



# Agriculture Act (Northern Ireland) 1949

## 1949 CHAPTER 2

### PART I

#### AGRICULTURAL ADMINISTRATION, EDUCATION AND DEVELOPMENT

*S.1 spent*

*Ss.2,3 rep. by 1972 c.15 (NI)*

#### AGRICULTURAL ADVISORY COMMITTEES

#### **4 Advisory committees.**

- (1) The Minister of Agriculture (in this Act referred to as “the Minister”)<sup>F1</sup> may from time to time as he may think necessary establish] a general agricultural advisory committee to advise him on the administration of this Act, together with such other agricultural advisory committees as the Minister may from time to time think necessary to advise him on such other matters, including agricultural education and the improvement of livestock, as he may think proper.
- (2) The Minister shall consult such organisation as appears to him to represent the interests of farmers before appointing the general agricultural advisory committee aforesaid, and shall appoint as members of other agricultural advisory committees such persons as appear to him, after consultation with such organisation and with the interests concerned, to be best qualified to advise on the matters to be referred to the committees.

**F1** 1984 NI 2

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*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act (Northern Ireland) 1949, PART I. (See end of Document for details)*

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## EDUCATION AND RESEARCH

### 5<sup>F2</sup> **Provision for education and instruction, scholarships and undertaking of research.**

[<sup>F3</sup>(1) The Department may provide, equip and maintain colleges and other institutions for the purpose of instructing persons in agriculture and related subjects.

(2) The Department may—

- (a) provide instruction in agriculture and related subjects;
- (b) arrange for the provision by others of such instruction;

and arrangements under paragraph (b) may include the provision by the Department of financial or other assistance.]

<sup>F4</sup>(2B) The Ministry may, with the approval of the Ministry of Finance, make schemes subject to negative resolution providing for the payment by the Ministry of sums by way of grant to or in respect of persons who participate in any course provided under [<sup>F5</sup>this section] or who provide such a course or other facilities.]

(3) The Ministry may, with the approval of the Ministry of Finance, make schemes providing for the payment by the Ministry of sums by way of scholarships for the purposes of enabling or assisting persons to secure instruction (whether at a school, college or other institution provided or maintained by the Ministry or at any university or other institution or selected farm or other establishment in Northern Ireland or elsewhere) or to undertake research in any subject or course of subjects specified in such schemes.

[<sup>F3</sup>(4) The Department may—

- (a) undertake research in agriculture and related subjects for such purposes as the Department thinks appropriate;
- (b) assist such research in any manner it thinks fit, including by the provision of financial assistance.]

[<sup>F3</sup>(5) In this section—

“financial assistance” means assistance by way of grants or loans on such conditions (including conditions as to repayment) as the Department may, with the approval of the Department of Finance and Personnel determine;

“related subjects” includes (in so far as they do not fall within the definition of agriculture)—

- (a) the manufacture, processing, packaging, marketing and supply of food;
- (b) veterinary science and the keeping and care of animals;
- (c) the use of equipment, technology and business practices in the carrying on of agricultural activities;
- (d) the protection of the natural rural environment;
- (e) rural development and enterprise;
- (f) [<sup>F6</sup>forestry within the meaning of the Forestry Act (Northern Ireland) 2010;]
- (g) fisheries;
- (h) any science or applied science relating to any of the above; and
- (i) any other subject appearing to the Department to conduce to a knowledge of the science and practice of agriculture.]

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- F2** 1964 c.13 (NI)
- F3** 2004 NI 23
- F4** 1970 c.20 (NI)
- F5** Words in s. 5(2B) substituted (1.8.2006) by [The Education \(Northern Ireland\) Order 2006 \(S.I.2006/1915 \(N.I.11\)\)](#), arts. 1(2), **42(2)**
- F6** S. 5(5): words in definition of "related subjects" substituted (13.9.2010) by [Forestry Act \(Northern Ireland\) 2010 \(c. 10\)](#), **ss. 38(1), 39(1)** (with s. 37); S.R. 2010/309, **art. 2**, Sch.

