



# Agriculture (Miscellaneous Provisions) Act 1954

## 1954 CHAPTER 39

An Act to continue the power to make grants or contributions in respect of field drainage, liming and other matters; to amend Part IV of the Agriculture Act, 1947, with respect to the holdings to be treated as smallholdings, and to the contributions to losses of smallholdings authorities; to alter the manner of appointing nominated members of Agricultural Land Tribunals, and enable those Tribunals to award costs and to refer questions of law to the High Court; to amend the Agricultural Holdings Act, 1948, with respect to the operation of certain notices to quit; to make further provision with respect to research and education in sugar beet growing, to the collection of waste for use as animal feeding stuffs, to preventing the spread of pests and diseases by imported bees and to the application of the Diseases of Animals Act, 1950, to air transport; to amend the Seeds Act, 1920, with respect to the consequences of contraventions of that Act, and to the delivery and effect of particulars given thereunder; to amend the law as to agricultural wages of holiday workers in Scotland; and to extend the Corn Returns Act, 1882, to Scotland. [4th June, 1954]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### **1 Continuation of grants for drainage and water supply**

Section ninety-six of the Agriculture Act, 1947, shall cease to have effect in so far as it limits the period during which application must be made for the approval of a scheme under section fifteen of the Agriculture (Miscellaneous War Provisions) Act, 1940 (under which grants may be made by the Minister of Agriculture and Fisheries towards the cost of approved schemes for field drainage or the improvement of ditches or for the supply of water to agricultural land).

## 2 Continuation of contributions for liming

- (1) The period during which any cost must have been incurred in order that contributions may be payable in respect of it under section one of the Agriculture Act, 1937 (which, as amended by section ninety-seven of the Agriculture Act, 1947, provides for contributions out of moneys provided by Parliament to be made in accordance with a scheme known as the Agricultural Lime Scheme towards the cost of liming agricultural land),—
  - (a) is hereby extended until the end of July, nineteen hundred and fifty-nine ; and
  - (b) may from time to time be extended by a further five years by order made with the approval of the Treasury by the Minister of Agriculture and Fisheries and the two Secretaries of State respectively concerned with agriculture in Scotland and Northern Ireland.
- (2) The power to make orders under this section shall be exercisable by statutory instrument, of which a draft shall be laid before Parliament, and no such order shall be made unless the draft has been approved by resolution of each House of Parliament.

## 3 Amendments as to smallholdings in England and Wales

- (1) The expression " smallholding " in Part IV of the Agriculture Act, 1947 (which relates to the provision of smallholdings in England and Wales by local authorities and the Minister of Agriculture and Fisheries), shall cease to include holdings of which the area exceeds fifty acres; but (if it is used or intended to be used for agriculture within the meaning of the said Act) any holding which before the commencement of this Act was provided as a smallholding for the purposes of the Smallholdings and Allotments Acts, 1908 to 1931, or the said Part IV, whether or not it was or continues to be a smallholding as defined for those purposes, and any holding provided by virtue of the next following subsection, shall be treated as a smallholding for the purposes of the said Part IV.
- (2) A holding of any area exceeding fifty acres may be provided as a smallholding under Part IV of the Agriculture Act, 1947, if, in the case of a holding provided by a smallholdings authority, the authority and the Minister of Agriculture and Fisheries are satisfied that in the circumstances of the case a holding of a smaller area would either—
  - (a) not provide a full time occupation and a reasonable livelihood for the occupier; or
  - (b) not be in the interests of good estate management; ,or if, in the case of a holding provided by the Minister under section fifty-six of the Act, he is satisfied as aforesaid; and, where the Minister gives a smallholdings authority directions under subsection (4) of section fifty of the Act requiring the authority to alter the size or layout of any existing smallholdings provided by the authority, the directions may provide for a holding of any area exceeding fifty acres if the Minister is satisfied as aforesaid.
- (3) In determining the contribution which, under section fifty-eight of the Agriculture Act, 1947, the Minister of Agriculture and Fisheries may make for any year to a smallholdings authority in respect of a loss incurred by the authority in carrying out proposals formulated by them, the authority's expenditure referred to in subsection (3) of that section, in so far as it consists of the payment of interest or sinking fund charges on borrowed moneys, shall be calculated by reference to such rate of interest as may be prescribed by regulations under subsection (7) of the section, instead of by reference

to the rate allowed for in the estimates approved by the Minister in relation to the proposals.

