



**AN BILLE TALMHAIOCHTA (LEASU), 1958.
AGRICULTURE (AMENDMENT) BILL, 1958.**

*Mar a tugadh isteach.
As introduced.*

ARRANGEMENT OF SECTIONS.

Section.

1. Definitions.
2. Contributions by county councils to committees of agriculture.
3. Incorporation of committees of agriculture.
4. Power to acquire and dispose of land and to erect buildings.
5. Power to borrow.
6. Retrospective effect of certain regulations.
7. Travelling, etc., expenses.
8. Consequential amendments.
9. Short title, construction and collective citation.



AN BILLE TALMHAIOCHTA (LEASU), 1958.
AGRICULTURE (AMENDMENT) BILL, 1958.

BILL

entitled

AN ACT TO AMEND AND EXTEND THE AGRICULTURE ACTS, 1931 TO 1955. 5

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :—

Definitions.

1.—In this Act—

“ the Minister ” means the Minister for Agriculture ;

“ the Principal Act ” means the Agriculture Act, 1931 (No. 8 of 1931). 10

Contributions by county councils to committees of agriculture.

2.—(1) The council of a county shall, in the local financial year beginning on the 1st day of April, 1958, and every subsequent local financial year, make to the committee of agriculture for the county a contribution under this subsection of not less than twice and not more than fifteen times the produce of a rate in the preceding local financial year of one penny in the pound in the area consisting of the county exclusive of every (if any) urban district therein. 15

(2) Where the Minister has made a forestry scheme order in respect of a county, the council of the county shall, in every local financial year after the date of the order if so required by the Minister during the preceding local financial year, but not otherwise, make to the committee of agriculture for the county a contribution under this subsection of not more than half the produce of a rate in such preceding local financial year of one penny in the pound in the area consisting of the county exclusive of every (if any) urban district therein. 20 25

(3) In *subsection (1)* and in *subsection (2)* of this section “ produce ” means the net produce calculated in the manner and certified in the form prescribed for the purposes of subsection (6) of section 10 of the Local Government Act, 1946 (No. 24 of 1946), as amended by section 50 of the Local Government Act, 1955 (No. 9 of 1955). 30

(4) Subsections (1) and (2) of section 36 of the Principal Act shall not apply in relation to the local financial year beginning on the 1st day of April, 1958, or any subsequent local financial year. 35

(5) All acts and things done before the passing of this Act by the council of a county in relation to the making of any rate for the local financial year beginning on the 1st day of April, 1958, shall be as valid and effectual as if the foregoing provisions of this section were in force at the time those acts or things were done. 40

Incorporation of committees of agriculture.

3.—A committee of agriculture shall become by virtue of this section a body corporate by the name “ the County Committee of Agriculture ” (the name of the county being inserted)

with perpetual succession and an official seal (which shall be judicially noticed) and with power to sue and be sued in its corporate name.

5 4.—(1) A committee of agriculture may, with the consent of and subject to any conditions imposed by the Minister—

Power to acquire and dispose of land and to erect buildings.

6 (a) acquire, whether by way of purchase or lease or otherwise, land (including land outside its functional area), and

10 (b) dispose of, whether by way of sale or lease or otherwise, land (including land outside its functional area) acquired by it under this section or vested in it under section 41 of the Principal Act.

15 (2) A committee of agriculture may, with the consent of and subject to any conditions imposed by the Minister, erect any buildings (including buildings outside its functional area) which it considers necessary for the performance of its functions.

20 (3) Moneys received by a committee of agriculture in relation to any disposal under this section of land shall be applied by the committee for any of the purposes specified in subsection (1) of section 38 of the Principal Act, as amended by subsection (8) of section 2 of the Agriculture (Amendment) Act, 1944 (No. 3 of 1944), subsection (6) of section 3 of the Agriculture (Amendment) Act, 1948 (No. 24 of 1948), and subsections (5) and (9) of section 8 of this Act, or, in default of being so applied, for any other purpose determined by the committee with the consent of the Minister.

25 5.—A committee of agriculture may, with the consent of and subject to any conditions imposed by the Minister, borrow by means of bank overdraft or otherwise money for the purposes of the schemes which it administers or for any other purposes connected with its functions.

Power to borrow.

30 6.—Regulations under section 27 or section 28 of the Principal Act may, if so expressed, have retrospective effect.

Retrospective effect of certain regulations.

7.—Subsection (3) of section 3 of the Agriculture (Amendment) Act, 1948 (No. 24 of 1948), shall have effect subject to the following amendments:

Travelling, etc., expenses.

