, renewal, variation or transfer of such a licence of any proposed decision of the authority to refuse the application ; or
 - (b) the holder of such a licence of any proposed decision of the authority to revoke the licence or to vary any term, condition or restriction on or subject to which the licence is held ;
- and for enabling persons aggrieved by any such proposed decision to make representations to, or to a person appointed by, the relevant authority within the period and in the manner prescribed by the regulations.
- (6) In relation to any agricultural health and safety regulations made in pursuance of paragraph 2 of Schedule 3 as applied by this section, subsection (2) above shall have effect as if after the words " Great Britain " there were inserted the words " or the United Kingdom ".

31 Enforcement of the relevant statutory provisions in connection with agriculture

Subject to any provision made by regulations under section 15, 18 or 30, it shall be the duty of the appropriate Agriculture Minister to make adequate arrangements for the enforcement of the relevant statutory provisions in their application to matters relating exclusively to the relevant agricultural purposes.

32 Application of provisions of this Part in connection with agriculture

- (1) The following provisions of this section shall have effect with a view to the application of certain provisions of this Part in relation to the Agriculture Ministers or matters relating exclusively to the relevant agricultural purposes.
- (2) Subject to the following subsection—
 - (a) sections 13, 14, 17(3), 27 and 28 shall apply in relation to the appropriate Agriculture Minister as they apply in relation to the Commission ;
 - (b) section 16 shall apply in relation to matters relating exclusively to the relevant agricultural purposes as it applies in relation to other matters.
- (3) In their application as provided by the preceding subsection, the provisions of this Part which are specified in the first column of Schedule 4 shall have effect subject to the modifications provided for in the second column of that Schedule.