- (4) There shall be paid out of moneys provided by Parliament any increase attributable to this section in the expenses of the Minister of Agriculture and Fisheries under Part IV of the Agriculture Act, 1947, and there shall be paid into the Exchequer any increase attributable to subsection (1) or (2) of this section in the sums received by or on behalf of the Minister under the said Part IV.

#### **4 Appointment of nominated members of Agricultural Land Tribunal**

- (1) There shall be substituted for paragraph 15 of the Ninth Schedule to the Agriculture Act, 1947 (which provides for the appointment of the nominated members of an Agricultural Land Tribunal by the Minister of Agriculture and Fisheries), the paragraph set out in the First Schedule to this Act:

Provided that this section shall not have effect in relation to any reference to an Agricultural Land Tribunal for which the nominated members of the Tribunal have, before this section comes into force, been appointed in accordance with the said Ninth Schedule as originally enacted.

- (2) This section shall come into force on such date as the Minister of Agriculture and Fisheries may appoint by order made by statutory instrument.

#### **5 Power of Agricultural Land Tribunal to award costs**

- (1) An Agricultural Land Tribunal, where it appears to them that any person concerned in a reference to them (including any Minister of the Crown or Government department so concerned) has acted frivolously, vexatiously or oppressively in applying for or in connection with the reference, may order that person to pay to any other person either a specified sum in respect of the costs incurred by him at or with a view to the hearing or the taxed amount of those costs ; and an order may be made under this subsection whether or not the reference proceeds to a hearing.
- (2) Any costs required by an order under this section to be taxed may be taxed in the county court according to such of the scales prescribed by county court rules for proceedings in the county court as may be directed by the order or, if the order gives no direction, by the county court.
- (3) Any sum payable by virtue of an order of an Agricultural Land Tribunal under this section shall, if the county court so orders, be recoverable by execution issued from the county court or otherwise as if payable under an order of that court; and, subject to county court rules, an application for an order of the county court under this subsection may be made *ex parte*.
- (4) The powers of the county court under this section may be exercised by the registrar.

#### **6 Power of Agricultural Land Tribunal to refer questions of law to High Court**

- (1) Any question of law arising in the course of proceedings before an Agricultural Land Tribunal may, at the request of any party to the proceedings, be referred by the Tribunal to the High Court for decision, whether before or after the Tribunal have given their decision in the proceedings.

- (2) Subject to the following provisions of this section, if an Agricultural Land Tribunal, after giving their decision in any proceedings, refuse any such request to refer a question to the High Court under this section, any person aggrieved by the refusal may apply to the High Court for an order directing them to do so.
- (3) The Minister of Agriculture and Fisheries shall be entitled to appear and be heard on any reference to the High Court under this section and on any application to the High Court thereunder, whether made by him or not.
- (4) Provision shall be made by order under subsection (3) of section seventy-three of the Agriculture Act, 1947 (which relates to the procedure of Agricultural Land Tribunals), for limiting the time for requesting a Tribunal to refer a question to the High Court under this section, and for requiring notice to be given to a Tribunal within a time limited by the order of any intended application to the High Court under this section; and provision shall be made by rules of court for limiting the time for instituting proceedings in the High Court under subsection (2) of this section.
- (5) Where, after an Agricultural Land Tribunal have given their decision in any proceedings, they refer a question to the High Court under this section, or receive notice of an intended application to the High Court for an order directing them to do so, effect shall not be given to the Tribunal's decision unless and until the Tribunal otherwise orders after the proceedings in the High Court and any proceedings arising therefrom have been concluded (or the right to take or continue any such proceedings has lapsed); and any such order of the Tribunal shall, where necessary, modify their decision so as to give effect to the decision on any reference to the High Court and, in a case relating to a notice to quit, may postpone (or further postpone) the date at which the tenancy is to be terminated by the notice, if it has effect.
- (6) The Minister of Agriculture and Fisheries may, by order under subsection (3) of section seventy-three of the Agriculture Act, 1947, make such provision as he thinks necessary or expedient for enabling the chairman of an Agricultural Land Tribunal to exercise all or any of the Tribunal's powers under the last foregoing subsection, and for regulating any proceedings before an Agricultural Land Tribunal which are consequent on the reference of any question to the High Court under this section or on the decision on such a reference, and enabling any such proceedings to be dealt with by an Agricultural Land Tribunal constituted for the purpose, where they cannot conveniently be dealt with by the Tribunal originally constituted for the purpose of the proceedings in the course of which the question arose.
- (7) This section shall come into force on such date as the Minister of Agriculture and Fisheries may appoint by order made by statutory instrument.

