



Agriculture (Miscellaneous Provisions) Act 1954

1954 CHAPTER 39 2 and 3 Eliz 2

^{F1}

Textual Amendments

F1 S. 1 repealed (5.11.1993) by 1993 c. 50, s. 1(1), [Sch. 1 Pt.II](#).

2^{F2}

Textual Amendments

F2 S. 2 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), [Sch. 1 Pt. II](#)

3 Amendments as to smallholdings in England and Wales.

(1)^{F3}

(2)^{F3}

(3) In determining the contribution which, under section fifty-eight of the ^{M1}Agriculture Act, 1947, [^{F4}the Minister of Agriculture, Fisheries and Food] 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.

Status: Point in time view as at 05/11/1993.

Changes to legislation: There are currently no known outstanding effects for the Agriculture (Miscellaneous Provisions) Act 1954. (See end of Document for details)

- (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 . . . ^{F5}

Textual Amendments

F3 S. 3(1)(2) repealed by [Agriculture Act 1970 \(c. 40, SIF 2:1\)](#), 113(3), Sch. 5 Pt. III

F4 Words substituted by virtue of [S.I. 1955/554](#) (1955 1, p. 1200), art. 3.

F5 Words repealed by Agriculture Act 1970, (c. 40, SIF 2:1), ss. 65, 113(3), Sch. 5 Pt. III

Marginal Citations

M1 1947 c. 48.

4 ^{F6}

Textual Amendments

F6 Ss. 4, 6(3), Sch. 1 repealed by [Agriculture Act 1958 \(c. 71, SIF 2:3\)](#), **Sch. 2 Pt. I**

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 [^{F7}or application] 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 [^{F7}or application] 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 [^{F7}or application] 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.

Textual Amendments

F7 Words inserted by [Agriculture Act 1958 \(c. 71, SIF 2:3\)](#), **Sch. 1 Pt. I para. 26**

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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) ^{F8}
- (4) Provision shall be made by order under subsection (3) of section seventy-three of the ^{M2}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 order 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) [^{F9}The Minister of Agriculture, Fisheries and Food] 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 [^{F9}the Minister of Agriculture, Fisheries and Food] may appoint by order made by statutory instrument.

Textual Amendments

- F8** Ss. 4, 6(3), Sch. 1 repealed by [Agriculture Act 1958 \(c. 71, SIF 2:3\)](#), [Sch. 2 Pt. I](#)
- F9** Words substituted by virtue of [S.I. 1955/554 \(1955 1, p. 1200\)](#), art. 3.

Modifications etc. (not altering text)

- C1** S. 6(5) modified by [S.I. 1978/259](#), [art. 34](#)
- C2** S. 6(6) amended by [Agriculture Act 1958 \(c. 71, SIF 2:1\)](#), [Sch. 1 Pt. I para. 27](#)

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C3 1. 9 1954 appointed under s. 6(7) by [S.I. 1954/1137](#) (1954 1, p. 46), art. 3

Marginal Citations

M2 [1947 c. 48.](#)

7 **F10**

Textual Amendments

F10 [S. 7](#) repealed by [Agricultural \(Miscellaneous Provisions\) Act 1976 \(c. 55, SIF 2:1\)](#), **Sch. 4 Pt. II**

8 **F11**

Textual Amendments

F11 [S. 8](#) repealed by [Sugar Act 1956 \(c. 48, SIF 2:1\)](#), **s. 32(2)**

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) **F12**
- (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 [^{F13}level 1 on the standard scale]; 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 [^{F14}ten pounds][^{F14}level 1 on the standard scale]or, if he has been previously convicted of the like offence, to a fine not exceeding [^{F15}twenty pounds][^{F15}level 1 on the standard scale].
- (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

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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 [^{F16}ten pounds][^{F16}level 1 on the standard scale], with, in the case of a continuing offence, a further sum not exceeding [^{F17}£2] for each day during which the offence continues after conviction therefor.

Bye-laws made under this subsection shall require confirmation of the [^{F18}Secretary of State].

