

1976 No. 1247

HEALTH AND SAFETY

AGRICULTURE

**The Health and Safety (Agriculture) (Miscellaneous Repeals
and Modifications) Regulations 1976**

Made - - - - - 3rd August 1976

Laid before Parliament 12th August 1976

Coming into Operation 6th September 1976

The Secretary of State and the Minister of Agriculture, Fisheries and Food acting jointly in exercise of the powers conferred on them by section 15(1) and (3)(a) of the Health and Safety at Work etc. Act 1974(a) as amended by section 116 of and paragraph 6 of Schedule 15 to the Employment Protection Act 1975(b) and of all other powers enabling them in that behalf and for the purpose of giving effect without modifications to proposals submitted to them by the Health and Safety Commission under section 11(2)(d) of the said Act of 1974 after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby make the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Safety (Agriculture) (Miscellaneous Repeals and Modifications) Regulations 1976 and shall come into operation on 6th September 1976.

(2) The Interpretation Act 1889(c) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Repeals and modifications of Acts

2.—(1) The provisions of the Agriculture (Poisonous Substances) Act 1952(d) specified in column 1 of Schedule 1 to these Regulations shall be repealed or modified, as the case may be, to the extent set out opposite thereto in column 2 of that Schedule.

(2) The provisions of the Agriculture (Safety, Health and Welfare Provisions) Act 1956(e) specified in column 1 of Schedule 2 to these Regulations shall be repealed or modified, as the case may be, to the extent set out opposite thereto in column 2 of that Schedule.

(a) 1974 c. 37.
(c) 1889 c. 63.
(e) 1956 c. 49.

(b) 1975 c. 71.
(d) 1952 c. 60.

Modifications of Regulations

3. The provisions of the Regulations specified in column 1 of Schedule 3 to these Regulations shall be modified to the extent set out opposite thereto in column 2 of that Schedule.

Signed by order of the Secretary of State.

John Grant,

Joint Parliamentary Under Secretary of State,
Department of Employment.

30th July 1976.

Bruce Millan,

Secretary of State for Scotland.

2nd August 1976.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 3rd August 1976.

(L.S.)

Frederick Peart,

Minister of Agriculture, Fisheries and Food.

Regulation 2(1)

SCHEDULE 1

THE AGRICULTURE (POISONOUS SUBSTANCES) ACT 1952

Repeals and modifications

1 Provisions	2 Repeals and modifications
1. Section 6(2)(c) and (4). 2. Section 8. 3. Section 10(1).	1. For "appropriate Minister" substitute "Health and Safety Executive". 2. This section is hereby repealed. 3. The definition of "the appropriate Minister" is hereby repealed.

HEALTH AND SAFETY
AGRICULTURE

Regulation 2(2)

SCHEDULE 2

THE AGRICULTURE (SAFETY, HEALTH AND WELFARE PROVISIONS) ACT 1956

Repeals and modifications

1 Provisions	2 Repeals and modifications
1. Section 3(2).	1. For "appropriate Minister", in both places where those words occur, substitute "Health and Safety Executive".
2. Section 3(5).	2. For "the appropriate Minister" substitute "the Health and Safety Executive", for "he" substitute "the Executive" and for "the Minister" substitute "the Executive".
3. Section 3(7)(a).	3. For "Minister" substitute "Executive".
4. Section 23.	4. This section is hereby repealed.
5. Section 24(1).	5. (a) The definition of "the appropriate Minister" is hereby repealed. (b) For the definition of "inspector" substitute the following definition:— " 'inspector' means an inspector appointed by the Health and Safety Executive under section 19 of the Health and Safety at Work etc. Act 1974".