## **7 Amendment as to operation of notice to quit agricultural holding**

- (1) The Agricultural Holdings Act, 1948, shall have effect as if in paragraph (g) of subsection (2) of section twenty-four (by virtue of which the consent of the Minister of Agriculture and Fisheries to a notice to quit cannot be required under subsection (1) of the section if the notice is given within three months after, and by reason of, the death of the tenant with whom the contract of tenancy was made), the reference to the tenant with whom the contract of tenancy was made were, in a case where the contract was made with two or more tenants jointly, a reference to the survivor or last survivor of them.
- (2) This section shall apply to any notice to quit given after the commencement of this Act.

## **8 Cost of programmes of research and education in sugar beet growing**

- (1) As respects the year beginning with the first day of April next after the passing of this Act or any subsequent year, the maximum contribution to be made by any grower of sugar beet in Great Britain or by the British Sugar Corporation Limited towards expenditure incurred in carrying out a programme of research and education under section six of the Sugar Industry Act, 1942, shall be—
  - (a) in the case of a grower, threepence or such larger sum as may be prescribed for every ton of sugar beet grown in Great Britain sold by him for delivery to the Corporation in that year (instead of one penny for every ton so sold); and
  - (b) in the case of the Corporation, threepence or such larger sum as may be prescribed for every ton of sugar beet grown in Great Britain sold for delivery to them in that year (instead of a sum based on the quantity of sugar manufactured or refined by them).
- (2) In the foregoing subsection "prescribed" means prescribed by order of the Minister of Agriculture and Fisheries and the Secretary of State.
- (3) Any order of the Minister of Agriculture and Fisheries and the Secretary of State under this section may be varied or revoked by a subsequent order made by them.
- (4) The power to make orders under this section shall be exercisable by statutory instrument, of which a draft shall be laid before Parliament, and no such order shall be made unless the draft has been approved by resolution of each House of Parliament.

## **9 Collection of kitchen waste etc. for animal feeding stuffs in England and Wales**

- (1) A local authority in England or Wales may, whether in the discharge of their functions as to the removal of house or trade refuse or otherwise, collect kitchen or other waste in their area for use as animal feeding stuffs, with or without processing.
- (2) An authority collecting waste under this section may agree to pay for waste saved for collection -by them, may process the waste they collect, and may sell it processed or unprocessed; and, if they process it, they may acquire other materials for processing with it, including kitchen or other waste collected by any other local authority or person.
- (3) Without prejudice to any other power of combination, any two or more local authorities may by agreement combine for the purpose of collecting waste under this section or processing waste so collected; and a local authority collecting waste under this section in their area may, with the agreement of any other local authority, do it also in the area of that other authority.
- (4) A local authority collecting waste under this section may provide receptacles in which the waste may be deposited for collection, and may place any receptacles so provided in any street or public place.
- (5) If a person wilfully deposits in any receptacle provided under the last foregoing subsection, or otherwise used for the deposit of waste to be collected under this section, anything which he knows or has reasonable cause to believe to be unsuitable for use as animal feeding stuffs, he shall be liable on summary conviction to a fine not exceeding five pounds; and if any person (other than a person employed in connection with the local authority's collection of the waste) removes the whole or part of the contents of any such receptacle when placed in a street or public place or set out for the purpose of its contents being removed under this section, he shall be liable on summary conviction

to a fine not exceeding ten pounds or, if he has been previously convicted of the like offence, to a fine not exceeding twenty pounds.

