



Board of Agriculture Act 1889

1889 CHAPTER 30 52 and 53 Vict

An Act for establishing a Board of Agriculture for Great Britain. [12th August 1889]

Modifications etc. (not altering text)

- C1** Functions of Board of Agriculture now exercisable by Minister of Agriculture, Fisheries and Food: [Board of Agriculture and Fisheries Act 1903 \(c. 31\), s. 1\(1\)](#), [Ministry of Agriculture and Fisheries Act 1919 \(c. 91\), s. 1](#) and [S.I. 1955/554 \(1955 I, p. 1200\), art. 3\(1\)](#)
Act: the function exercisable by the Secretary of State by the 1978 transfer order transferred to the National Assembly for Wales (16.2.2000) by [S.I. 2000/253, arts. 1\(2\), 2, Sch. 1](#)

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Textual Amendments

- F1** [S. 1](#) repealed by [Ministry of Agriculture and Fisheries Act 1919 \(c. 91\), s. 1\(4\)](#)

2 Powers and duties of Board.

- (1) There shall be transferred to the Board of Agriculture—
- (a)^{F2}
 - (b) the powers and duties of the Land Commissioners for England under the Acts mentioned in Part Two of the First Schedule to this Act or under any other Act, whether general, local and personal, or private; . . .^{F3}
 - (c) . . .^{F3}
- (2) The Board of Agriculture shall also undertake the collection and preparation of statistics relating to agriculture, [^{F4}the industry of fishing] . . .^{F5} and may also undertake the inspection of, and reporting on, any schools which are not public elementary schools, and in which technical instruction, practical or scientific, is given in any matter connected with agriculture [^{F4}the industry of fishing]^{F5}, and the aiding of any school which admits such inspection, and in the judgment of the Board

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is qualified to receive such aid and the aiding of any system of lectures or instruction connected with agriculture [^{F4}the industry of fishing]^{F5}, and the inspection of and reporting on any examinations in agriculture [^{F4}the industry of fishing]^{F5}

(3) The Board of Agriculture may also make or aid in making such inquiries, experiments, and research, and collect or aid in collecting such information as they may think important for the purpose of promoting agriculture [^{F4}the industry of fishing]^{F5}

Textual Amendments

- F2** S. 2(1)(a) repealed by [Plant Health Act 1967 \(c. 8\)](#), **Sch.**
- F3** S. 2(1)(c) and the preceding “and” repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), **Sch. 1 Pt. II**
- F4** Words added by [Board of Agriculture and Fisheries Act 1903 \(c. 31\)](#), **s. 1(3)**
- F5** Words repealed by [Forestry Act 1967 \(c. 10\)](#), **Sch. 7 Pt. I**

Modifications etc. (not altering text)

- C2** Functions of Board of Agriculture under s. 2(3) now exercisable by Minister of Agriculture, Fisheries and Food concurrently with Secretary of State: [Board of Agriculture and Fisheries Act 1903 \(c. 31\)](#), **s. 1(1)**, [Ministry of Agriculture and Fisheries Act 1919 \(c. 19\)](#), **s. 1**, [S.I. 1955/554 \(1955 I, p. 1200\)](#), art. 3(1) and [S.I. 1978/272](#) art. 8(a)

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Textual Amendments

- F6** S. 3 repealed by [Diseases of Animals Act 1894 \(c. 57\)](#), **s. 78**

4 Power to transfer other powers of Government departments.

It shall be lawful for Her Majesty the Queen in Council from time to time by order to transfer to the Board of Agriculture such powers and duties of any Government Department as are conferred by or in pursuance of any statute, and appear to Her Majesty to relate to agriculture [^{F7}the industry of fishing]^{F8}, and to be of an administrative character:

Provided that before any such order is made, the draft thereof shall be laid before each House of Parliament for not less than thirty days on which such House is sitting and if either of such Houses before the expiration of such thirty days presents an address to Her Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, without prejudice to the making of any new draft order.

