Given under the hand of the Secretary of State for the Home Department this twenty-second day of May, nineteen hundred and fifty-six.

G. Lloyd-George,
Secretary of State for the Home Department.

Approved this twenty-sixth day of May, nineteen hundred and fifty-six.

Gerald Wills,
Peter Legh,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

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

This Order determines, pursuant to section 5 (3) of the Agriculture Act, 1947, that the period to which wool is to be referable for the purposes of any guaranteed price determined in consequence of an annual review held under section 2 of the Act shall be the twelve months commencing with the 1st May following the review.

GRANTS, GOODS AND SERVICES

1956 No. 142

The Agricultural Goods and Services Scheme (England and Wales) Order, 1956

Made - - - -	*7th February,* 1956
Laid before Parliament	13*th February,* 1956
Coming into Operation	1*st March,* 1956

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred upon him by section 103 of the Agriculture Act, 1947(a), and of all other powers enabling him in that behalf, with the approval of the Treasury, hereby orders as follows :—

Citation, commencement, and revocation

1.—(1) This Order may be cited as the Agricultural Goods and Services Scheme (England and Wales) Order, 1956, and shall come into operation on the first day of March, 1956.

(2) The Statutory Instruments specified in the first column of the First Schedule to this Order are hereby revoked to the extent specified in the second column of the said Schedule save that they shall continue to be applicable to the execution and enforcement of any contract made thereunder before the coming into operation of this Order ; and Section 38 of the Interpretation Act, 1889(b) (which relates to the effect of repeals), shall apply as respects such revocation as though this Order were an Act of Parliament

(a) 10 & 11 Geo. 6. c. 48. (b) 52 & 53 Vict. c. 63.

and the Statutory Instruments specified in the first column of the First Schedule to this Order were, to the extent specified in the second column of the said Schedule, Acts of Parliament repealed by an Act of Parliament.

Scheme

2. As from the coming into operation of this Order, the Scheme embodied in the Second Schedule hereto shall have effect for the purpose of authorising the Minister of Agriculture, Fisheries and Food, with the approval of the Treasury, to provide goods and services to persons managing or farming agricultural land.

Amendment of the Agricultural Goods and Services (Marginal Production) Scheme (England and Wales), 1953

3. Any reference in the Agricultural Goods and Services (Marginal Production) Scheme (England and Wales), 1953(a) to any Scheme or any provisions thereof, revoked by this Order and any instrument made or anything done by reason of such reference shall have effect as if it were a reference to, or made or done under, the corresponding provisions of the Scheme embodied in the said Second Schedule.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this seventh day of February, nineteen hundred and fifty-six.

(L.S.) *D. Heathcoat Amory,*
Minister of Agriculture, Fisheries and Food.

Approved this seventh day of February, nineteen hundred and fifty-six.

Peter Legh,
E. B. Wakefield,
Two of the Lords Commissioners of Her Majesty's Treasury.

FIRST SCHEDULE

STATUTORY INSTRUMENTS REVOKED

Title	Extent revoked
The Agricultural Goods and Services Scheme (England and Wales), 1948(b).	The whole Scheme.
The Agricultural Goods and Services Scheme (England and Wales) Amending Order, 1949(c).	The whole Order.
The Agricultural Goods and Services Schemes Extension Order, 1952(d).	The whole Order.
The Agricultural Goods and Services Schemes (Amendment and Extension) Order, 1954(e).	In paragraph (2) of Article 1 the words from "this Order" where these words first occur to "1948-54"; and Article 2.

(a) S.I. 1953/1184 (1953 I, p. 11).
(b) S.I. 1948/103 (Rev. I, p. 99: 1948 I, p. 25).
(c) S.I. 1949/763 (1949 I, p. 45).
(d) S.I. 1952/1185 (1952 I, p. 2).
(e) S.I. 1954/1098 (1954 I, p. 62).

SECOND SCHEDULE

THE AGRICULTURAL GOODS AND SERVICES SCHEME (ENGLAND AND WALES), 1956

Interpretation

1.—(1) In this Scheme, unless the context otherwise requires:—

"the Act" means the Agriculture Act, 1947;

"agriculture" and "agricultural land" have the meanings assigned to them by section 109 of the Act;

"Committee" means a County Agricultural Executive Committee established under Section 71 of the Act;

"long-term services" and "short-term services" have the meanings respectively assigned to them in sub-paragraphs (3) and (4) of paragraph 5 of this Scheme;

"the Minister" means the Minister of Agriculture, Fisheries and Food;

"occupier" means any person occupying agricultural land for the purpose of farming it;

"owner" means the person responsible for the estate management of any agricultural land under Part II of the Act, and includes any person authorised on his behalf to manage it.

(2) The Interpretation Act, 1889, applies to the interpretation of this Scheme as it applies to the interpretation of an Act of Parliament.

Persons to whom goods or services may be supplied

2.—(1) Subject to the provisions of this Scheme goods and services may be supplied by the Minister or a Committee to occupiers and owners:

Provided that:—

(i) goods shall not be supplied to an occupier or owner unless the Minister, or the Committee, is satisfied that the occupier or owner (as the case may be) is unable to purchase either for cash or on credit goods of that description through normal trade channels; and

(ii) the only goods and services that may be supplied to an owner in respect of agricultural land of which he is not also the occupier shall be—

(*a*) drainage pipes, tiles, and other materials required in connection with a scheme of field drainage or ditching work;

(*b*) services required in connection with—

(1) any such field drainage or ditching work as aforesaid; or

(2) excavating, trenching and backfilling in connection with farm water supply schemes (but not including the excavation of wells, bore holes and similar works).

