

Changes to legislation: Agriculture Act 1967 is up to date with all changes known to be in force on or before 17 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

^{F1}SCHEDULE 1

Textual Amendments

- F1** Sch. 1 repealed (1.4.2008) by [The Agriculture and Horticulture Development Board Order 2008 \(S.I. 2008/576\)](#), art. 1(3), **Sch. 5 para. 7** (with Sch. 4 para. 10)

^{F2}SCHEDULE 2

Section 9.

Textual Amendments

- F2** Sch. 2 repealed (1.4.2008) by [The Agriculture and Horticulture Development Board Order 2008 \(S.I. 2008/576\)](#), art. 1(3), **Sch. 5 para. 7** (with Sch. 4 para. 10)

SCHEDULE 3

Sections 26, 28, 29 and 48.

CONDITIONS APPLYING TO AMALGAMATED AGRICULTURAL UNITS

Duration of conditions, and incorporation in leases, tenancies, etc.

- 1 For a period of [^{F3}five years] from the time when the provisions of this Schedule first apply to a unit of land (but without prejudice to its application when its provisions come to apply to any part of that land on any other occasion) the conditions specified in this Schedule shall be observed as regards the unit and shall, so far as applicable, be deemed to be part of the terms of any lease, agreement for lease or tenancy of the unit of land, or any part of it, and shall be enforceable accordingly.

Textual Amendments

- F3** Words substituted retrospectively by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\)](#), s. 10(5)

Registration of conditions

- 2 [^{F4}(1) As respects a unit of land to which this Schedule applies, the conditions specified in this Schedule shall (notwithstanding section 2(a) or (b) of the ^{M1}Local Land Charges

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Act 1975) be a local land charge, and for the purposes of that Act the appropriate Minister or, where this Schedule is applied to the unit by a conveyance by a Rural Development Board, the relevant Rural Development Board shall be treated as the originating authority as respects such charge.]

(2) F5

[^{F6}(4) In the case of a unit of land in Scotland—

- (a) where the conditions specified in this Schedule first come to apply to the unit, the Secretary of State shall cause to be recorded in the General Register of Sasines a notice of that fact;
- (b) the said conditions shall not be enforceable against any third party who shall have in good faith and for value acquired right (whether completed by infetment or not) to his estate or interest in the unit prior to the said notice being recorded as aforesaid, or against any person deriving title from such a third party;
- (c) where the conditions or any of them cease to apply to the unit or part of the unit in pursuance of paragraph 6(1) or 7(8) of this Schedule, the Secretary of State shall cause to be recorded in the General Register of Sasines a notice stating that the conditions or condition no longer apply, or applies, to that unit of land or that part].

(5) The conditions applied to a unit of land under this Schedule shall be included among the matters which are required to be registered in the Statutory Charges Register in Northern Ireland . . . F7

Textual Amendments

- F4** Para. 2(1) substituted by [Local Land Charges Act 1975 \(c. 76\), Sch. 1](#)
- F5** Sch. 3 para. 2(2)(3) repealed by [Local Land Charges Act 1975 \(c. 76\), s. 19, Sch. 2](#)
- F6** Para. 2(4) substituted by [Agriculture Act 1970 \(c. 40\), s. 33\(1\)\(b\)](#)
- F7** Words repealed by [Land Registration Act \(Northern Ireland\) 1970 \(c. 18\), Sch. 14](#)

Marginal Citations

- M1** 1975 c. 76.