- (6) A local authority may make bye-laws regulating in their area or any part of it the collection of kitchen or other waste for use as animal feeding stuffs and the carriage of waste so collected (whether there or elsewhere), and in particular for securing the use of suitable times, routes, vehicles and receptacles ; and the fines which may be imposed by the bye-laws on persons offending against them may be of an amount not exceeding ten pounds, with, in the case of a continuing offence, a further sum not exceeding forty shillings for each day during which the offence continues after conviction therefor.

Bye-laws made under this subsection shall require confirmation of the Minister of Housing and Local Government.

- (7) Proceedings in respect of an offence created by or under this section shall not be taken by any person other than the local authority in whose area the offence is alleged to have been committed, unless taken by or with the consent of the Director of Public Prosecutions:

Provided that, where a local authority collects waste under this section outside their area, they may without the consent of the Director of Public Prosecutions take proceedings in respect of an offence under subsection (5) of this section alleged to have been committed at any place within the limits of their collection.

- (8) Nothing in this section shall be taken as authorising anything to be used unprocessed as animal feeding stuffs where processing is required by or under any other enactment.
- (9) In this section the expression "local authority" means the council of a borough, urban district or rural district or an authority which is a sanitary authority for the purposes of the Public Health (London) Act, 1936.
- (10) There shall be paid out of moneys provided by Parliament any increase attributable to this section in the sums so payable under Part I of the Local Government Act, 1948, or under the Local Government (Financial Provisions) (Scotland) Act, 1954.

## **10 Prevention of bee diseases (control of importation)**

- (1) For the purpose of preventing the spread of pests or diseases among bees, provision may be made by an order under this section for prohibiting the importation of bees into Great Britain—
- (a) where they originate in or are consigned from a particular country or part of a country ; or
  - (b) where they are not accompanied by a certificate, satisfying the requirements of the order, of freedom from infection or exposure to infection ; or
  - (c) where the importation otherwise fails to comply with the requirements of the order, including in particular any requirements as to the type or construction of the hives or containers used for importing bees.
- (2) The Minister or any authorised person may license any importation which would otherwise be prohibited under this section, either unconditionally or subject to conditions imposed by the licence ; and a licence under this subsection may be given on, as well as before, importation.

- (3) Any authorised person may examine any bees imported into Great Britain and their combs, if any, and may take samples of them, in order to see if they are free from infection.
- (4) Where a consignment of bees imported into Great Britain, or any part of such a consignment, is found to be infected with any pest or disease specified in that behalf by an order under this section, any authorised person may destroy by such means as he thinks fit the consignment (including any combs and any hives or containers) or such part of it as he thinks necessary, or cause it to be so destroyed, and may disinfect or cause to be disinfected by such means as he thinks fit all or any of the hives or containers not so destroyed.
- (5) Without prejudice to the last foregoing subsection, where any bees are imported into Great Britain in contravention of this section, any authorised person may destroy the bees, together with their combs (if any) and hives or containers, by such means as he thinks fit, or cause them to be so destroyed, and may do so with or without first allowing an opportunity for them to be re-exported.
- (6) No compensation shall be payable in respect of any exercise of the powers conferred by the three last foregoing subsections.
- (7) Any person who imports bees into Great Britain in contravention of an order under this section, or who fails to observe any condition imposed by a licence under this section, shall be liable on summary conviction to a fine not exceeding twenty pounds.
- (8) An order under this section may be varied or revoked by a subsequent order thereunder.
- (9) Any expenses of the Minister under this section shall be defrayed out of moneys provided by Parliament.
- (10) The power to make orders under this section shall be exercisable by the Minister of Agriculture and Fisheries and the Secretary of State jointly, and shall be exercisable by statutory instrument which shall be subject to annulment by resolution of either House of Parliament.
- (11) In this section—
  - (a) " the Minister " means, in relation to England and Wales, the Minister of Agriculture and Fisheries and, in relation to Scotland, the Secretary of State ;
  - (b) " bees " means honey bees, and includes such bees in any stage of their life cycle;
  - (c) " authorised person " means a person generally or specially authorised in writing by the Minister.
- (12) No limitation on the powers of the Parliament of Northern Ireland imposed by the Government of Ireland Act, 1920, shall apply to preclude that Parliament from enacting provisions corresponding to this section.