- (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 ^{M3}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 ^{M4}Local Government Act, 1948, or under the ^{M5}Local Government (Financial Provisions) (Scotland) Act, 1954.

Textual Amendments

- F12** S. 9(3) repealed by [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), **Sch. 30**
- F13** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21 SIF 39:1\)](#), ss. 289F, 289G
- F14** Words “level 1 on the standard scale” substituted (S.) for words “ten pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21 SIF 39:1\)](#), ss. 289E—289G
- F15** Words “level 1 on the standard scale” substituted (S.) for words “twenty pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21 SIF 39:1\)](#), ss. 289E—289G
- F16** Words “level 1 on the standard scale” substituted (S.) for words “ten pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21 SIF 39:1\)](#), ss. 289F, 289G, 457A
- F17** Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19, SIF 10\)](#), **s. 10 (1)**
- F18** Words substituted by virtue of [S.I. 1965/319](#) arts. 2(1), 10(1), [Sch. 1 Pt. 1](#) and [1970/1681](#) arts 2, 6(3)

Modifications etc. (not altering text)

- C4** [S. 9\(5\): Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss.35** (in relation to liability on first and subsequent convictions), **38** (increase of fines) and **46** (substitution of references to levels on the standard scale) apply (E.W.)
- C5** [S. 9\(9\): references to the council of a borough etc to be construed in accordance with Local Government Act 1972 \(c. 70 SIF 81:1\)](#), s. 179
- C6** [S. 9\(9\): references to the Public Health \(London\) Act 1936 to be construed as mentioned in London Government Act 1963 \(c. 33, SIF 81:1\)](#), **s. 93(2)** and [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#), **s. 17(2)(a)**

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Marginal Citations

- M3** 1936 c. 50.
M4 1948 c. 26.
M5 1954 c. 13.

10 **F19**

Textual Amendments

- F19** S. 10 repealed by [Bees Act 1980 \(c. 12, SIF 2:1\)](#), **s. 5(3)**

11 **F20**

Textual Amendments

- F20** S. 11, Sch. 2 repealed by [Animal Health Act 1981 \(c. 22, SIF 4:4\)](#), **Sch. 6**

12 **F21**

Textual Amendments

- F21** S. 12 repealed (E.W.) (S.) by [Plant Varieties and Seeds Act 1964 \(c. 14, SIF 2:9\)](#), s. 31(1), **Sch. 6** and (N.I.) by [Seeds Act \(Northern Ireland\), 1965 \(c. 22\)](#), Sch.

13 **F22**

Textual Amendments

- F22** Ss. 13, 17(2), Sch. 3 repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), **Sch. 1, Pt. VIII**

14 Extension of Corn Returns Act, 1882 to Scotland.

- (1) The ^{M6}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 [^{F23}the Minister of Agriculture, Fisheries and Food] there shall be substituted a reference to the Secretary of State;

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- (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 [^{F24}level 1 on the standard scale]”; and

^{F25}(d)

(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.

Textual Amendments

- F23** Words substituted by virtue of [S.I. 1955/554](#) (1955 1, p. 1200), art. 3.
- F24** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G**
- F25** [S. 14\(2\)\(d\)](#) repealed (5.11.1993) by [1993 c. 50, S. 1\(1\)](#), **Sch. 1 Pt.II**.

Marginal Citations

- M6** [1882 c. 37](#).

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. ^{F26}.....^{F27}

Textual Amendments

- F26** Words repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), **Sch. 1 Pt.II**.
- F27** Words repealed by virtue of [Northern Ireland Constitution Act 1973 \(c. 36 SIF 29:3\)](#), s. 41(1), **Sch. 6 Pt. 1** and [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#) **Sch. 1 Pt. VIII**

17 Short title and repeal.

(1) This Act may be cited as the Agriculture (Miscellaneous Provisions) Act, 1954.

(2).....^{F28}

Textual Amendments

- F28** [Ss. 13, 17\(2\)](#), **Sch. 3** repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), **Sch. 1, Pt. VIII**

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