Condition restricting transfers without Minister's consent

- 3 (1) It shall be a condition that, except with the written consent of the appropriate Minister, no person shall transfer to any other a part only, or any estate or interest in a part only, of the land comprised in the unit.
- (2) References in this paragraph to the transfer of land, or of an estate or interest in land, include references to devolution on death or under the terms of a settlement and the High Court may, on the application of a person affected by this sub-paragraph, vary the way in which property is to devolve on a death or under a settlement so that there is no breach of the conditions specified in this paragraph but, subject to that, so that the persons interested in the unit of land, including those to whom property would devolve on the death or under the settlement, so far as required to surrender any interest in the unit of land, are compensated by receiving part of the proceeds of sale of the land or in any other way.
- (3) References in this paragraph to the transfer of land, or an estate or interest in land—

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- (a) include, subject to paragraph (b) below, references to transfer by way of the creation or assignment of a lease, agreement for a lease or tenancy, including in each case a sublease or sub-tenancy,
 - (b) do not include references to the granting or assignment of any right of occupation the grant of which is made (whether or not expressly to that effect) in contemplation of the use of the land only for grazing or mowing during some specified period of the year, and, without prejudice to the foregoing words, in Northern Ireland do not include references to the transfer or assignment of any rights arising by virtue of a conacre agreement,
 - (c) do not include references to any reconveyance or other transaction by way of discharge of a mortgage, heritable security or charge, or of the release or disburdening of any land from a mortgage, heritable security or charge.
- (4) The application of this paragraph to any transaction shall not invalidate that transaction, but this sub-paragraph shall not be taken as affecting the terms written into a lease, agreement or tenancy by paragraph 1 of this Schedule.

Condition restricting non-agricultural use without Minister's consent

- 4 It shall be a condition that, except with the written consent of the appropriate Minister, the whole of the unit of land shall at all times be used for agricultural purposes.

Condition requiring giving of information

- 5 It shall be a condition that the owner of the unit of land [^{F8}or any such other person having an estate or interest in the unit of land as may be agreed between the appropriate Minister, the owner and that other person] shall, on being required so to do by the appropriate Minister, certify that the conditions in paragraphs 3 and 4 above are being observed with respect to the unit of land, and any tenant of the unit of land shall, on being so required in writing by the owner, [^{F9}or, if the tenant has been informed of such an agreement as aforesaid, by the other person in question, furnish to the owner or, as the case may be, to that other person] such information as he may reasonably require for the purpose of enabling him to comply with this condition.

Textual Amendments

- F8** Words inserted by [Agriculture Act 1970 \(c. 40\), s. 33\(1\)\(c\)](#)
F9 Words substituted by [Agriculture Act 1970 \(c. 40\), s. 33\(1\)\(c\)](#)

Powers of Minister on giving consent

- 6 (1) The appropriate Minister—
- (a) may, when giving his consent under paragraph 3 or paragraph 4 above, direct that the conditions, or any of them, specified in this Schedule shall cease to be applicable to the unit of land, or to any part thereof specified in the direction, or
 - (b) may give his consent under either of those paragraphs subject to the condition that this Schedule shall apply to such different unit of land as may be specified in the condition,

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but shall, before exercising the power conferred on him by paragraph (b) of this sub-paragraph first satisfy himself that all persons who will have an estate or interest in the unit of land to which this Schedule is so applied are parties to the application for consent.

- (2) The appropriate Minister may give his consent under either of those paragraphs subject to payment to him of all or any part of the amount which would be payable under paragraph 7(1)(a) below on a breach of the condition to which the application relates by the applicant.