35 (i) "one mile" shall be substituted in paragraph (a) for "three miles";

(ii) the following subparagraphs shall be added to paragraph (a):

"Where—

40 (i) a member of a committee of agriculture or of an approved subcommittee of such committee of agriculture attends a meeting of the committee or subcommittee at a place less than five miles by any route from his ordinary place of residence and is obliged by reason of such attendance to remain away from his home for a continuous period of not less than three hours,

45

and

50 (ii) a resolution by the committee deciding that this subparagraph is to apply in relation to the committee or subcommittee is for the time being in force,

the committee shall pay to the member in relation to the meeting an inclusive allowance (not exceeding an amount specified by rules which the Minister is hereby authorised to make) in respect of travelling expenses and subsistence, and such allowance shall, in the case in which, apart from this subparagraph, an allowance would be payable under the first subparagraph of this paragraph, be in lieu of, and not in addition to, that allowance. 5

A resolution under the second subparagraph of this paragraph may be revoked at any time by another resolution of the committee concerned.”; 10

(iii) “ or that subsection as amended by subsection (1) of section 67 of the Local Government Act, 1955 (No. 9 of 1955),” shall be inserted in paragraph (c) after “ subsection (7) of the said section 67 ”. 15

Consequential amendments.

8.—(1) Subsection (2) of section 19 of the Principal Act is hereby amended, in relation to any payments referred to in the subsection which are made on or after the 1st day of April, 1958, by the substitution of “ charged on the area consisting of such county exclusive of every (if any) urban district therein ” for “ raised by means of the same rate and be paid out of the same funds and be charged on the same area as the agricultural rate to be raised by such council is raised by means of, paid out of and charged upon, but no such sum shall be reckoned for the purposes of any enactment (including this Act) limiting the amount of such rate ”. 20 25

(2) The following provisions contained in section 30 of the Principal Act shall not apply in relation to contracts by a committee of agriculture made after the passing of this Act :

- (i) the provision contained in subsection (1) beginning with the words “ and every such contract ”, 30
- (ii) paragraph (b) of subsection (2).

(3) Section 32 of the Principal Act shall not apply in relation to legal proceedings commenced after the passing of this Act.

(4) The council of a county shall not borrow under section 37 of the Principal Act after the passing of this Act. 35

(5) Subsection (1) of section 38 of the Principal Act is hereby amended—

- (i) by the insertion of “ and every contribution by such council under subsection (1) of section 2 of the Agriculture (Amendment) Act, 1958,” before “ shall be paid ”, and 40

(ii) by the addition of the following paragraphs :

- “ (g) to defray expenditure incurred by such committee under section 4 of the Agriculture (Amendment) Act, 1958; 45
- (h) to make repayments of money borrowed by such committee and payments of interest on such money.”

(6) Subsection (2) of section 38 of the Principal Act is hereby amended by the insertion of “ and every contribution by such council under subsection (2) of section 2 of the Agriculture (Amendment) Act, 1958,” before “ shall be paid ”. 50

(7) Section 39 of the Principal Act is hereby amended by the insertion of “ or any other lawful purposes of committees of agriculture ” before “ such moneys ”.

(8) Subsection (3) of section 5 of the Agriculture (Amendment) Act, 1944 (No. 3 of 1944), is hereby amended, in relation to any payments referred to in the subsection which are made on or after 55

the 1st day of April, 1958, by the substitution of "contributions under subsection (1) of section 2 of the Agriculture (Amendment) Act, 1958, made" for "moneys raised by means of the agricultural rate".

- 5 (9) The reference in subsection (6) of section 3 of the Agriculture (Amendment) Act, 1948 (No. 24 of 1948), to the preceding provisions of that section shall be construed as including a reference to those provisions as amended by section 7 of this Act, and section 17 and paragraph (d) of subsection (1) of section 38 of the
10 Principal Act shall be construed accordingly.

9.—(1) This Act may be cited as the Agriculture (Amendment) Act, 1958. Short title,
construction and
collective
citation.

(2) The Agriculture Acts, 1931 to 1955, and this Act shall be construed together as one Act.

- 15 (3) The Agriculture Acts, 1931 to 1955, and this Act may be cited together as the Agriculture Acts, 1931 to 1958.

BILLE

(mar a tugadh isteach)

dá ngairmtear

Acht do leasú agus do leathnú na nAcht
Talmhaíochta, 1931 go 1955.

An tAire Talmhaíochta a thug isteach.

Do hordaíodh ag Dáil Éireann a chlóbhualadh, 6 Márta, 1958.

BAILE ATHA CLIATH:
ARNA FHOILSIU AG OIFIG AN tSOLÁTHAIR

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[Luach : Naoi bPingne Glan.]

BILL

(as introduced)

entitled

An Act to amend and extend the Agriculture
Acts, 1931 to 1955.

Introduced by the Minister for Agriculture.

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