Regulation 3

SCHEDULE 3

MODIFICATIONS OF REGULATIONS

1 Regulations	2 Modifications
1. The Agriculture (Power Take-Off) Regulations 1957(a), Regulation 5.	(a) In paragraph (1), for "Minister" substitute "Health and Safety Executive". (b) Omit paragraph (2).
2. The Agriculture (Circular Saws) Regulations 1959(b), Regulation 6.	(a) In paragraph (1), for "Minister" substitute "Health and Safety Executive". (b) Omit paragraph (2).
3. The Agriculture (Safeguarding of Workplaces) Regulations 1959(c), Regulation 5.	(a) In paragraph (1), for "Minister" substitute "Health and Safety Executive". (b) Omit paragraph (2).
4. The Agriculture (Stationary Machinery) Regulations 1959(d), Regulation 5.	(a) In paragraph (1), for "Minister" substitute "Health and Safety Executive". (b) Omit paragraph (2).

(a) S.I. 1957/1386 (1957 I, p. 73). (b) S.I. 1959/427 (1959 I, p. 69).
(c) S.I. 1959/428 (1959 I, p. 75). (d) S.I. 1959/1216 (1959 I, p. 80).

Schedule 3 continued

1 Regulations	2 Modifications
5. The Agriculture (Threshers and Balers) Regulations 1960(a), Regulation 7.	(a) In paragraph (1), for "Minister" substitute "Health and Safety Executive". (b) Omit paragraph (2).
6. The Agriculture (Field Machinery) Regulations 1962(b), Regulation 5.	(a) In paragraph (1), for "Minister" substitute "Health and Safety Executive". (b) Omit paragraph (2).
7. The Agriculture (Tractor Cabs) Regulations 1974(c)— (a) Regulation 2(1). (b) Regulation 3(1), (2) and (3). (c) Regulation 3(4) and (5). (d) Regulation 3(9), (10)(b)(i) and (ii), (11) and (12). (e) Regulations 7(1) and (4) and 8(1). (f) Schedule, Part I, paragraph 1(1).	(a) (i) After the definition of "building" insert the following definition:— "the Executive" means the Health and Safety Executive"; (ii) Omit the definitions of "the Ministers" and "the appropriate Minister". (b) For "Ministers" substitute "Executive". (c) For "Ministers have" substitute "Executive has". (d) For "Ministers" substitute "Executive". (e) For "appropriate Minister" substitute "Executive". (f) For "Ministers have" substitute "Executive has".
8. The Health and Safety (Agriculture) (Poisonous Substances) Regulations 1975(d)— (a) Regulation 3(1). (b) Schedule 1, Part I, paragraph 1.	(a) (i) For the definition of "inspector", substitute the following definition:— "inspector" means an inspector appointed by the Health and Safety Executive under section 19 of the Health and Safety at Work etc. Act 1974". (ii) Omit the definition of "the Minister". (iii) In the definition of "specified substance in capsule form", for "Minister" substitute "Health and Safety Executive". (b) In the definitions of "dust-mask" and "respirator" for "Minister", substitute "Health and Safety Executive".

(a) S.I. 1960/1199 (1960 I, p. 74).

(c) S.I. 1974/2034 (1974 III, p. 7863).

(b) S.I. 1962/1472 (1962 II, p. 1605).

(d) S.I. 1975/282 (1975 I, p. 704).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations contain repeals and modifications of provisions of—

- (a) the Agriculture (Poisonous Substances) Act 1952;
- (b) the Agriculture (Safety, Health and Welfare Provisions) Act 1956;
- (c) certain Regulations made under the 1956 Act; and
- (d) certain Regulations made under the Health and Safety at Work etc. Act 1974 which affect farm safety.

The Regulations are made in consequence of the amendment of the Health and Safety at Work etc. Act 1974 by the Employment Protection Act 1975 giving the Health and Safety Commission responsibilities for farm safety. They transfer to the Health and Safety Executive certain functions hitherto performed by the Minister of Agriculture, Fisheries and Food (or in Scotland, by the Secretary of State). They also repeal spent provisions.

SI 1976/1247
ISBN 0-11-061247-7



780110612478