Breach of condition

- 7 (1) A person by whom the condition specified in paragraph 3 or paragraph 4 above is breached as respects any unit of land shall be liable to pay to the appropriate Minister—
- (a) an amount equal to the relevant Exchequer payments, together (except in the case of relevant Exchequer payments representing a loan or interest on a loan) with interest until payment from such date, not being earlier than the relevant date, and at such rate, as may be determined by the appropriate Minister with the approval of the Treasury, and
 - (b) subject to sub-paragraph (2) below, an additional amount equal to so much of the value of the unit, when subject to the conditions imposed by this Schedule, as is attributable to the land which is the subject of the breach,
- and the amount which that person is liable to pay under this sub-paragraph shall be a charge on all the estate and interest in the land comprised in the unit which he had at the time of the breach, binding him and his successors in title.
- (2) The additional amount payable by virtue of sub-paragraph (1)(b) above shall ^[F10]not exceed £1500]
- (3) Before commencing proceedings against any person to enforce the liability imposed on him by, or the charge arising under, sub-paragraph (1) above, the appropriate Minister shall serve on him a notice specifying the condition alleged to have been breached and, if it is the condition relating to use, the nature of the use constituting the breach; and, unless within two months of the service of the notice that person has—
- (a) admitted in writing the breach and his liability in respect thereof or, as the case may be, the breach and the existence of the charge, and
 - (b) agreed in writing the amount recoverable by virtue of paragraph (b) of that sub-paragraph,
- the matter or matters still in issue shall be determined by arbitration.
- (4) ^[F11]Section 84 of the Agricultural Holdings Act 1986] (procedure for arbitrations) shall have effect as if any such matter were one required by that Act to be determined by arbitration under that Act.
- (5) ^[F12]sections 61 and 64 of the Agricultural Holdings (Scotland) Act 1991] (provisions regarding arbitrations) shall have effect as if any question in sub-paragraph (3) above were a matter required by that Act to be determined thereunder; and ^[F12]sections 60(2) and 80(2)] of that Act shall have effect as if the parties to the dispute were the landlord and tenant of an agricultural holding.
- (6) For the purposes of ^[F13]the ^{M2}Limitation Act 1980], no cause of action or right to receive money shall be deemed to have accrued to the appropriate Minister by virtue

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of sub-paragraph (1) above until the date on which he served the notice referred to in sub-paragraph (3) above.

- (7) If a breach of either of the said conditions constitutes a breach of the terms of any lease, agreement for a lease or tenancy (whether written in by paragraph 1 of this Schedule or not) any person who is or was at any time entitled under the lease, agreement or tenancy to enforce those terms, or to exercise by forfeiture or otherwise any sanction for their breach, shall be liable to pay to the appropriate Minister the amounts specified in sub-paragraph (1) above so far as not recovered from any other person unless he shows to the satisfaction of the court in which proceedings for recovery are taken against him that he has, in exercise of those rights, taken all reasonable steps to prevent the breach, and to make good the results of the breach.
- (8) On the receipt by the appropriate Minister of all sums due to him under this paragraph in consequence of a breach or, if he accepts a lesser amount in satisfaction of those sums, on the giving by him of a written discharge therefor, the conditions specified in this Schedule, so far as applied by reference to the relevant Exchequer payments taken into account in arriving at those sums or by reason of the making of any grant under section 27(1)(a) of this Act, shall cease to be applicable to the unit of land.
- (9) A person shall not be liable to pay any part of the relevant Exchequer payments both under this Schedule and under some other provision of this Act, or where he has already become so liable by reason of a previous breach of condition.

Textual Amendments

- F10** Words substituted by [Agriculture Act 1970 \(c. 40\), s. 33\(1\)\(d\)](#)
- F11** Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\), ss. 99, 100, Sch. 13 para. 3, Sch. 14 para. 42](#)
- F12** Words in [Sch. 3, para. 7\(5\)](#) substituted (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\), ss. 88\(1\), 89\(2\), Sch. 11, para. 31\(a\)\(b\)](#)
- F13** Words substituted by [Limitation Act 1980 \(c. 58\), Sch. 3 para. 7](#)

Marginal Citations

- M2** [1980 c. 58.](#)

- 8 If the appropriate Minister is satisfied that a breach of any of the conditions specified in paragraph 3 or 4 above is capable of being remedied he may, subject to any conditions he may impose, direct that the operation of the last foregoing paragraphs shall in relation to the breach be suspended for such period as appears to him to be necessary for enabling the breach to be remedied, and if the breach is remedied to his satisfaction within that period he shall direct that the last foregoing paragraph shall not apply to the breach.

Supplementary

- 9 In this Schedule “owner”, in relation to any land other than in Scotland, means a person, other than a mortgagee not in possession, who is entitled to receive the rack rent of the land or, where the land is not let at a rack rent, would be so entitled if it were so let; and in relation to any land in Scotland, means a person who for the time being is entitled to receive, or would, if the land were let, be entitled to receive, the rent of the land, including a trustee, tutor, curator, factor or agent.

