



# Hill Farming Act 1946

1946 CHAPTER 73 9 and 10 Geo 6

## *General*

### **34 Power to enter on and inspect land.**

- (1) For the purposes of this Act, an officer of the appropriate Minister authorised in that behalf by general or special directions given by him, <sup>F1</sup> . . . shall, on producing, if so required written evidence of his authority, have power at all reasonable times to enter on and inspect—
- (a) any land which he has reason to believe to be used, or to be capable of being used, for hill farming purposes; and
  - (b) any land which he has reason to believe to be used in connection with the use for hill farming purposes of other land:

Provided that admission to any land shall not be demanded as of right unless twenty-four hours' notice of the intended entry has been given to the occupier.

- (2) If any person obstructs or impedes an officer of the appropriate Minister authorised as aforesaid <sup>F1</sup> . . . in the exercise of his powers under the preceding subsection, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding [<sup>F2</sup>level 2 on the standard scale] in the case of a first offence or [<sup>F2</sup>level 2 on the standard scale] in the case of a second or any subsequent offence.
- [<sup>F3</sup>(3) This section applies in relation to land in England as if, for the purposes of an agreement under Chapter 1 of Part 8 of the Natural Environment and Rural Communities Act 2006 (agreements with designated bodies), references to an officer of the appropriate Minister authorised by general or special directions given by him were references to a person authorised by the appropriate Minister by general or special directions given by him.]

#### **Textual Amendments**

**F1** Words repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62, SIF 2:1\)](#), s. 26(3)(4), [Sch.](#)

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**Changes to legislation:** There are currently no known outstanding effects for the Hill Farming Act 1946, Section 34. (See end of Document for details)

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- F2** Words in s. 34(2) substituted by virtue of: (E.W.) Criminal Law Act 1977 (c. 45), **s. 31** and Criminal Justice Act 1982 (c. 48), **ss. 35, 37, 38, 46**; (S.) Criminal Procedure (Scotland) Act 1975 (c. 21), **ss. 289C, 289E, 289G**; and (N.I.) The Fines and Penalties (Northern Ireland) Order 1984 (S.I. 1984/703 (N.I. 3)), **arts. 5, 6, 9**
- F3** S. 34(3) inserted (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), s. 107, **Sch. 11 para. 3**; S.I. 2006/2541, art. 2 (with Sch.)

**Changes to legislation:**

There are currently no known outstanding effects for the Hill Farming Act 1946, Section 34.