



Agriculture Act 1947

1947 CHAPTER 48

PART V

ADMINISTRATIVE AND GENERAL.

Pest and weed control.

98 Prevention of damage by pests.

- (1) If it appears to the Minister that it is expedient so to do for the purpose of preventing damage to crops, pasture, animal or human foodstuffs, livestock, trees, hedges, banks or any works on land, he may by notice in writing served on any person having the right so to do require that person to take, within such time as may be specified in the notice, such steps (including such steps, if any, as may be so specified) as may be necessary for the killing, taking or destruction on land so specified of such animals or birds to which this section applies as may be so specified or the eggs of such birds.

- (2) A requirement shall not be imposed under the last foregoing subsection if apart from this subsection the killing, taking or destruction in question would be prohibited by law:

Provided that a requirement may be so imposed to kill or destroy game within the meaning of the Game Act, 1831, at a time of year at which apart from this proviso the killing or destruction would be prohibited by section three of that Act; and for the purposes of the last foregoing subsection a person shall not be deemed not to have the right to comply with a requirement falling within this proviso by reason only that apart from this proviso compliance therewith would be prohibited as aforesaid.

- (3) Section four of the Prevention of Damage by Rabbits Act, 1939 (which allows the use in rabbit holes of poisonous gas, and the placing in rabbit holes of substances generating poisonous gas by evaporation or in contact with moisture) shall apply to the use of such gas and the placing of such substances in any hole, burrow or earth for the purpose of killing animals to which this section applies.

Status: This is the original version (as it was originally enacted).

- (4) The animals to which this section applies are rabbits, hares and other rodents, deer, foxes and moles, and the birds to which this section applies are, in relation to any area, wild birds other than those specified in the Schedule to the Wild Birds Protection Act, 1880, as it applies in that area whether by virtue of the terms thereof or of any subsequent enactment or by virtue of an order of the Secretary of State; and this section shall apply to such other animals as may be prescribed:

Provided that regulations under this subsection may provide that for the purposes of subsection (3) of this section any such other animals specified in the regulations shall not be treated as animals to which this section applies.

- (5) The Minister may with the approval of the Treasury make contributions towards the expenses incurred by any body of persons in killing, taking or destroying animals or birds to which this section applies or the eggs of such birds.
- (6) Part I of the Prevention of Damage by Rabbits Act, 1939, shall cease to have effect.