## **11 Adaptation to air transport of Diseases of Animals Act, 1950**

- (1) The Diseases of Animals Act, 1950 (Which includes provision for regulating the import, export and movement of animals by sea or by inland waters, and similar matters), shall apply in relation to aircraft and aerodromes, and to shipment in or landing from aircraft, as it applies in relation to vessels and ports, and to shipment in

and landing or disembarking from vessels, but with the adaptations provided for by the Second Schedule to this Act.

- (2) There shall be paid out of moneys provided by Parliament any increase attributable to this section in the sums so payable under Part I of the Local Government Act, 1948, or under the Local Government (Financial Provisions) (Scotland) Act, 1954.
- (3) In this section, and in the Second Schedule to this Act, the expression " aerodrome " means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft.
- (4) No limitation on the powers of the Parliament of Northern Ireland imposed by the Government of Ireland Act, 1920, shall apply to preclude that Parliament from enacting provisions corresponding to this section.

## **12 Amendment of Seeds Act, 1920**

- (1) The validity of a contract for the sale of seeds or seed potatoes, or the right to enforce such a contract, shall not be affected by any contravention of or non-compliance with section one of the Seeds Act, 1920 (which requires certain particulars to be delivered on the sale of seeds and seed potatoes), or by any other illegality under that Act in the performance of the contract.
- (2) In subsection (1) of section one of the Seeds Act, 1920, for the words " on or before the sale, or if the goods are not delivered at the time of sale, on or before delivery thereof," there shall be substituted the words " not later than seven days after the sale, or if the goods are not delivered at the time of sale, not later than seven days after the delivery thereof, ".
- (3) In subsection (3) of section one of the Seeds Act, 1920, for the words " shall be contained in a sale note or invoice or," there shall be substituted the word " may ".
- (4) Section six of the said Act (which provides that, for the purpose of legal proceedings on a contract for the sale of seeds, the truth of the particulars delivered in pursuance of the said section one shall be questioned only on the result of a test under the said section six) shall apply only in the case of particulars relating to purity or germination and of such (if any) of the particulars required by regulations under the Act as may be prescribed for this purpose by regulations thereunder.
- (5) In subsection (2) of the said section six (under which a sample for the purpose of testing seeds under the section must be taken within ten days of the date of the delivery of the seeds to the purchaser) for the words " within ten days of the date of the delivery thereof to him " there shall be substituted the words " not later than ten days after the seeds and the statement have been delivered to him ".
- (6) Nothing in this section shall apply to a contract of sale entered into before the commencement of this Act or to a statement delivered in connection with a sale so entered into.
- (7) The foregoing provisions of this section shall apply to Northern Ireland, but for the purposes of section six of the Government of Ireland Act, 1920, shall be deemed to have been passed before the appointed day.



### **13 Fixing of minimum rates of wages for certain classes of persons temporarily employed in agriculture in Scotland**

- (1) Except as hereinafter provided, the Agricultural Wages (Scotland) Act, 1949, shall not apply to persons temporarily employed as workers in agriculture (including horticulture), being persons so employed under any scheme prepared by the Secretary of State for the employment in agriculture of persons of sixteen years of age or over during holiday periods:

Provided that this section shall not have effect in relation to persons who, immediately before being employed under any such scheme, were in receipt of unemployment benefit under the National Insurance Acts, 1946 to 1953.