(2) For the purposes of this Scheme any contract for services which requires for its execution the provision or installation of goods shall be regarded as a contract for the supply of services.

Period of Scheme in relation to goods

3. Goods may be supplied under this Scheme for the period ending with the 30th day of September, 1957, or such longer period as may be prescribed by regulations made by the Minister under section 103 of the Act.

Provisions as to Goods

4.—(1) Subject to sub-paragraphs (2) and (3) of this paragraph the goods to which this Scheme applies are any goods required for agriculture except—

(*a*) livestock (otherwise than in such special circumstances as may be determined by the Minister with the approval of the Treasury); and

(*b*) permanent buildings and materials to be used therefor.

(2) For the purposes of this Scheme the supplying of goods includes transporting them to the land where they are required, and all goods supplied under this Scheme shall be ordered by or on behalf of, or supplied from stocks in the possession of, the Minister or the Committee.

(3) Nothing in this Scheme shall be construed as authorising the Minister, or a Committee, to give financial assistance to any person towards payment by that person for any goods not supplied to him by the Minister or the Committee.

Provisions as to Services

5.—(1) The services to which this Scheme applies are any services required for the purpose of farming or managing agricultural land.

(2) For the purposes of paragraph 7 of this Scheme (which relates to terms of payment) services shall be regarded as either long-term services or short-term services in accordance with the two next succeeding sub-paragraphs.

(3) "Long-term services" means any of the following services, that is to say—

(*a*) bush clearing, mending of field walls, field drainage, ditching and other works likely to effect a long-term improvement of the land;

(*b*) any operations (including ploughing) required for reclaiming derelict land; and

(*c*) such operations in connection with any farm-water supply scheme as are mentioned in sub-paragraph (*b*) (2) of Proviso (ii) to paragraph 2 (1) of this Scheme.

(4) "Short-term services" means all services to which this Scheme applies other than long-term services, and (without prejudice to such generality) includes ploughing, cultivating, harrowing, manure distributing, drilling, harvesting, threshing, bracken cutting, spraying, general farm work, and the supply of labour.

Contracts for goods and services

6.—(1) Contracts for the supply of goods and services to which this Scheme applies shall (subject to paragraph 7 of this Scheme) be in such form and subject to such conditions as the Minister may from time to time approve: Provided that it shall not be a defence in any action for recovery of money in respect of goods and services that have been supplied by the Minister or a Committee that the contract was not in the form or in accordance with the conditions so approved.

(2) The Minister or a Committee may make it a condition for entering into a contract for the supply of goods or services that the occupier or owner shall furnish such evidence of his credit-worthiness as the Minister or the Committee may reasonably require.

Terms of payment

7.—(1) A contract for the supply of goods and services shall include terms for payment as follows:—

(*a*) in the case of a contract for short-term services, a term requiring payment within one month of the date of invoice or other demand for payment; and

(*b*) in the case of a contract for goods or for long-term services a term requiring payment—

(i) within one month, in the case of goods, of delivery, or, in the case of services, of the date of invoice or other demand for payment; or

(ii) by instalments payable at agreed intervals within a period not exceeding three years commencing, in the case of goods, from delivery, or, in the case of services, at such time as may be agreed between the parties.

(2) Where in accordance with the foregoing sub-paragraphs the contract provides for payment by instalments, the contract shall further provide that interest shall be charged on the amount of the debt from time to time outstanding, and that in the event of any instalment not being paid on the due date (or within 15 days thereafter), or of the occupier or owner respectively ceasing (otherwise than on death) to occupy or own the land or any part thereof in respect of which the goods or services were supplied, the whole of the outstanding debt and interest thereon shall forthwith become due and be recoverable.

(3) Where in accordance with sub-paragraph (1) of this paragraph a contract provides for payment otherwise than by instalments and the amount due thereunder (or any part thereof) is outstanding, the Minister or a Committee may as a condition for allowing time for payment require the debtor to pay interest on so much of the debt as is from time to time outstanding.

(4) The rate of any interest to be charged under this paragraph in respect of any sum shall be five per centum per annum, or such other rate as the Treasury may from time to time determine, either generally or in relation to any particular circumstances.

(5) Notwithstanding the foregoing provisions of this paragraph the Minister, with the approval of the Treasury, may where any special circumstances make it expedient so to do, enter into an agreement for payment by instalments otherwise than in accordance with the provisions of this paragraph.

Agreements with contractors

8.—(1) The Minister or a Committee may enter into contracts with agricultural machinery contractors for hiring machinery to such contractors, so that such contractors may supply services to occupiers and owners, being services of a kind that the Minister or a Committee is empowered to supply under this Scheme.

(2) The Minister or a Committee may enter into contracts with agricultural machinery contractors, drainage contractors, or civil engineering contractors, for the purpose of jointly or in combination supplying services to occupiers and owners, being services of a kind that the Minister or a Committee is empowered to supply under this Scheme.

Directions to Committees

9. A Committee shall comply with such general directions as the Minister may from time to time give the Committee for the purpose of giving effect to this Scheme.

EXPLANATORY NOTE

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

This Order consolidates with minor amendments the four Orders constituting the Agricultural Goods and Services Scheme (England and Wales), 1948-54. Among other amendments, the terms of payment for goods and services and the conditions on which interest becomes chargeable on outstanding debts are revised and simplified.