



# Agriculture Act 1947

## 1947 CHAPTER 48

### PART I

#### GUARANTEED PRICES AND ASSURED MARKETS.

- 1 Provisions for securing efficient agricultural production and proper agricultural conditions.**
  - (1) The following provisions of this Part of this Act shall have effect for the purpose of promoting and maintaining, by the provision of guaranteed prices and assured markets for the produce mentioned in the First Schedule to this Act, a stable and efficient agricultural industry capable of producing such part of the nation's food and other agricultural produce as in the national interest it is desirable to produce in the United Kingdom, and of producing it at minimum prices consistently with proper remuneration and living conditions for farmers and workers in agriculture and an adequate return on capital invested in the industry.
  - (2) This Part of this Act shall extend to Scotland and Northern Ireland.
  
- 2 Annual and special reviews of condition of agricultural industry.**
  - (1) As at such date in each year as the Ministers may determine, they shall review the general economic condition and prospects of the agricultural industry.
  - (2) If it appears to the Ministers at any time between two annual reviews under the last foregoing subsection that there has been, or there is likely to be, a change in the economic condition of the agricultural industry or any section thereof, arising (otherwise than in the course of a continuous development) from a substantial alteration of costs of production or any other special cause, and that the change is or is likely to be of sufficient importance to require that the Ministers should exercise their powers under this subsection, the Ministers may hold a special review of the matters referred to in the last foregoing subsection, in so far as they are or may be affected by the change.

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- (3) In holding any review under this section the Ministers shall consult with such bodies of persons as appear to them to represent the interests of producers in the agricultural industry.

### **3 Variation of factors determining operation of arrangements for providing guaranteed prices and assured markets.**

- (1) Any fixing or variation of any price, method of calculating a price, or other factor affecting the operation of any arrangements—
- (a) which are in operation by virtue of any enactment (including an enactment contained in this Part of this Act); and
  - (b) of which the object or one of the objects is the provision of guaranteed prices or assured markets for producers of produce mentioned in the First Schedule to this Act,

which under the enactments regulating the operation of the arrangements is authorised or required to be carried out by a Minister or other authority shall be carried out in the light of the Ministers' conclusions from reviews held by them under the last foregoing section.

- (2) Where in consequence of an annual or special review held by the Ministers under the last foregoing section it appears to the appropriate Minister expedient so to do, or if it appears to him otherwise expedient so to do in the public interest, he may by order fix or vary any such price or other factor as aforesaid notwithstanding that under the enactments regulating the operation of the arrangements in question there is no power to fix or vary the factor or it would fall to be fixed or varied at some other time or in some other manner or by some person other than him:

Provided that—

- (a) the appropriate Minister shall not exercise his powers under this subsection in any manner which in his opinion would reduce the amounts payable to producers in respect of produce mentioned in the First Schedule to this Act except where it appears to him expedient so to do in consequence of an annual or special review held by the Ministers under the last foregoing section;
- (b) where the appropriate Minister fixes or varies any factor appearing to him to affect the quantity of any produce in relation to which any such arrangements as aforesaid are to have effect, he shall so exercise his powers under this section as to secure that all other factors appearing to him to affect the amounts payable to producers under the said arrangements in respect of that produce shall (except in so far as it appears to him, after considering any such other factor which has already been fixed, that no variation thereof is expedient in consequence of the fixing or variation of the said factor affecting quantity) be fixed or varied as nearly as may be at the same time as he fixes or varies the said factor affecting quantity.

### **4 Power to supplement arrangements.**

- (1) Where it appears to the appropriate Minister that arrangements such as are mentioned in subsection (1) of the last foregoing section which are in operation in the case of any of the produce mentioned in the First Schedule to this Act are in any respect not well adapted for securing their object, or that no satisfactory arrangements such as are mentioned in the said subsection (1) are in operation in the case of that produce, he may by order provide—

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- (a) for varying the methods by which under any such arrangements the object thereof is to be achieved;
  - (b) where no such arrangements are in operation, for bringing into operation, or where such arrangements are in operation for replacing or supplementing them by, such provisions as appear to him expedient for providing guaranteed prices or assured markets as mentioned in the said subsection (1), including (but without prejudice to the generality of the foregoing provisions of this paragraph) provisions for all or any of the following matters, that is to say—
    - (i) for securing that, subject to any specified limits of quantity, a producer who has failed to effect a sale at a specified price through the ordinary means of trading in produce mentioned in the First Schedule to this Act shall, subject to the specified conditions, be enabled to sell the produce at the specified price to such person as may be specified;
    - (ii) for authorising the purchase, by such person as may be specified and subject to the specified conditions, of such produce as aforesaid which the producer offers for sale in the specified manner;
    - (iii) for authorising the making of payments at the specified rate per acre to producers of any such produce as aforesaid, subject to the specified conditions and to any specified power to reduce or withhold payment on specified grounds.
- (2) No order under this section shall have effect after the expiration of the period of three years from the passing of this Act:

Provided that at any time before the expiration of the said period of three years, or of that period as extended under this proviso, the Ministers may by order direct that the said period shall be extended for a further year.

