



# Ministry of Agriculture and Fisheries Act 1919

## 1919 CHAPTER 91

An Act to provide for the constitution of a Ministry of Agriculture and Fisheries and of Councils and Committees in connection with agriculture, and to amend the Board of Agriculture and Fisheries Acts, 1889 to 1909. [23rd December 1919.]

BE IT ENACTED by the King'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:

### PART I

#### CONSTITUTION OF MINISTRY OF AGRICULTURE AND FISHERIES

#### **1 Substitution of Ministry of Agriculture and Fisheries for Board of Agriculture and Fisheries**

- (1) It shall be lawful for His Majesty to appoint a Minister of Agriculture and Fisheries who shall hold office during His Majesty's pleasure, and from and after the date of the first appointment any reference in any Act or document to the Board of Agriculture and Fisheries, or to the President of that Board, shall be construed as a reference to the Minister or the Ministry of Agriculture and Fisheries, as the context may require.
- (2) For the purpose of acquiring and holding land or other property the Minister for the time being shall be a corporation sole by the name of the Minister of Agriculture and Fisheries, and all property transferred to the Minister by this Act or otherwise vested in the Minister shall (except where and to such extent as the property is held on other trusts) be held in trust for His Majesty for the purposes of the Ministry of Agriculture and Fisheries.

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- (3) Upon and by virtue of the appointment of any person to be Minister the benefit of all deeds, contracts, bonds, securities, or things in action vested in his predecessor at the time of his predecessor ceasing to hold office shall be transferred to and vested in and enure for the benefit of the person so appointed, in the same manner as if he had been contracted with instead of his predecessor, and as if his name had been inserted in all such deeds, contracts, bonds, or securities instead of the name of his predecessor. For the purposes of this provision, the Board shall be deemed to be the predecessor of the person first appointed to be the Minister.
- (4) Section one of the Board of Agriculture Act 1889, is hereby repealed.

## PART II

### COUNCILS AND ADVISORY COMMITTEES FOR ENGLAND AND WALES

#### 2 Constitution of councils and committees

- (1) For the purpose of assisting the Board of Agriculture and Fisheries (in this Act referred to as the Board) in executing their powers and duties, there shall be established—
- (a) a Council of Agriculture for England ;
  - (b) a Council of Agriculture for Wales ;
  - (c) an Agriculture Advisory Committee for England and Wales.
- (2) The Council of Agriculture for England and the Council of Agriculture for Wales may from time to time by agreement act together as one Council.
- (3) The various councils and committees above referred to shall be constituted as provided by the First Schedule to this Act.

#### 3 Duties of Councils of Agriculture

Each Council of Agriculture shall meet at least twice a year for the purpose of discussing matters of public interest relating to agriculture or other rural industries, and such meetings shall be held in public.

#### 4 Duties and powers of Agricultural Advisory Committee

The Agricultural Advisory Committee shall advise the Board with respect to all matters and questions submitted to them in relation to the exercise by the Board of any powers or duties which do not relate to the industry of fishing, and shall be at liberty to make recommendations to the Board in relation to other matters affecting agriculture or other rural industries.

#### 5 Supplementary provisions as to councils and committees

- (1) The Board may make general regulations for regulating the proceedings for the appointment of the members of each council and committee established by this Part of this Act, and the number of meetings and the mode of convening them and the proceedings and quorum of each council and committee, and the appointing body, council, or committee shall act in accordance with those regulations.

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- (2) The President of the Board, or, in his absence, the parliamentary secretary of the Board, shall be entitled to attend any meeting of the advisory committee established by this Part of this Act and to act as chairman of the meeting, but shall not vote at any meeting of the committee.
- (3) The Board may require any of their officers to act as secretary or other officer of a council or committee established by this Part of this Act.
- (4) Any regulation made under this Act shall be laid before both Houses of Parliament forthwith; and if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-eight days on which that House has sat after any such regulation is laid before it praying that the regulation may be annulled, it shall henceforth be void, but without prejudice to the validity of anything previously done thereunder or the making of a new regulation.
- (5) The expenses of any council or committee established by this Part of this Act shall, to such extent as may be sanctioned by the Board, with the consent of the Treasury, be defrayed by the Board out of moneys provided by Parliament; and such expenses may include such sums as the Board think reasonable for the travelling expenses and subsistence allowance of the members of the council or committee.

## **6 Provision as to Monmouthshire**

For the purposes of this Act, Monmouthshire shall be included in Wales and not in England.