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- 10 In relation to land which is subject to the provisions of the ^{M3}Crofters (Scotland) Acts 1955 and ^{M4}1961, or of the Small Landholders (Scotland) Acts 1886 to 1931, “agricultural purposes” shall, for the purposes of this Schedule, include any subsidiary or auxiliary occupation permitted by paragraph 3 of Schedule 2 to the Crofters (Scotland) Act 1955 or by section 10 of the ^{M5}Small Landholders (Scotland) Act 1911 as the case may be.

Marginal Citations

- M3** 1955 c. 21.
M4 1961 c. 58.
M5 1911 c. 49.

- 11 In relation to Scotland, any reference in this Schedule to the High Court shall be construed as a reference to the Court of Session; and in paragraph 7(1) for the words from “and the amount” to the end of the sub-paragraph there shall be substituted the words “and the appropriate Minister may make an order in favour of himself providing and declaring that the land comprised in the unit shall be charged and burdened with an annuity to pay the amount which that person is liable to pay under this sub-paragraph, and the provisions of section 16 of and paragraphs 2 to 8 of Schedule 6 to the ^{M6}Building (Scotland) Act 1959 shall apply in relation to any such order as they apply in relation to a charging order within the meaning of that Schedule.”

Marginal Citations

- M6** 1959 c. 24.

- 12 In relation to Northern Ireland—
- (a) any reference in this Schedule to the High Court shall be construed as a reference to the High Court of Justice in Northern Ireland;
 - (b) in paragraph 7(3) above, for the words “determined by arbitration” there shall be substituted the words “referred to and determined by the Lands Tribunal for Northern Ireland”;
 - (c) paragraph 7(4) and (5) above shall be omitted;
 - (d) for any reference to the ^{M7}Limitation Act 1939 there shall be substituted a reference to the [^{F14}Limitation (Northern Ireland) Order 1989].

Textual Amendments

- F14** Words substituted by S.I. 1989/1339 (N.I. 11), s. 76, Sch. 2 paras. 1, 6, 7, **Sch. 3 para. 3**

Marginal Citations

- M7** 1939 c. 21.

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F15F15 SCHEDULE 4

Textual Amendments

F15 Sch. 4 repealed by Agriculture Act 1970 (c. 40), ss. 29(6)(7), 113(3), Sch. 5 Pt. I

F15

SCHEDULE 5

Section 45.

RURAL DEVELOPMENT BOARDS

PART I

PROCEDURE FOR ESTABLISHING A BOARD

Order establishing a Board

Procedure for making order

- 2 (1) The appropriate Minister shall, after consultation with such local authorities and other public bodies as appear to him to have an interest in the matter, publish notice of his proposals to establish a Rural Development Board, and of the Board's proposed area, in two successive weeks in one or more local newspapers circulating in that area.
- (2) The notice shall—
 - (a) name one or more places in or near the proposed area where copies of a draft of the order (including the map) may be inspected,
 - (b) describe, with such degree of detail as is reasonable in a notice published in a newspaper, the boundaries of the proposed area, and
 - (c) draw attention to the provisions of this Schedule authorising the making of objections, and specify the time (not being less than twenty-eight days from the first publication of the notice) within which and the manner in which objections can be made.
- 3 The grounds on which an objection may be made shall be—
 - (a) that a proposed boundary ought to be altered so as to exclude part of the proposed area on the ground that there are no problems or needs of the kind described in section 45 of this Act in that part of the area, and that there are no other considerations which justify the inclusion of that part,
 - (b) that a proposed boundary ought to be altered by including an additional area on the ground that there are in it problems or needs of the kind described in section 45 of this Act, or that there are other considerations which justify the inclusion of that additional area,

