



Agricultural Statistics Act 1979

CHAPTER 13

ARRANGEMENT OF SECTIONS

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ELIZABETH II



Agricultural Statistics Act 1979

1979 CHAPTER 13

An Act to consolidate certain enactments relating to
agricultural statistics. [22nd March 1979]

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.—(1) Where it appears to the appropriate Minister expedient so to do for the purpose of obtaining statistical information relating to agriculture, he may serve on any owners or occupiers of land used for agriculture, or of land which he has reason to believe may be so used, notices requiring them to furnish in writing, in such form and manner and to such person as may be specified in the notice, and within such time and with respect to such date or dates or such period or periods as may be so specified, the information referred to in the notice (including, as respects paragraphs (d) to (f) of this subsection, the information referred to in the notice as to quantities, values, expenditure and receipts) relating to—

Power
to obtain
agricultural
statistics.

- (a) the situation, area and description of relevant land owned or occupied by them, the date of acquisition of the land, and the date at which so much of it as is comprised in any agricultural unit became comprised in that unit, and the rates payable in respect of the land,
- (b) the names and addresses of the owners and occupiers of the land,
- (c) whether the land or any, and if so what, part of it is let and at what rent,

- (d) the character and use of different parts of the land, the time at which any use of such parts was begun or will become fully effective, and their produce at any time during the period beginning one year before, and ending one year after, the time at which the information is required to be furnished,
- (e) fixed and other equipment, livestock, and the stocks of agricultural produce and requisites held in respect of the land, and the provision and maintenance of such equipment, livestock and requisites and the provision of agricultural services for the benefit of the land,
- (f) the methods and operations used on the land, the marketing or other disposal of its produce, any payments received under any enactment in respect of such produce, and the provision of agricultural services otherwise than for the benefit of the land,
- (g) the number and description of persons employed on the land, or employed by the occupier in disposing of its produce, and the remuneration paid to, and hours worked by, persons so employed or such persons of different descriptions.

(2) For the purpose of obtaining statistical information relating to agriculture, any person authorised by the appropriate Minister in that behalf may, after giving not less than 24 hours notice and on producing if so required evidence of his authority to act for the purposes of this subsection, orally require the owner or occupier of land to furnish to him within a reasonable time, and either orally or in writing as the said owner or occupier may elect, such information, whether or not specified in the notice, as the said person authorised by the appropriate Minister may require, being information which the owner or occupier, as the case may be, could have been required to furnish under subsection (1) above.

(3) References in subsections (1) and (2) above to the owner of land include references to a person exercising, as servant or agent of the owner, functions of estate management in relation to the land, and references in those subsections to the occupier of land include references to a person responsible for the control of the farming of the land as servant or agent of the occupier of the land.

(4) No person shall be required under this section to furnish any balance sheet or profit and loss account, but this subsection shall not prevent the requiring of information by reason only that it is or might be contained as an item in such a balance sheet or account.

(5) Section 106 of the Agriculture Act 1947 (provisions as to entry and inspection) shall have effect for the purposes of this section as it has effect for the purposes of that Act.

2.—(1) The appropriate Minister may by regulation require that parties to any sale of land which immediately before the completion of the transaction was being used for agriculture, or to any grant, assignment or surrender of a tenancy of such land for an interest not less than that of a tenant for a year, shall within the period from the completion of the transaction prescribed by the regulations furnish to him, in such manner as may be so prescribed, information as to the names and addresses of the parties to the transaction and the situation and extent of the land affected by it.

Information as to dealings in land used for agriculture.

(2) Regulations under subsection (1) above shall be made by statutory instrument and shall be laid before Parliament forthwith after being made, and if either House of Parliament, within the period of 40 days beginning with the day on which the regulations are laid before it, resolves that an Address be presented to Her Majesty praying that the regulations be annulled, no further proceedings shall be taken under the regulations after the date of the resolution, and Her Majesty may by Order in Council revoke the regulations, so, however, that any such resolution and revocation shall be without prejudice to the validity of anything previously done under the regulations or to the making of new regulations.

3.—(1) Subject to subsection (2) below, no information relating to any particular land or business which has been obtained under section 1 or 2 above shall be published or otherwise disclosed without the previous consent in writing of the person by whom the information was furnished and every other person who is an owner or the occupier of the land and whose interests may in the opinion of the appropriate Minister be affected by the disclosure.

Restriction on disclosure of information.

(2) Nothing in subsection (1) above shall restrict the disclosure of information—

- (a) to the Minister in charge of any Government department, to any authority acting under an enactment for regulating the marketing of any agricultural produce, or to any person exercising functions on behalf of any such Minister or authority for the purpose of the exercise of those functions ;
- (b) to an authority having power under any enactment to give permission for the development of land, for the purpose of assisting that authority in the preparation of proposals relating to such development or in considering whether or not to give such permission ;

- (c) if the disclosure is confined to situation, extent, number and kind of livestock, character of land, and name and address of owner and occupier, to any person to whom the appropriate Minister considers that the disclosure is required in the public interest;
- (d) to any person for the purposes of any criminal proceedings under section 4 below or for the purposes of any report of such proceedings;
- (e) to the Agricultural Training Board under section 2B of the Industrial Training Act 1964; or
- (f) to an institution of the European Communities under section 12 of the European Communities Act 1972,

or the use of information in any manner which the appropriate Minister thinks necessary or expedient in connection with the maintenance of the supply of food in the United Kingdom.