#### [<sup>F7</sup>5A Fees for instruction provided by the Department

- (1) The Department may, in accordance with regulations under this section, charge fees for or in connection with the provision by the Department under section 5 of any form of instruction.
- (2) The Department may by regulations make provision as to—
  - (a) the matters in respect of which fees are to be charged under this section;
  - (b) the amount of fees to be charged under this section in respect of any matter;
  - (c) the persons by whom such fees are payable;
  - (d) the time at which, and manner in which, such fees are payable;
  - (e) the reduction or remission of such fees in prescribed circumstances.]

- F7** S. 5A inserted (1.8.2006) by [The Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(2), **42(1)**

## AGRICULTURAL DEVELOPMENT

### 6 Grants for the improvement of land, etc.

- (1) The Ministry may, with the approval of the Ministry of Finance, make schemes providing for the payment, on such terms and subject to such conditions as are mentioned in the respective schemes, of grants to occupiers of agricultural land for all or any of the following purposes:—
  - (a) <sup>F8</sup> the improvement or reclamation of land used or to be used for agricultural purposes including the drainage of such land;
  - (b) the supply of water to agricultural land and agricultural buildings not being dwelling-houses and, where water of suitable purity for domestic use is available, to dwelling-houses occupied as farmhouses or by agricultural workers;
  - (c) the purchase and installation of machines for the generation of electricity for use in agricultural buildings and dwelling-houses on farms to which a supply of electricity is not, in the opinion of the Ministry, likely to be made available from a distributing main;
  - (d) the provision of proper means of access or egress to and from agricultural land, agricultural buildings or turf bogs;
  - (e) the construction or reconditioning of flax dams; or
  - (f) any other purpose (including the provision of agricultural buildings not being dwelling-houses) which the Ministry is satisfied will increase the fertility of

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any agricultural land or the productive capacity of any farm or is necessary for the more efficient working of any farm.

- (2)<sup>F9</sup> Any scheme made under this section, and any subsequent scheme amending a scheme so made, shall be laid before each House of Parliament, and if either House of Parliament within the next statutory period on which it has sat after the scheme is laid before it, resolves that the scheme shall be annulled, the scheme shall thereupon cease to have effect, but without prejudice to anything done thereunder or to the making of a new scheme.

<b>F8</b> <a href="#">1959 c.12</a> <b>F9</b> <a href="#">1979 NI 12</a>
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## 7      **Provision of goods and services.**

- (1) For the purpose of promoting efficiency in agriculture or of facilitating the production of food the Ministry may, with the approval of the Ministry of Finance, make goods and services (including advisory services) available to persons farming agricultural land or marketing or distributing agricultural produce and may with the like approval make advisory services available to other persons:

Provided that in making goods available under this section the Ministry shall as far as practicable use such normal trade facilities as appear to it to be appropriate.

*Para. (2) rep. by 1974 c. 39*

- (3) The Ministry may make such reasonable charges, if any, as it thinks fit in respect of goods or services made available by it under this section.
- (4) The Ministry may acquire by agreement any land necessary for the purposes of this section.

## 8<sup>F10</sup>      **Provision of machinery for agricultural drainage or reclamation work.**

Without prejudice to any of the powers conferred on it by the last preceding section, the Ministry may at the request of and by agreement with the occupier of any agricultural land carry out on that land such agricultural drainage or reclamation works by means of mechanical excavators or other machinery or apparatus as may be agreed upon, and may recover from such occupier the whole of the cost of carrying out of such works or such part of that cost as the Ministry of Finance may approve.