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- (c) that a proposed boundary ought to be altered (whether bringing land in or taking it out or both) so as better to conform to natural conformations, features and boundaries,
 - (d) that land within the proposed area and contiguous to a proposed boundary of that area ought to be excluded because not forming a natural part of a tract of agricultural or forestry land or of land suitable for agricultural or forestry purposes, or that land outside the proposed area and contiguous to a proposed boundary of the area ought to be included for the converse reasons,
 - (e) that a proposed boundary divides an agricultural unit or other land in one ownership or one occupation,
 - (f) that a proposed boundary should be adjusted so that land over which access is required to land included in the proposed area is also within the proposed area.
- 4 (1) If no objection is duly made or if all objections so made are withdrawn, the appropriate Minister may make the proposed order in the form proposed.
- (2) If any objection duly made is not withdrawn the Minister shall either cause a public local inquiry to be held or afford to any person by whom any objection has been duly made and not withdrawn an opportunity of appearing before and being heard by a person appointed by the appropriate Minister for the purpose.
- (3) If any person by whom an objection has been made avails himself of the opportunity of being heard the appropriate Minister shall afford to any other persons to whom it appears to him expedient to afford it an opportunity of being heard on the same occasion.
- (4) After considering any objections duly made and not withdrawn, and the report of the person who held the inquiry or hearing under this paragraph, the appropriate Minister may proceed to make the proposed order and, subject to the following provisions of this paragraph, may make it with such modifications as appear to him expedient.
- (5) Except where the appropriate Minister is satisfied that on the inquiry or hearing all persons who might reasonably be expected to require an opportunity of making an objection to the modification have had sufficient notice of the possibility of the modification being made, and of objecting to it, the appropriate Minister shall not make the order with the modification until he has taken such steps as appear to him appropriate for bringing the modification to the notice of those persons and affording them an opportunity of making the objections, and appearing at a local inquiry or hearing, which they would have had if the original proposal had incorporated the modification.
- (6) The decision of the appropriate Minister on the question whether an objection falls within paragraph 3 of this Schedule shall be conclusive but he shall give a written notice to the objector of any adverse decision stating the reasons for his decision.
- 5 As soon as may be after the appropriate Minister has made the order the appropriate Minister shall publish in one or more local newspapers circulating in or near the area specified in the order a notice describing the area, stating that the order has been made and naming a place where a copy of the order (including the map) may be inspected at all reasonable hours.

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Orders varying Board's area or dissolving a Board

- 6 (1) The appropriate Minister may by order by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament—
- (a) vary a Board's area, or
 - (b) dissolve a Board.
- (2) Before making an order under sub-paragraph (1)(a) above the Minister shall comply with the procedure in paragraphs 2 to 5 above, but as if in paragraphs 2 and 3 for references to the proposed boundary of the area there were substituted references to the parts of the boundary as proposed to be altered, and with any other necessary modifications.
- (3) An order under sub-paragraph (1)(b) above may contain such consequential and incidental provisions as appear to the Minister expedient, including provisions for the disposal of the property of the dissolved Board, and transitional provisions in respect of anything done by the Board before its dissolution.
- [^{F16}6A (1) Part IV of the Acquisition of Land Act 1981 shall with the necessary modifications (and in particular with the substitution for references to that Act of references to this Act) apply in relation to an order made under this Schedule as the said Part IV applies in relation to compulsory purchase orders.
- (2) Section 6 of the Acquisition of Land Act 1981 shall apply in relation to notices required or authorised to be served by the appropriate Minister under this Schedule with the appropriate modifications, and in particular with the substitution of the appropriate Minister for the Minister mentioned in the said section 6(4).
- (3) Subsections (2) to (5) of section 250 of the Local Government Act 1972 shall apply to a public local inquiry held in pursuance of this Schedule as if the Minister there mentioned were the appropriate Minister]

Textual Amendments

F16 Sch. 5 Pt. I para. 6A inserted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34, Sch. 4 para. 15(3)