- (2) The Secretary of State shall have power by order to fix for persons temporarily employed as aforesaid such minimum rates of wages for time work as appear to him reasonable in all the circumstances of the case, and different rates may be fixed for different classes of such persons by reference to the nature or circumstances of their work or employment and their age and sex.
- (3) Any order under this section may vary any minimum rate of wages fixed therein according as the employment is for a day, week, month or other period, or according to the number of working hours or the conditions of the employment, or so as to provide for a differential rate in the case of overtime.
- (4) The Secretary of State shall, as soon as may be after he has made an order under this section, send notification thereof to the Scottish Agricultural Wages Board and to all agricultural wages committees, and shall give notice of the making of the order and the contents thereof in such manner as he may think fit.
- (5) The provisions of the Agricultural Wages (Scotland) Act, 1949, shall, so far as applicable, apply in relation to any minimum rate of wages fixed under this section as they apply in relation to any minimum rate of wages fixed under that Act.
- (6) The power of the Secretary of State to make orders under this section shall be exercisable by statutory instrument, which shall be subject to annulment by resolution of either House of Parliament; and the said power shall include a power, exercisable in the like manner and subject to the like conditions, to vary or revoke any such order.
- (7) This section shall continue in force for five years and no longer, unless Parliament otherwise determines.

### **14 Extension of Corn Returns Act, 1882, to Scotland**

- (1) The Corn Returns Act, 1882 (which provides for the making of returns of purchases of British corn and for the computation and publication of the average prices of each sort of British corn, and for purposes connected with the matters aforesaid), shall, subject to the modifications specified in the next following subsection, extend to Scotland.
- (2) The modifications referred to in the foregoing subsection are—
- (a) for any reference to the Board of Trade or to the Minister of Agriculture and Fisheries there shall be substituted a reference to the Secretary of State ;
  - (b) for any reference to the London Gazette there shall be substituted a reference to the Edinburgh Gazette;

- (c) in section twelve for the words " shall be guilty of a misdemeanour " there shall be substituted the words " shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty pounds "; and
  - (d) sections sixteen and seventeen shall be omitted.
- (3) The expenses of the Secretary of State under the Corn Returns Act, 1882, as extended by this section shall be paid out of moneys provided by Parliament.

## **15 Construction of references to enactments**

Any reference in this Act to any previous enactment shall, except in so far as the contrary intention appears, be construed as a reference to that enactment as amended, extended or applied by any subsequent enactment, including this Act.

## **16 Application to Northern Ireland**

The provisions of this Act do not extend to Northern Ireland, except section two, sections ten and eleven in so far as they extend the powers of the Parliament of Northern Ireland, and section twelve.

## **17 Short title and repeal**

- (1) This Act may be cited as the Agriculture (Miscellaneous Provisions) Act, 1954.
- (2) The enactments specified in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

## SCHEDULES

### FIRST SCHEDULE

Section 4.

#### AGRICULTURAL LAND TRIBUNALS (REVISED PROVISION FOR APPOINTMENT OF NOMINATED MEMBERS)

- “15 (1) The two members of an Agricultural Land Tribunal other than the chairman shall, for each reference to the Tribunal, be nominated by the chairman, one from a panel of persons appearing to the Lord Chancellor to represent the interests of farmers and one from a panel of persons appearing to the Lord Chancellor to represent the interests of owners of agricultural land.
- (2) Those panels shall be drawn up and from time to time revised by the Lord Chancellor.
- (3) Subject to the following sub-paragraph, the persons to be placed on either panel shall be selected by the Lord Chancellor from nominations made at his request by persons appearing to him to represent the interests of farmers or of owners of agricultural land, as the case may be.
- (4) The last foregoing sub-paragraph shall not prevent the Lord Chancellor from placing on either of the panels a person not nominated in accordance with that sub-paragraph, if the persons requested to make the nominations for that purpose do not make the required number of nominations, or the nominations they make do not include enough persons who appear to the Lord Chancellor to be suitable.”

### SECOND SCHEDULE

Section 11.