<b>F10</b> <a href="#">1973 NI 1</a>
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## 9      **Improvement of livestock and poultry.**

- (1) The Ministry may, with the approval of the Ministry of Finance, make schemes for aiding, improving and developing the breeding of horses, cattle, sheep, pigs and other livestock and poultry.
- (2) Without prejudice to the general powers of the Ministry under the preceding subsection any such scheme may provide for—
- (a) the purchase of animals for the purpose of improving breeds and the making of animals available for stud purposes;

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- (b) the hiring or hire-purchase of animals for stud purposes;
  - (c) the payment by the Ministry of premiums in respect of selected animals;
  - (d) the payment by the Ministry of grants in respect of the keep, carriage, insurance, and other expenses incurred in connection with selected animals; and
  - (e) the keeping of registers or other records in respect of specified animals or their progeny and the issue, on payment of such fees (if any) as may be specified in the scheme, of certified extracts from such registers or records.
- (3)<sup>F11</sup> Any scheme made under this section, and any subsequent scheme amending a scheme so made, shall be laid before each House of Parliament, and if either House of Parliament within the next statutory period on which it has sat after the scheme is laid before it, resolves that the scheme shall be annulled, the scheme shall thereupon cease to have effect, but without prejudice to anything done thereunder or to the making of a new scheme.
- <sup>F12</sup>(4) The Department may, and shall be deemed always to have had power to, impose such charges as it may, with the consent of the Department of Finance, determine in respect of applications made to it for assistance and of services rendered by it under this section.]

**F11** 1979 NI 12

**F12** 1977 NI 12

*S.10 rep. by 1958 c.13 (NI)*

## **11 Propagation of new kinds of plants and crops.**

- (1) The Ministry may either itself propagate or arrange for the propagation by other persons of new species or varieties of any plant or crop.
- (2) An arrangement made by the Ministry with any person for the propagation by that person of any species or variety of plant or crop may provide for the payment by the Ministry, on such terms and subject to such conditions as the Ministry, with the approval of the Ministry of Finance, may think fit, of the expenses incurred by that person in connection with the arrangement.

## **12 Miscellaneous grants for agricultural purposes.**

The Ministry may, with the approval of the Ministry of Finance, make grants on such terms and subject to such conditions and for such purposes as the Ministry thinks proper—

- (a) to any society established for the purpose of holding agricultural, horticultural, poultry, farm produce and industrial shows, displays or exhibitions, and such other shows, displays, exhibitions and competitions as the Ministry may from time to time determine; and
- (b) to any association, institution or club, not being an association, institution or club operated for profit, which has amongst its objects the development of agriculture, horticulture or apiculture or of any branch thereof or the welfare or training of farmers or agricultural workers or of women whose work is associated with farming activities.

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**13<sup>F13</sup> General provisions as to exercise of powers under this Part of this Act.**

- (1) The powers exercisable by the Ministry under or by virtue of any provision contained in this Part of this Act may be exercised in addition to any other power conferred on the Ministry under or by virtue of any other enactment.
- (2) Except in so far as this Part of this Act otherwise provides, any power conferred thereby may be exercised—
  - (a) either in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of case; and
  - (b) so as to make, as respects the cases in relation to which it is exercised—
    - (i) the full provision to which the power extends or any less provision (whether by way of exception or otherwise);
    - (ii) the same provision for all cases in relation to which the power is exercised or different provision for different cases or classes of case, or different provision as respects the same case or class of case for different purposes of this Act;
    - (iii) any such provision either unconditionally or subject to any specified condition.
- (3) Without prejudice to any specific provision in this Part of this Act, any scheme or arrangement made under this Part of this Act may contain such incidental or supplemental provisions as appear to the Ministry to be expedient for the purposes thereof.
- (4) Any scheme or arrangement made by the Ministry under and in accordance with any provision contained in this Part of this Act may be varied, modified or revoked by a subsequent scheme or arrangement (as the case may be) made in like manner.

**F13** 1954 c.31 (NI)

**Changes to legislation:**

There are currently no known outstanding effects for the Agriculture Act (Northern Ireland) 1949, PART I.