## **PART III**

### **COUNTY AGRICULTURAL COMMITTEES**

## **7 Constitution of committees**

- (1) The council of every county (other than the London County Council) shall, and the London County Council and the council of any county borough may, establish an agricultural committee constituted in accordance with a scheme made by the council and approved by the Board. A committee may consist partly of persons who are not members of the council.
- (2) All matters relating to the exercise by the council of their powers under any Act specified in the Second Schedule to this Act, and all other matters relating to agriculture, except such matters as under the Education Act, 1902, stand referred to the education committee, and, except the raising of a rate or borrowing, shall stand referred to the agricultural committee, and the council, before exercising their powers in relation to any matter so referred, shall, unless in their opinion the matter is urgent, receive and consider the report of the agricultural committee with respect to the matter in question :

Provided that—

- (i) on the application of the council the Board, after consultation with the Board of Education, may by order direct that any matter specified in the order and relating to agricultural education which but for this provision would stand

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- referred to the education committee shall stand referred to the agricultural committee ; and
- (ii) if the London County Council or the council of a county borough so resolve matters relating to any of their powers under any Act specified in the said schedule shall not stand so referred to the agricultural committee.
- (3) The council may delegate to the agricultural committee with or without any restrictions or conditions any of their powers in relation to matters which by virtue of this section stand referred to the committee, and, if so provided by the scheme, any powers so delegated may in like manner be delegated by the agricultural committee to a sub-committee. A sub-committee may consist partly of persons who are not members of the council or of the agricultural committee.
- (4) Every scheme under this section shall provide—
- (a) for the appointment by the council of at least a majority of the agricultural committee, and the persons so appointed shall be persons who are members of the council, unless, in the case of a county, the council otherwise determine ;
  - (b) for the appointment by the Board of not more than one third of the members of the agricultural committee, and of any sub-committee to which powers of the agricultural committee are delegated ;
  - (c) for the inclusion of women as well as men among the members of the agricultural committee ;
  - (d) for the appointment, in the case of the council of every county (other than the London County Council), of such persons only as have practical, commercial, technical, or scientific knowledge of agriculture or an interest in agricultural land.
- (5) Any scheme under this section may provide for the payment as part of the. expenses of the agricultural committee of travelling expenses and subsistence allowance of members of the committee or of any sub-committee of the committee.
- (6) Any scheme under this section may, for all or any of the purposes of this section, provide for a joint agricultural committee for any area formed by a combination of counties or county boroughs or parts thereof.
- (7) If a scheme under this section has not been made by a council of a county (other than the London County Council) and approved by the Board within six months after the passing of this Act, the Board may, after consultation with the council, make a scheme for the purposes for which a scheme might have been made by the council.

## **8 Additional powers of committees**

- (1) The Board may authorise, subject to any restrictions or conditions they think fit, an agricultural committee or a sub-committee thereof to exercise on behalf of the Board any of the powers of the Board -under the provisions of Part IV. of the Corn Production Act, 1917, or Part II. of the Land Drainage Act, 1918, notwithstanding that the committee or subcommittee is not constituted in accordance with those provisions, or any powers of the Board in relation to land acquired by them under the Small Holding Colonies Acts, 1916 and 1918.
- (2) The agricultural committee shall appoint a small holdings and allotments sub-committee and a diseases of animals subcommittee, who shall respectively act as the small holdings and allotments committee required to be established under section fifty of the Small Holdings and Allotments Act, 1908, and as the executive committee

appointed under the Diseases of Animals Act, 1894, though the sub-committee may not be constituted in accordance with the provisions of those Acts. Any power of the county council or borough council exercisable under the Small Holdings and Allotments Act, 1908, or any Act amending the same (except the power to raise a rate or loan) shall be exercisable by the sub-committee so appointed until the thirty-first day of March nineteen hundred and twenty-six, notwithstanding that the exercise of such power has not been delegated to the sub-committee under the preceding section.

- (3) The small holdings and allotments sub-committee shall comprise one or more members as representing tenants of small holdings and allotments.
- (4) A county agricultural committee (other than an agricultural committee for the administrative county of London) shall make such inquiries as appear to them to be desirable with a view to formulating schemes for the development of rural industries and social life in rural places, and for the co-ordination of action by local authorities and other bodies by which such development may be effected, and shall report the result of such inquiries to the Board and to any local authority or body concerned, and the expenses incurred by the committee under this subsection to such amount as may be sanctioned by the Board with the approval of the Treasury shall be defrayed by the Board.

## **9 Audit of accounts**

- (1) The accounts of an agricultural committee and of their officers shall be audited as part of the accounts of the council by whom the committee is established.
- (2) Where a joint agricultural committee is formed for an area, including a county or any part of a county, the accounts of the joint committee and of their officers shall be audited as if the joint committee were a county council, and the enactments relating to the audit of accounts of county councils shall apply accordingly.
- (3) The accounts of any sub-committee of an agricultural committee or joint agricultural committee to which this section applies shall be deemed to be accounts of the agricultural committee or joint agricultural committee.