Supplemental

- 7 (1) Paragraphs 15 and 16 of Schedule 1 to the [^{F17}M⁸Acquisition of Land (Authorisation Procedure) Act 1946 or, as the case may be], to the ^{M9}Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (validity of compulsory purchase orders) shall with the necessary modifications (and in particular with the substitution for references to that Act and that Schedule, other than references to particular provisions of that Act or Schedule, of references to this Act and this Schedule) apply in relation to an order made under this Schedule as they apply in relation to compulsory purchase orders.
- [^{F18}(2) Paragraph 19 of the said Schedule shall apply in relation to notices required or authorised to be served by the appropriate Minister under this Schedule with the necessary modifications, and in particular with the substitution of the appropriate Minister for the Minister mentioned in the said paragraph 19(4).]
- (3) [^{F19}[^{F20}Subsections (2) to (5) of section 250 of the ^{M10}Local Government Act 1972] (giving of evidence and costs in public local inquiries)], and [^{F21}subsections (4) to

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(8) of section 210 of the ^{M11}Local Government (Scotland) Act 1973] (provisions as to local inquiries) shall apply to a public local inquiry held in pursuance of this Schedule, as if the Minister there mentioned were the appropriate Minister.

Textual Amendments

- F17** Words repealed (E.W.) by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34, **Sch. 6 Pt. I**
F18 Sch. 5 Pt. I para. 7(2) repealed (E.W.) by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34, **Sch. 6 Pt. I**
F19 Words repealed (E.W.) by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34, **Sch. 6 Pt. I**
F20 Words substituted by virtue of Local Government Act 1972 (c. 70), s. 272(2)
F21 Words substituted by virtue of Local Government (Scotland) Act 1973 (c. 65), s. 237(2)

Marginal Citations

- M8** 1946 c. 49.
M9 1947 c. 42.
M10 1972 c. 70.
M11 1973 c. 65.

PART II

CONSTITUTION AND PROCEDURE OF BOARDS

- 1 (1) A Rural Development Board shall consist of not less than six nor more than twelve members appointed by the appropriate Minister of whom more than half shall be appointed as having had experience of, and shown capacity in, or otherwise as having special knowledge of, agriculture or forestry.
- (2) The Board shall have a chairman and deputy chairman appointed by the appropriate Minister from among the members of the Board.
- (3) The Board shall pay to the members of the Board such travelling or other allowances as the appropriate Minister, with the approval of [^{F22}the Minister for the Civil Service], may determine, and in the case of any member of the Board as respects whom the appropriate Minister, with the approval of [^{F22}The Minister for the Civil Service], so determines—
- (a) may pay such remuneration, whether by way of salary or fees, as the appropriate Minister and the Treasury may determine in his case, and
 - (b) may pay such pension, or make such payments towards the provision of a pension, to or in respect of him as the appropriate Minister and [^{F22}the Minister for the Civil Service] may determine in his case,
- and if a person ceases to be a member of a Board and it appears to the appropriate Minister that there are special circumstances which make it right that that person should receive compensation, the Board may, with the approval of [^{F22}the Minister for the Civil Service], pay to that person a sum of such amount as the appropriate Minister may with the approval of the Treasury determine.

Textual Amendments

- F22** Words substituted by virtue of S.I. 1968/1656, art. 2(1)(e), 3(2)

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- 2 A Board shall be a body corporate with perpetual succession and a common seal.
- 3 (1) It shall be within the capacity of a Board as a statutory corporation to do such things and to enter into such transactions as are incidental or conducive to the performance of any of its functions, but they shall not borrow money without the appropriate Minister's written consent.
- (2) Without prejudice to the generality of sub-paragraph (1) above, where in the performance of any of their functions a Board render any services to any person they may make such charges in respect of those services as may be agreed between a Board and that person.
- 4 The validity of any proceedings of a Board shall not be affected by any vacancy among the members of a Board or by any defect in the appointment or any disqualification of any of the members of a Board.
- 5 (1) Subject to the following provisions of this paragraph, a member of a Board and the chairman and deputy chairman shall hold and vacate office as such in accordance with the terms of his appointment, and previous tenure of any such office shall not affect eligibility for re-appointment.
- (2) If the chairman or deputy chairman ceases to be a member of a Board, he shall also cease to be chairman or deputy chairman.
- (3) A member of a Board may at any time, by notice in writing addressed to the appropriate Minister, resign his membership, and the chairman or deputy chairman may, by the like notice, resign his office as such.
- 6 If the appropriate Minister is satisfied that a member of a Board—
- (a) has become bankrupt or^{F23}has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986) or has] made an arrangement with his creditors;
 - (b) is incapacitated by reason of physical or mental illness;
 - (c) has been absent from meetings of the Board for a period longer than three consecutive months without the permission of the Board; or
 - (d) is otherwise unable or unfit to discharge the functions of a member, or is unsuitable to continue as a member,
- the appropriate Minister shall have power to remove him from his office as a member of that Board.