- (3) The provisos to subsection (2) of the last foregoing section shall apply for the purposes of subsection (1) of this section as they apply for the purposes of the said subsection (2), and no order shall be made under subsection (1) of this section except after consultation with such bodies of persons as appear to the appropriate Minister to represent the interests of producers of the produce in question.

## **5 Provisions for enabling producers to plan ahead.**

- (1) The appropriate Minister shall exercise his powers under the foregoing provisions of this Part of this Act so as to secure—
- (a) in the case of produce mentioned in the First Schedule to this Act being wheat, barley, oats, rye, potatoes or sugar beet, that the relevant factors determined in consequence of any annual review are determined in the year in which the review is held and so as to relate to the crops harvested in the year beginning on the first day of July in the calendar year next following that in which the review is held;
  - (b) in the case of any other produce mentioned in the said First Schedule, that the relevant factors determined in consequence of any annual review are determined as soon as may be after the completion thereof and so as to apply to such produce referable to the period of one year beginning on such date after the completion of the review as may be specified by the appropriate Minister at the time when the factors are determined.
- (2) The Ministers shall, in the light of their conclusions from the annual review held by them in the year nineteen hundred and forty-eight and each subsequent alternate year,

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by order fix minimum terms for the relevant factors relating to the following produce mentioned in the First Schedule to this Act, that is to say milk, cattle, sheep, pigs and eggs; and where minimum terms have been fixed for any relevant factor that factor shall not, so far as it relates to any of the said produce referable to the period of two years beginning on the specified date in the second calendar year after the year in which the review in question was held, be fixed or varied, whether under the foregoing provisions of this Part of this Act or otherwise, so as to be less beneficial to the producer than if it had been fixed or varied in accordance with the minimum terms.

- (3) The periods to which produce is to be referable for the purposes of the two last foregoing subsections shall be determined by order of the Minister or Ministers therein referred to.
- (4) In this section the expression " relevant factor " means any factor which appears to the Minister or Ministers making the order in question to affect, under any such arrangements as are referred to in subsection (1) of section three of this Act, the amounts payable to producers in respect of the produce in question, being a factor as to which the Minister or Ministers in question is or are of opinion that it is practicable at the time required by subsection (1) or subsection (2) of this section, as the case may be, to determine the factor or to fix minimum terms therefor.

## **6 Power to vary scheduled produce.**

- (1) The Ministers may, after consultation with such bodies of persons as appear to them to represent the interests of producers of the produce in question, by order direct that the First Schedule to this Act shall have effect, for the purposes of all or any of the provisions of this Part of this Act, with the addition thereto of any such produce as may be specified.
- (2) Any order under this section may make such modifications of the provisions of the last foregoing section as appear to the Ministers consequential on the making of the order.

## **7 Orders under Part I.**

- (1) Any order under this Part of this Act shall be made with the approval of the Treasury.
- (2) An order under section four or six of this Act shall be of no effect unless approved by resolution of each House of Parliament.
- (3) Any other order under this Part of this Act shall be laid before Parliament forthwith after being made, and if either House of Parliament, within the period of forty days beginning with the day on which the order is laid before it, resolves that an Address be presented to His Majesty praying that the order be annulled, no further proceedings shall be taken thereunder after the date of the resolution, and His Majesty may by Order in Council revoke the order, so, however, that any such resolution and revocation shall be without prejudice to the validity of anything previously done under the order or to the making of a new order.

In reckoning any such period of forty days as aforesaid, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

- (4) An order under this Part of this Act may make different provisions for different circumstances, and in particular in relation to any produce may make different

provisions for different qualities or descriptions thereof or for different seasons of the year or according to the purpose for which the produce is to be used.

- (5) In this Part of this Act the expression " specified " means specified by or under an order under this Part of this Act.
- (6) For the purposes of any order made by a Minister and relating to produce mentioned in the First Schedule to this Act, a certificate of that Minister whether the object or one of the objects of any arrangements is such as is mentioned in paragraph (b) of subsection (1) of section three of this Act shall be conclusive.

## **8 Interpretation of Part I.**

- (1) In this Part of this Act the expression " the Ministers " means the Minister of Agriculture and Fisheries and the Secretaries of State concerned with agriculture in Scotland and Northern Ireland, acting jointly; and the expression " the appropriate Minister " means in relation to any part of the United Kingdom the Minister concerned with agriculture therein or the Minister of Food.
- (2) Reference in this Part of this Act to the provision of guaranteed prices for producers shall include references to the provision of payments to them (whether by reference to acreage or otherwise) in respect of produce mentioned in the First Schedule to this Act, as an alternative to the provision of guaranteed prices.