## **10 Interpretation**

In this Act the expression " agriculture" includes horticulture and forestry, and the expression " rural industries " means local industries connected with agriculture.

# **PART IV**

## **GENERAL**

## **11 Short title and extent**

- (1) This Act may be cited as the Ministry of Agriculture and Fisheries Act, 1919, and the Board of Agriculture and Fisheries Acts, 1889 to 1909, and this Act may be cited together as the Ministry of Agriculture and Fisheries Acts, 1889 to 1919.
- (2) This Act shall not extend to Scotland or Ireland.

## SCHEDULES.

## FIRST SCHEDULE

Section 2.

- 1 (1) The Council of Agriculture for England shall consist of the following members :—
- (a) Two members of each Agricultural Committee established by a council of a county and one member of each Agricultural Committee established by a county borough in England to be nominated by the committee :
- Provided that, if the Agricultural Committees established by councils of county boroughs shall exceed twelve in number, the total number of members nominated by those-committees shall be twelve and the members shall be nominated by the committees in such manner as the Board may by regulation prescribe :
- (b) Six members of the Agricultural Wages Board to be nominated by that Board, provided that the representatives of workmen shall be three in number :
  - (c) Thirty-six persons nominated by the Board, of whom not less than eight shall be representative of workmen engaged in agriculture, not less than four owners of agricultural land, not less than four tenants of such land, not less than three women, not less than six representative of the industry of horticulture, and not less than three representative of agricultural education or research.
- (2) The Council of Agriculture for Wales shall consist of the following members :—
- (a) Two members of each Agricultural Committee established by a council of a county and one member of each Agricultural Committee established by a county borough in Wales to be nominated by the committee :
- Provided that, if the Agricultural Committees established by councils of county boroughs shall exceed six in number the total number of members nominated by those committees shall be six, and the members shall be nominated by the committees in such manner as the Board may by regulation . prescribe :
- (b) Five persons nominated by the governing body of the University of Wales :
  - (c) Two members of the Agricultural Wages Board to be nominated by that Board in equal numbers from the representatives of employers and workmen :
  - (d) Twelve persons nominated by the Board, of whom not less than five shall be representative of workmen engaged in agriculture, not less than two owners of agricultural land, not less than two tenants of such land, and not less than two women.
- (3) The Agricultural Advisory Committee shall consist of the following members :—
- (a) Five of the members of the Council of Agriculture for England who have been nominated by the Agricultural Committees to be nominated by the whole body of such members representing the Agricultural Committees :

- (b) Five of the members of the Council of Agriculture for England who have been nominated by the Board to be nominated by the whole body of such members, and so that one of the persons so nominated shall be an owner and one shall be a tenant of agricultural land, and one shall be representative of workmen engaged in agriculture, one shall be a woman, one shall be representative of agricultural education or research :
  - (c) Two members to be nominated by the Board representing respectively employers and workmen :
  - (d) Two members of the Council of Agriculture for Wales to be nominated by that council :
  - (e) Two members to be nominated by the Secretary for Scotland, who shall be entitled to attend and vote only in relation to matters and questions arising under the Diseases of Animals Acts, 1874 to 1914.
- (4) The Board may by regulation vary the constitution of any such council or committee.
- 2 (1) Subject to the provisions of any regulations made under this Act, the term of office of a member of a council or committee shall be four years, provided that—
- (a) of the first members of each council or committee one half, or if the total is not divisible by two, the larger half shall hold office for two years only, and the determination of the members so to retire shall be prescribed by regulations made by the Board which, so far as practicable, shall secure that the retirements affect equally all interests represented on the council or committee ;
  - (b) a member shall cease to hold office if he ceases to be qualified for nomination by the body by which he was nominated ;
  - (c) any member may retire by notice in writing to the secretary of the council or committee ;
  - (d) a casual vacancy shall be filled by nomination by the body which nominated the member causing the vacancy, and any person so nominated shall act only for the unexpired portion , of the term of office of his predecessor.
- (2) A council or committee may act notwithstanding any vacancy in the membership thereof.

## SECOND SCHEDULE

Section 7.

Destructive Insects and Pests Acts, 1877 and 1907

Diseases of Animals Acts, 1894 to 1914.

Fertilisers and Feeding Stuffs Act, 1906.

Land Drainage Act, 1918.

Small Holdings and Allotments Act, 1908.