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Textual Amendments

- F7** Words added by [Board of Agriculture and Fisheries Act 1903 \(c. 31\)](#), **s. 1(3)**
- F8** Words repealed by [Forestry Act 1967 \(c. 10\)](#), **Sch. 7 Pt. I**
- F9** Proviso repealed by [Statute Law Revision Act 1963 \(c. 30\)](#)

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Modifications etc. (not altering text)

C3 S. 4 amended by [Board of Agriculture and Fisheries Act 1903 \(c. 31\)](#), **s. 2**

5 Staff and remuneration and expenses.

- (1) The Board of Agriculture may from time to time appoint a secretary and such officers and servants as the Board may, with the sanction of the Treasury, determine.
- (2) There shall be paid out of money provided by Parliament ^{F10}[^{F11}to the secretaries (other than any Parliamentary Secretary) and to the officers and servants] of the Board such salaries or remuneration as the Treasury may from time to time determine.
- (3) All expenses incurred by the Board of Agriculture in the execution of their duties under this Act, to such amount as may be sanctioned by the Treasury, shall be paid out of money provided by Parliament.

Textual Amendments

F10 Words repealed by [Ministers of the Crown Act 1937 \(c. 38\)](#), **Sch. 4**

F11 Words substituted by [Ministers of the Crown \(Parliamentary Secretaries\) Act 1960 \(9 & 10 Eliz. 2 c. 6\)](#), **Sch. 1**

Modifications etc. (not altering text)

C4 S. 5 extended by [Animal Health Act 1981 \(c. 22, SIF 4:4\)](#), **s. 95(5)**

C5 S. 5 amended by [Board of Agriculture and Fisheries Act 1909 \(c. 15\)](#), **s. 1(1)**

6 Style and seal of Board.

- (1) The Board of Agriculture may ^{F12} for all purposes be described, by that name.
- (2) The Board shall have an official seal, which shall be officially and judicially noticed, and such seal shall be authenticated by the signature of the President or some member of the Board, or of the secretary or some person authorised by the President of the Board to act on behalf of the secretary.
- (3) In the execution and discharge of any power or duty transferred to the Board of Agriculture by or in pursuance of this Act, the Board shall adopt and use the style and seal of the Board of Agriculture and no other.

Textual Amendments

F12 Words repealed by [Crown Proceedings Act 1947 \(c. 44\)](#), **Sch. 2**

7 Proceedings of Board.

- (1) Every document purporting to be an order, licence, or other instrument issued by the Board of Agriculture, and to be sealed with the seal of the Board, authenticated in manner provided by this Act, or to be signed by a secretary or any person authorised by the President of the Board to act on behalf of the secretary shall be received in evidence and be deemed to be such order, licence, or instrument without further proof, unless the contrary is shown.

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- (2) A certificate signed by the President or any member of the Board of Agriculture, that any order, licence, or other instrument purporting to be made or issued by the Board is so made or issued, shall be conclusive evidence of the fact so certified.

8 †Power of President to sit in Parliament.

- (1) F13
- (2) The President of the Board of Agriculture, if not one of the officers of State above in this Act mentioned, shall take the oath of allegiance and official oath, and shall be deemed to be included in the first part of the schedule to the ^{M1}Promissory Oaths Act 1868.

Textual Amendments
 F13 S. 8(1) repealed by [Ministers of the Crown Act 1937 \(c. 38\)](#), [Sch. 4](#)

Modifications etc. (not altering text)
 C6 Unreliable marginal note

Marginal Citations
 M1 [1868 c. 72.](#)

9 F14

Textual Amendments
 F14 S. 9 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. II](#)

10 F15

Textual Amendments
 F15 S. 10 repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

11 Construction of Acts and documents.

- (1) In the construction and for the purposes of any Act of Parliament, judgment, decree, order, award, deed, contract, or other document passed, or made before the establishment of the Board of Agriculture, but so far only as may be necessary for the exercise of the powers or the discharge of the duties by this Act, or any Order in Council made in pursuance thereof, transferred to that Board, the name of that Board shall be substituted for the Privy Council, Land Commissioners for England, Inclosure Commissioners for England and Wales, Copyhold Commissioners, Tithe Commissioners for England and Wales, or other Commissioners or Government department, as the case may require, and anything authorised or required to be done by, to, or before an Assistant Commissioner of any of the above-named Commissioners

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may be lawfully done by any officer of the Board of Agriculture for the time being assigned for that purpose.