Textual Amendments

F23 Words in Sch. 5 Pt. 2 para 6(a) inserted (1.10.2012) by [S.I. 2012/2404](#), [Sch. 2 para. 3](#)

- 7 (1) If a member of a Board has any pecuniary interest, direct or indirect, in any contract or proposed contract or other matter, and is present at a meeting of that Board at which the contract or other matter is the subject of consideration, he shall disclose the fact as soon as practicable after the commencement of the meeting, and shall not take part in the consideration or discussion of, or vote on, any question with respect to the contract or other matter, but he may nevertheless be taken into account for the purpose of constituting a quorum of that Board for any such consideration of, or decision on, the contract or other matter:

Provided that this sub-paragraph shall not apply to any interest which a member may have—

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- (a) as an inhabitant of the Board's area, or the owner of an estate or interest in land in that area, or
- (b) as an applicant or prospective applicant for any consent, licence, grant or loan,

being an interest which he has in common with all other such inhabitants, owners, applicants or prospective applicants, or with any class thereof; and provided also that the chairman at any meeting, may, at his discretion, permit a member to take part in the consideration or discussion of any question (but not to vote thereon) notwithstanding that the member has an interest to which this sub-paragraph applies, but subject to such restrictions as the chairman may think it right to impose.

- (2) A general notice given in writing by a member of a Board to the officer designated by that Board for the purpose to the effect that he is a member or in the employment of a specified company or other body, or that he is a partner or in the employment of a specified person, shall, unless and until the notice is withdrawn, be deemed to be a sufficient disclosure of his interest in any contract, proposed contract or other matter relating to that company or other body or to that person which may be the subject of consideration after the date of the notice.
 - (3) Any disclosure made under sub-paragraph (1) of this paragraph shall be recorded in the minutes of the meeting at which it is made; and any notice given under sub-paragraph (2) thereof shall be recorded in a book to be kept for the purpose.
- 8 (1) In the case of an equality of votes at any meeting of a Board, the person who is chairman at that meeting shall have a second or casting vote.
- (2) A Board's quorum shall be three or such larger number as they may determine, and subject to the foregoing provisions of this Schedule a Board may determine their own procedure, and the procedure of their committees.
- 9 (1) A Board may appoint such officers and servants as the Board may determine.
- (2) A Board shall—
 - (a) pay to their officers and servants such remuneration and such travelling or other allowances as they may with the approval of the appropriate Minister and [^{F24}the Minister for the Civil Service] determine; and
 - (b) as to any officers or servants in whose case the Board may determine to do so, pay to or in respect of them such pensions, or provide and maintain for them such pensions schemes, as the Board may with the consent of the appropriate Minister and [^{F24}the Minister for the Civil Service] determine.

Textual Amendments

F24 Words substituted by virtue of S.I. 1968/1656, art. 2(1)(e), 3(2)

- 10 The application of the seal of a Board to any document shall be authenticated by the signature of a member of the Board or of the person for the time being acting as secretary of the Board.
- 11 A Board's office shall be in its area or where it is conveniently accessible from places in its area.

Changes to legislation: Agriculture Act 1967 is up to date with all changes known to be in force on or before 17 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 6

F25

Textual Amendments

F25 Sch. 6 repealed by Agricultural Marketing Act 1983 (c. 3, SIF 2:10), s. 9, **Sch. 3**

SCHEDULE 7

Section 75.

