



Isle of Man

Ellan Vannin

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AGRICULTURAL RETURNS ACT 1955



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**Isle of Man***Ellan Vannin*

AGRICULTURAL RETURNS ACT 1955

<i>Received Royal Assent:</i>	<i>22 December 1955</i>
<i>Passed:</i>	<i>21 February 1956</i>
<i>Commenced:</i>	<i>21 February 1956</i>

AN ACT to facilitate the preparation of agricultural statistics.

GENERAL NOTE: The maximum fines in this Act are as increased by the *Fines Act 1986* and by the *Criminal Justice (Penalties, Etc.) Act 1993* s 1.

1 Power to obtain agricultural statistics

[1947/78]

- (1) Where it appears to the Department expedient so to do for the purpose of obtaining statistical information relating to agriculture, they may make regulations providing for the service upon occupiers of land used for agriculture, or of land which the Department have reason to believe may be so used, of notices requiring them to furnish in writing, in such form and manner and to such person as may be prescribed, and within such time and with respect to such date or dates or such period or periods as may be specified in the notice, the prescribed information (including, as respects paragraphs (c) to (e) of this subsection, the prescribed information as to quantities, values, expenditure and receipts) relating to —
- (a) the situation, area, description and extent of land used for agriculture and farmed by them,
 - (b) the names and addresses of the owners and occupiers of the land,
 - (c) the character and use of different parts of the land, the time at which any use thereof was begun or will become fully effective, and their produce at any time during the period beginning one year before, and ending one year after, the time at which the information is required to be furnished,
 - (d) fixed and other equipment, livestock and the stocks of agricultural produce and requisites held in respect of the land, and the provision and maintenance of such equipment, livestock and requisites,

- (e) the methods and operations used on the land and the marketing or other disposal of the produce thereof,
- (f) the number and descriptions of persons employed on, or employed by the occupier in disposing of the produce of, the land,

and regulations under this section may apply to occupiers generally or to such description of occupiers as may be prescribed.

In this subsection the expression “livestock” includes any animal.¹

- (2) For the purpose of obtaining statistical information relating to agriculture, any officer of the Department, authorised by the Department in that behalf, may, after giving not less than twenty-four hours notice, and on producing if so required evidence of his authority to act for the purposes of this subsection —
 - (a) orally require the occupier of land to furnish to him within a reasonable time, and either orally or in writing as the said occupier may elect, such information, whether or not specified in the said notice, as the said officer of the Department authorised by the Department may require, being information which the occupier could have been required to furnish under the last foregoing subsection;²
 - (b) enter at all reasonable hours any land (other than premises used only as a private dwelling house) used for agriculture for the purpose of inspection and the obtaining of such information.³
- (3) References in the two last foregoing subsections to the occupier of land include references to a person responsible for the control of the farming of the land as servant or agent of the occupier thereof.
- (4) No person shall be required under the foregoing provisions of this section to furnish any balance sheet or profit and loss account, but this subsection shall not prevent the requiring of information by reason only that it is or might be contained as an item in such a balance sheet or account.
- (5) Any notice authorised or required by subsection (1) or (2) of this section to be served on an occupier shall be deemed to be duly served if it is addressed to him by the description of “the occupier” of the land in question and sent by post to, or delivered to some person on, the land.

2 Restriction on disclosure of information

No information relating to any particular land or business, being information which has been obtained under section one of this Act, shall be published or otherwise disclosed without the previous consent in writing of the person by whom the information was furnished and every other person whose interests

may in the opinion of the Department be affected by the disclosure, being the occupier of the land.

Provided that nothing in this section shall restrict the disclosure of information —

- (a) to any authority acting under an enactment for regulating the marketing of any agricultural produce, or to any person exercising functions on behalf of such authority for the purpose of the exercise of those functions;⁴
- (b) if the disclosure is confined to situation, extent, number and kind of livestock, character of land, and name and address of owner and occupier, to any person to whom the Department consider that the disclosure thereof is required in the public interest;⁵
- (c) to any person for the purposes of any criminal proceedings under the next following section or for the purposes of any report of such proceedings,

or the use of information in any manner which the Department thinks necessary or expedient in connection with the maintenance of the supply of food in the Isle of Man.⁶

3 Penalties

- (1) Any person who without reasonable excuse fails to furnish information in compliance with a requirement under section one of this Act shall be liable on summary conviction to a fine not exceeding £1,000.
- (2) If any person —
 - (a) in purported compliance with a requirement imposed under section one of this Act knowingly or recklessly furnishes any information which is false in any material particular, or
 - (b) publishes or otherwise discloses any information in contravention of the last foregoing section,he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £1,000, or to both such imprisonment and such fine, or on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or to both such imprisonment and such fine.⁷
- (3) If any person obstructs or impedes any officer of the Department in the exercise of any powers conferred upon the officer by this Act, that person shall be liable on summary conviction to a fine not exceeding £500.⁸
- (4) It shall be the duty of the occupier of land used for agriculture to render all reasonable assistance to any officer of the Department in the exercise of any power conferred upon the officer by this Act and if that person fails to render such assistance he shall be liable on summary conviction to a fine not exceeding £200.⁹

- (5) Any offence under this Act may be prosecuted by an officer of the Department or the Chief Constable or any officer of police.¹⁰

4 [Repealed]¹¹

5 Regulations

- (1) Any regulations made by the Department under the provisions of this Act may be varied or revoked by further regulations made by the Department.¹²
- (2) Any regulations made by the Department under the provisions of this Act shall be laid before Tynwald as soon as may be after they are made and shall not come into force until approved by resolution of Tynwald.¹³

6 Interpretation

In this Act the following expressions have the meanings hereby respectively assigned to them (that is to say) —

“**agriculture**” includes horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, market gardens and nursery grounds;

“**Board**” [Repealed]¹⁴

“**Department**” means the Department of Environment, Food and Agriculture;¹⁵

“**prescribed**” means prescribed by regulations made by the Department.¹⁶

7 Short title

This Act may be cited as the Agricultural Returns Act, 1955.

8 Commencement

This Act shall come into operation when the Royal Assent thereto has been by the Governor announced to Tynwald and a certificate thereof has been signed by the Governor and the Speaker of the House of Keys.

ENDNOTES

Table of Endnote References

¹ Subs (1) amended by GC121/86.

² Para (a) amended by GC121/86.

³ Subs (2) amended by GC121/86.

⁴ Para (a) amended by Transfer of Governor's Functions Act 1992 Sch 2.

⁵ Para (b) amended by GC121/86.

⁶ S 2 amended by GC121/86 and by Transfer of Governor's Functions Act 1992 Sch 1.

⁷ Subs (2) amended by Fines Act 1986 Sch 2.

⁸ Subs (3) amended by Fines Act 1986 Sch 2 and by GC121/86.

⁹ Subs (4) amended by GC121/86.

¹⁰ Subs (5) amended by GC121/86.

¹¹ Subs (4) repealed by Statute Law Revision Act 1983 Sch 2.

¹² Subs (1) amended by GC121/86.

¹³ Subs (2) amended by GC121/86.

¹⁴ Definition of "Board" repealed by GC121/86.

¹⁵ Definition of "Department" inserted by GC121/86 and amended by SD155/10 Sch 3.

¹⁶ Definition of "prescribed" amended by GC121/86.