#### ADAPTATIONS OF DISEASES OF ANIMALS ACT, 1950, TO AIR TRANSPORT

- 1 (1) The expressions "by water" in paragraph (iii) of subsection (1) of section twenty-one and "by sea" in paragraph (b) of section twenty-three of the Diseases of Animals Act, 1950 (hereinafter referred to as "the 1950 Act"), shall include "by air".
- (2) The reference to "coasting vessels" in paragraph (ii) of section twenty of the 1950 Act and the reference to "inland transit" in paragraph (x) of that section shall apply to the case where an aircraft is engaged in a journey or a part of a journey beginning and ending in Great Britain.
- (3) The expression "master" in the 1950 Act shall, in relation to an aircraft, mean the pilot or other person having the command or charge of the aircraft.
- 2 (1) Section twenty-four of the 1950 Act (which, for the purpose of preventing the introduction of disease into Great Britain, enables the landing of animals, carcasses etc. to be prohibited by order) shall apply to the importation in an aircraft of animals and other things not landed from the aircraft as it applies in relation to their landing from an aircraft.

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*Status: This is the original version (as it was originally enacted).*

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- (2) If an animal or other thing is imported in an aircraft in contravention of an order made by virtue of the foregoing sub-paragraph, then (without prejudice to the liability therefor of any other person under section seventy-eight of the 1950 Act) the person for the time being having possession and control of the aircraft, as owner, hirer or otherwise, shall be guilty of an offence against the 1950 Act.
- (3) Without prejudice to the generality of subsection (1) of section thirty-three of the 1950 Act, provision may be made by orders under it for prescribing the aerodromes which alone may be used by aircraft carrying imported animals, as well as the aerodromes at which alone imported animals may be landed.
- 3 Section thirty-nine of the 1950 Act (which provides that in certain circumstances a horse injured on board a vessel while being exported shall be slaughtered, and that vessels shall carry proper killing instruments) shall not impose on the pilot or other person having the command or charge of an aircraft an obligation to 'cause a horse to be slaughtered.
- 4 In relation to aircraft the Minister of Agriculture and Fisheries may, by an order under the 1950 Act, adapt section six hundred and ninety-two of the Merchant Shipping Act, 1894, as applied in the case of the detention of a vessel under section seventy-four of the 1950 Act, or may make such other provision instead of it as he thinks expedient.

## THIRD SCHEDULE

Sections 17.

## ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
45 & 46 Vict. c. 37.	The Corn Returns Act, 1882.	In section two, the words " Scotland or ".
5 & 6 Geo. 6. c. 16.	The Sugar Industry Act, 1942.	In section six, the proviso to subsection (3).
10 & 11 Geo. 6. c. 48.	The Agriculture Act, 1947.	In section sixty-six, in subsection (1) the word "either," and the words from "or a holding" onwards, and subsection (2); section ninety-six from " before the expiration of five years" onwards; subsection (2) of section ninety-seven; and, from the coming into force of section four of this Act, in paragraph 21 of the Ninth Schedule, the words " or area " in both places and the words " or sub-paragraph (1) of paragraph 17 ".

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*Status: This is the original version (as it was originally enacted).*

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TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
Corn Returns Act, 1882	45 & 46 Vict. c. 37.
Merchant Shipping Act, 1894	57 & 58 Vict. c. 60.
Seeds Act, 1920	10 & 11 Geo. 5. c. 54.
Government of Ireland Act, 1920	10 & 11 Geo. 5. c. 67.
Public Health (London) Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 50.
Agriculture Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 70.
Agriculture (Miscellaneous War Provisions) Act, 1940	3 & 4 Geo. 6. c. 14.
Sugar Industry Act, 1942	5 & 6 Geo. 6. c. 16.
Agriculture Act, 1947	10 & 11 Geo. 6. c. 48.
Local Government Act, 1948	11 & 12 Geo. 6. c. 26.
Agricultural Holdings Act, 1948	11 & 12 Geo. 6. c. 63.
Agricultural Wages (Scotland) Act, 1949	12, 13 & 14 Geo. 6. c. 30.
Diseases of Animals Act, 1950	14 Geo. 6. c. 36.
Local Government (Financial Provisions) (Scotland) Act, 1954	2 & 3 Eliz. 2. c. 13.