1964 c. 16.

1972 c. 68.

Penalties.

4.—(1) Any person who without reasonable excuse fails to furnish information in compliance with a requirement under section 1 or 2 above shall be liable on summary conviction to a fine not exceeding £50.

(2) If any person—

- (a) in purported compliance with a requirement imposed under section 1 or 2 above knowingly or recklessly furnishes any information which is false in any material particular, or
- (b) publishes or otherwise discloses any information in contravention of section 3 above,

he shall be liable on summary conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding the prescribed sum or to both, or on conviction on indictment to imprisonment for a term not exceeding 2 years or to a fine or to both.

Service of notices.

5.—(1) Any notice authorised by this Act to be served on any person shall be duly served if it is delivered to him, or left at his proper address or sent to him by post in a registered letter.

(2) Any such notice authorised to be served on an incorporated company or body shall be duly served if served on the secretary or clerk of the company or body.

(3) For the purposes of this section and of section 7 of the Interpretation Act 1978, the proper address of any person on whom any such notice is to be served shall, in the case of the

1978 c. 30.

secretary or clerk of any incorporated company or body be that of the registered or principal office of the company or body, and in any other case be the last known address of the person in question.

(4) Where any such notice is to be served on a person as being the person having any interest in land, and it is not practicable after reasonable inquiry to ascertain his name or address, the notice may be served by addressing it to him by the description of the person having that interest in the land (naming it), and delivering the notice to some responsible person on the land or by affixing it, or a copy of it, to some conspicuous object on the land.

(5) Where any such notice is to be served on any person as being the owner of the land and the land belongs to an ecclesiastical benefice a copy shall be served on the Church Commissioners.

(6) Without prejudice to subsections (1) to (5) above, any notice under this Act to be served on an occupier shall be deemed to be duly served if it is addressed to him by the description of "the occupier" of the land in question and sent by post to, or delivered to some person on, the land.

6.—(1) In this Act—

Interpretation.

"the appropriate Minister" means, in relation to England, the Minister of Agriculture, Fisheries and Food and, in relation to Wales, the Secretary of State ;

"land" includes messuages, tenements and hereditaments, houses and buildings of any tenure ;

"livestock" includes creatures kept for any purpose ;

"owner" means, in relation to land, a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of the land, and includes also a person holding, or entitled to the rents and profits of, the land under a lease or agreement ;

"the prescribed sum" means the prescribed sum within the meaning of section 28 of the Criminal Law Act 1977 1977 c. 45. (£1,000 or other sum substituted by order under section 61(1) of that Act) ; and

"relevant land" in the case of any owner or occupier of land used for agriculture, means the aggregate of—

(a) the land owned or occupied by him which is comprised in any agricultural unit ; and

(b) any other land owned or occupied by him which is either—

(i) used for forestry ; or

(ii) not used for any purpose, but capable of use for agriculture or forestry,

but which, if used as agricultural land by the occupier of that agricultural unit, would be comprised in that unit.

1947 c. 48.

(2) Section 109 of the Agriculture Act 1947 (interpretation) shall have effect for the purposes of this Act as it has effect for the purposes of that Act except that the definition of “live-stock” shall be omitted from subsection (3).

Amendments
and repeals.

7.—(1) The enactments specified in Schedule 1 to this Act shall have effect subject to the amendments set out in that Schedule, being amendments consequential on the foregoing provisions of this Act.

(2) The enactments specified in Schedule 2 to this Act are hereby repealed to the extent specified in column 3 of that Schedule.

Citation, etc.

8.—(1) This Act may be cited as the Agricultural Statistics Act 1979.

(2) This Act shall come into force at the expiry of the period of one month beginning on the date on which it is passed.

(3) This Act does not extend to Scotland or Northern Ireland.

SCHEDULES

Section 7.

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

Agricultural Marketing Act 1958

1958 c. 47.

1. In section 5(4) of the Agricultural Marketing Act 1958 (list of producers) for the words "eighty of the Agriculture Act 1947" there shall be substituted the words "three of the Agricultural Statistics Act 1979".

Public Records Act 1958

1958 c. 51.

2. At the end of Schedule 2 to the Public Records Act 1958 (enactments prohibiting disclosure of information obtained from the public) there shall be added—

"The Agricultural Statistics Act 1979

Section 3."

Industrial Training Act 1964

1964 c. 16.

3. At the end of section 2B of the Industrial Training Act 1964 (disclosure of information to Agricultural Training Board) there shall be added the words "or section 1 of the Agricultural Statistics Act 1979".

European Communities Act 1972

1972 c. 68.

4. In section 12 of the European Communities Act 1972 (furnishing of information to Communities) for the words "80 of the Agriculture Act 1947" there shall be substituted the words "3 of the Agricultural Statistics Act 1979".

SCHEDULE 2

Section 7.

ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeals
10 & 11 Geo. 6. c. 48.	Agriculture Act 1947.	Sections 78 to 81.
6 & 7 Eliz. 2. c. 51.	Public Records Act 1958.	In Schedule 2, the entry relating to section 80 of the Agriculture Act 1947.
1972 c. 62.	Agriculture (Miscellaneous Provisions) Act 1972.	Section 18.
1976 c. 55.	Agriculture (Miscellaneous Provisions) Act 1976.	Section 6. Schedule 2.

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