REPEALS

Modifications etc. (not altering text)

C1 The text of Sch. 7 is in the form in which it was originally enacted: it was not reproduced in full in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 6. c. 73.	The Hill Farming Act 1946.	In section 13(2) the words from “and, for the purposes” to the end of the subsection.
14 Geo. 6. c. 36.	The Diseases of Animals Act 1950.	Section 46.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 62.	The Agriculture (Calf Subsidies) Act 1952.	In section 1(1)(a) the words “within the period specified in the scheme.” The word “and” at the end of section 1(1)(b) and section 1(1)(c). In section 1(4)(c) the words from “and in the case” to the end of the paragraph. Sections 2 and 3. In section 4(1) the words “or order under section two thereof” and the words “or order”, and in section 4(2) the words from “or any limit” to “of this Act” and the words “or order”.
5 & 6 Eliz. 2. c. 20.	The House of Commons Disqualification Act 1957.	In Part II of Schedule 1, the words “The Pig Industry Development Authority”.

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5 & 6 Eliz. 2. c. 57.	The Agriculture Act 1957.	Part II. Part III. Section 34. Schedules 2 and 3.
7 & 8 Eliz. 2. c. 2.	The Agricultural Mortgage Corporation Act 1958.	Section 1(a).
8 & 9 Eliz. 2. c. 22.	The Horticulture Act 1960.	Section 1(2) and in section 1(5) the words “or (2)”. Section 4.
1963 c. 11.	The Agriculture (Miscellaneous Provisions) Act 1963.	Sections 2 and 3. Sections 6 and 7. In section 9(1) the words from “or for the formation” to the end of the subsection.
1964 c. 28.	The Agriculture and Horticulture Act 1964.	Sections 4, 5 and 6. Section 9(2)(3).

The repeals of the ^{M12}Agriculture (Calf Subsidies) Act 1952 take effect on the date mentioned in section 11(6) of this Act.

Marginal Citations

M12 [1952 c. 62.](#)

The repeals of section 12 in Part II of the ^{M13}Agriculture Act 1957 and the other provisions of that Act so far as they relate to section 12 do not have effect as respects improvements proposed in an application made before the passing of this Act or as respects improvements proposed in an application for which the appropriate Minister gives a direction under section 30(8) of this Act.

Marginal Citations

M13 [1957 c. 57.](#)

The repeals of section 16 and 17 in Part II of the ^{M14}Agriculture Act 1957 do not affect grant in respect of a transaction proposed in an application made under the said section 16 before the coming into force of the first scheme made under section 26 of this Act.

Marginal Citations

M14 [1957 c. 57.](#)

Changes to legislation: Agriculture Act 1967 is up to date with all changes known to be in force on or before 17 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

The repeals of Part III, section 34 and Schedule 3 of the ^{M15}Agriculture Act 1957, and in the House of Commons Disqualification Act 1957, take effect on the coming into force of an order under this Act dissolving the Pig Industry Development Authority.

Marginal Citations

M15 1957 c. 20.

The repeals of the ^{M16}Horticulture Act 1960, of sections 6, 7 and 9 of the ^{M17}Agriculture (Miscellaneous Provisions) Act 1963 and of sections 4, 5 and 6 of the ^{M18}Agriculture and Horticulture Act 1964 take effect in accordance with any order made under section 61(8) of this Act.

Marginal Citations

M16 1960 c. 22.

M17 1963 c. 11.

M18 1964 c. 28.

Changes to legislation:

Agriculture Act 1967 is up to date with all changes known to be in force on or before 17 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 6(4) words substituted by [2003 c. 44 Sch. 26 para. 19\(2\)](#)
- s. 6(9) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- s. 9(10) words substituted by [2003 c. 44 Sch. 27 para. 2\(2\)](#)
- s. 14(2) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- s. 19(3) words substituted by [S.I. 2008/948 Sch. 1 para. 1\(h\)](#)
- s. 21(11) words substituted by [2003 c. 44 Sch. 26 para. 19\(3\)](#)
- s. 69 words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 9(10A) inserted by [2003 c. 44 Sch. 27 para. 2\(3\)](#)