1953 No. 1431

The Livestock Rearing (Delegation to County Agricultural Executive Committees) Regulations, 1953

Made - - - -	*21st September*, 1953
Laid before Parliament	*25th September*, 1953
Coming into Operation	*26th September*, 1953

The Minister of Agriculture and Fisheries in pursuance of section 72 of the Agriculture Act, 1947(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1. These regulations may be cited as the Livestock Rearing (Delegation to County Agricultural Executive Committees) Regulations, 1953, and shall come into operation on the 26th day of September, 1953.

2.—(1) The Interpretation Act, 1889(**b**), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(2) In these regulations—

"the Act" means the Hill Farming Act, 1946(**c**), as amended or extended by the Livestock Rearing Act, 1951(**d**), or any other enactment.

"the Minister" means the Minister of Agriculture and Fisheries.

3. The functions of the Minister specified in the Schedule hereto shall, as from the date when these regulations come into operation, be exercisable by a County Agricultural Executive Committee in accordance with the provisions of section 71 of the Agriculture Act, 1947.

The functions exercisable by a County Agricultural Executive Committee in accordance with the said provisions shall include such other powers or duties of the Minister arising under the Act or under any other enactment as may be necessary or incidental to the exercise of the functions specified in the Schedule.

4. Nothing in the preceding regulation shall be construed as limiting, qualifying or derogating from the right or power of the Minister to exercise any of the delegated functions or any other of his functions, at any time.

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this 21st day of September, nineteen hundred and fifty-three.

(L.S.)

Tom Dugdale,

Minister of Agriculture and Fisheries.

(a) 10 & 11 Geo. 6. c. 48.
(b) 52 & 53 Vict. c. 63.
(c) 9 & 10 Geo. 6. c. 73.
(d) 14 & 15 Geo. 6. c. 18.

SCHEDULE

Function of the Minister	Relevant Provision
1. Satisfying himself that a livestock rearing land improvement scheme is in conformity with certain requirements and that the person responsible thereunder is willing and able to do the work described therein.	Sections 1 (2) and 3 (5) of the Act.
2. Doing work required for making improvements for the benefit of livestock rearing land subject to rights of common.	Section 12 (1) of the Act.
3. Requiring an applicant for subsidy payments in respect of cattle grazed on hill land to carry out improvements.	Paragraph 14 of the Hill Cattle (England and Wales) Scheme, 1947 (a) as varied by the Hill Cattle (England and Wales) Extension Scheme, 1951 (b); and Paragraph 12 of the Hill Cattle (Breeding Herds) (England and Wales) Scheme, 1953 (c).
4. Consenting to the letting of a cottage subject to the Regulations.	Regulation 3 of the Hill Farming (Cottages) (England and Wales) Regulations, 1948 (d).
5. Requiring and receiving from the owner a Certificate that conditions imposed by the regulations are being complied with.	Regulation 4 of the said Hill Farming (Cottages) (England and Wales) Regulations, 1948.
6. Receiving applications for special licences to burn heather or grass, receiving and considering representations with respect thereto and granting and issuing such special licences.	Regulation 5 of the Heather and Grass Burning (England and Wales) Regulations, 1949 (e).
7. Giving directions for avoiding or relaxing a covenant, condition or agreement which prohibits or restricts the burning of heather or grass by a tenant and affording to the landlord and any other person concerned an opportunity of making representations and of being heard before the directions are given.	Section 21 of the Act.
8. Granting a licence authorizing the keeping of a ram or uncastrated ram lamb on designated land in a specified area during a prohibited period.	Regulation 5 of the Control of Rams Regulations, 1952 (f).
9. Authorizing persons to inspect and mark rams or uncastrated ram lambs and to enter land, receiving and acting upon a request to cause a ram or lamb to be inspected and giving notice of refusal to approve a ram or lamb.	Regulation 6 of the said Control of Rams Regulations, 1952.

(a) S.R. & O. 1947/975; Rev. I, p. 627; 1947 I, p. 19.
(b) S.I. 1951/1043; 1951 I, p. 33.
(c) S.I. 1953/1179, p. 42 below.
(d) S.I. 1948/853; Rev. I, p. 620; 1948 I, p. 44.
(e) S.I. 1949/386; 1949 I, p. 98.
(f) S.I. 1952/1800; 1952 I, p. 60.

Function of the Minister	Relevant Provision
10. Requiring the slaughter or castration of a ram or uncastrated ram lamb, serving notice of such requisition, causing a ram or lamb to be slaughtered or castrated in default of compliance with a notice, and recovering the cost.	Regulation 7 of the said Control of Rams Regulations, 1952.
11. Receiving application for referee's inspection, appointing referees, referring an application to one or more referees, receiving and acting on the referee's report and giving notice of the result of the application.	Regulation 8 of the said Control of Rams Regulations, 1952.
12. Authorizing persons to seize rams or uncastrated ram lambs found on land in contravention of the regulations and selling or causing to be sold a ram or lamb so seized.	Paragraph (1) of Regulation 9 of the said Control of Rams Regulations, 1952.
13. Giving permission to remove a ram or uncastrated ram lamb after the service of a requisition for its slaughter or castration.	Section 19 (5) of the Act.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Section 33 of the Hill Farming Act, 1946, enables the Minister of Agriculture and Fisheries to constitute local Committees to whom he may delegate certain of his functions under the Act.

Section 72 of the Agriculture Act, 1947, authorizes the Minister of Agriculture and Fisheries to make provision, by regulations, for delegating to County Agricultural Executive Committees established under that Act any of his functions under that Act, or any of his functions relating to agriculture under any other enactment.

Section 9 of the Livestock Rearing Act, 1951, provided that, notwithstanding the special provisions about local Committees in the Hill Farming Act, 1946, the general power of the Minister to delegate to County Agricultural Executive Committees under Section 72 of the Agriculture Act, 1947, should apply to his functions under the Hill Farming Act, 1946, and that on the coming into operation of regulations under Section 72 first delegating such functions the local Committees should be dissolved. These regulations accordingly delegate to the County Agricultural Executive Committees the principal functions arising out of the Hill Farming Act, 1946, as amended or extended by the Livestock Rearing Act, 1951, except the approval of livestock rearing improvement schemes and the making of grants and subsidy payments. It is provided in the Regulations that the Minister's right and power himself to exercise any of the functions so delegated are unaffected by their delegation.