- (2) F16
- (3) F16

Textual Amendments

F16 S. 11(2)(3) repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), Sch. 1 Pt. II

Modifications etc. (not altering text)

C7 S. 11 extended by Board of Agriculture and Fisheries Act 1903 (c. 31), s. 1(4)

12 Definition.

In this Act—

The expression “agriculture” includes horticulture.

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Textual Amendments

F17 Definition of “Treasury” and “Privy Council” repealed by Statute Law Revision Act 1908 (c. 49)

13 F18

Textual Amendments

F18 S. 13 repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), Sch. 1 Pt. II

14 Short title.

This Act may be cited as the Board of Agriculture Act 1889.

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FIRST SCHEDULE

PART I F19

Textual Amendments

F19 Sch. 1 Pt. I repealed by [Plant Health Act 1967 \(c. 8\)](#), [Sch.](#)

PART II

ACTS RELATING TO POWERS AND DUTIES OF LAND COMMISSIONERS FOR ENGLAND

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Textual Amendments

F20 Headings “Tithe Rentcharge Acts” and “Copyhold Acts” and the entries under those headings repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), [Sch. 1 Pt. XI](#)

F21 Inclosure of Commons and Allotments Acts

Textual Amendments

F21 [Sch. 1 Pt. II](#) repealed (5.11.1993) (except the entries for the Improvement of Land Act 1864, the Lands Improvement Company's Act 1853 and the Somersetshire Drainage Act 1877) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt. II](#)

F22 Metropolitan Commons

Textual Amendments

F22 [Sch. 1 Pt. II](#) repealed (5.11.1993) (except the entries for the Improvement of Land Act 1864, the Lands Improvement Company's Act 1853 and the Somersetshire Drainage Act 1877) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt. II](#)

Drainage and Improvement of Land Acts

Session and Chapter.

Short Title.

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27 & 28 Vict. c. 114.	The Improvement of Land Act 1864.
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Textual Amendments

F23 Entries repealed by [Statute Law Revision Act 1963 \(c. 30\)](#)

F24 [Sch. 1 Pt. II](#) repealed (5.11.1993) (except the entries for the Improvement of Land Act 1864, the Lands Improvement Company's Act 1853 and the Somersetshire Drainage Act 1877) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt.II](#)

Other Duties

Session and Chapter.	Short Title.
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... F25
16 & 17 Vict. c. cliv.	The Lands Improvement Company's Act 1853.

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40 & 41 Vict. c. xxxvi.	The Somersetshire Drainage Act 1877.
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Textual Amendments

- F25** Entries repealed by [Statute Law Revision Act 1963 \(c. 30\)](#) and [Statute Law Revision Act 1964 \(c. 79\)](#)
- F26** [Sch. 1 Pt. II](#) repealed (5.11.1993) (except the entries for the Improvement of Land Act 1864, the Lands Improvement Company's Act 1853 and the Somersetshire Drainage Act 1877) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt. II](#)
- F27** Entry repealed by [Statute Law Revision Act 1964 \(c. 79\)](#)
- F28** Entry repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), [Sch. Pt. II](#)
- F29** Entries repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. II](#)
- F30** Entries repealed by [Statute Law Revision Act 1964 \(c. 79\)](#) and [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), [Sch. 1 Pt. XVII](#)
- F31** Entries repealed by [Statute Law Revision Act 1963 \(c. 30\)](#)
- F32** Entries repealed by [Statute Law Revision Act 1963 \(c. 30\)](#) and [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), [Sch. 1 Pt. XVII](#)

F33F33 SECOND SCHEDULE

Textual Amendments

- F33** [Sch. 2](#) repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

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Status:

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Changes to legislation:

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