SUPPLIED FOR THE PUBLIC SERVICE



CHAPTER 29.

An Act to enable the Minister of Agriculture and Fisheries and the Secretary of State to make contributions and establish centres for the purposes of research as to the practice of artificial insemination of livestock; to provide for the payment of grants out of moneys provided by Parliament in respect of initial losses incurred in the operation of certain centres for the artificial insemination of cattle; and for purposes connected therewith. [6th March 1946.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Power of Minister of Agriculture and Fisheries and Secretary of State to make contributions and establish centres for the purposes of research as to the artificial insemination of livestock.

1.—(1) With a view to developing and improving the breeding of livestock, including poultry and bees, by the practice of artificial insemination, the Minister may—

(*a*) contribute towards any expenditure incurred, with his approval, by any society or person in the conduct of research or experiment in matters affecting that practice;

(*b*) establish and operate such centres providing services of artificial insemination for any such livestock as aforesaid as he thinks fit for the purposes of such research and experiment.

(2) Any expenses incurred by the Minister under this section, to such amount as may be sanctioned by the Treasury, shall be defrayed out of moneys provided by Parliament,

and any fees or other sums received by the Minister in respect of the operations of any centre established under this section shall be paid into the Exchequer.

Power to make grants in respect of certain artificial insemination centres for cattle.

2.—(1) For the purpose of encouraging the establishment and maintenance of centres providing services of artificial insemination for cattle in Great Britain (hereinafter in this Act referred to as "cattle insemination centres"), the Minister may, with the approval of the Treasury, make grants in accordance with the following provisions of this Act in respect of losses incurred in the operation of such centres during the period prescribed by this Act.

(2) Grants may be paid under this section in respect of any cattle insemination centre in respect of which a licence is for the time being in force, being a centre which is owned and controlled—

(*a*) by the board administering any milk marketing scheme in force under the Agricultural Marketing Acts, 1931 to 1933; or

(*b*) by any farmers' co-operative society, cattle breeders' society or other association (whether incorporated or not) of breeders or owners of cattle, or cattle of any description, which carries on business for the mutual benefit of such breeders or owners in Great Britain or any area therein:

Provided that no grant shall be paid under this section in respect of any such centre unless the Minister is satisfied that, subject to such exceptions as may be required in the interests of health, efficiency and breeding considerations, the services provided by the centre are available without discrimination in respect of all cattle within the area in which its operations are conducted.

(3) Any sums required for the payment of grants under this section shall be defrayed out of moneys provided by Parliament.

Period and amount of grants.

3.—(1) Subject to the provisions of this section, grants may be paid under section two of this Act in respect of the operation of a cattle insemination centre during each of the accounting years of the centre ending on or after the thirty-first day of December, nineteen hundred and forty-five, and before the first day of April, nineteen hundred and fifty, and the amount of the grant which may be so paid in respect of any such year shall be a sum not exceeding the loss (if any) incurred in the operation of the centre during that year:

Provided that—

(*a*) where a licence in respect of a centre was in force on the first day of January, nineteen hundred and forty-five and the first accounting year of that centre in

respect of which a grant may be paid as aforesaid begins after that date, the period between that date and the beginning of that accounting year may be included for the purposes of this section in that accounting year; and

(*b*) where a licence is first issued in respect of a centre at any time during the year ending on the thirty-first day of March, nineteen hundred and fifty, a grant may be paid as aforesaid in respect of the operation of that centre during the period of one year beginning with the date of the licence, and the amount thereof shall be a sum not exceeding the loss (if any) incurred in the operation of the centre during that year.

(2) If, in the case of any cattle insemination centre in respect of which grants may be paid under the said section two, a profit is realised from the operation thereof during any such accounting year as is mentioned in subsection (1) of this section, the aggregate amount of the grants which may be paid in respect of that centre shall be reduced by an amount equal to two-thirds of the profit so realised, and the reduction shall be effected by deduction from any grant payable in respect of any subsequent accounting year of the centre, or, to the extent that it is not so effected, by repayment to the Minister of any sums paid by way of grant in respect of any previous accounting year of the centre.

(3) Where two or more cattle insemination centres in respect of which grants may be paid under section two of this Act are owned and controlled by the same persons, the accounts of those centres shall be combined for the purpose of calculating the amount of any grants so payable in respect thereof, and the foregoing provisions of this section shall have effect in relation to the losses or profits of both or all of those centres as ascertained by the combined account as if they were the losses or profits of a single centre.

(4) In this section the expression "accounting year" means, in relation to a cattle insemination centre, the period of twelve months ending on the date to which the accounts of the centre are made up.

(5) Any sums received by the Minister under this section by way of repayment of grant shall be paid into the Exchequer.

Regulations.

4.—(1) The Minister, with the concurrence of the Treasury, may make regulations with respect to the payment of grants under section two of this Act, and in particular for prescribing the times at which, and the conditions subject to which, grants may be so paid in respect of any cattle insemination centre thereunder, and the manner in which the losses or profits of any such centre shall be calculated for that purpose.

(2) Provision shall be made by regulations under this section—

(*a*) for requiring the production to the Minister of such annual accounts with respect to the business of any cattle insemination centre in respect of which grants may be so paid as may be prescribed by or under the regulations;

(*b*) for securing that such accounts shall be audited or certified in such manner as may be so prescribed;

(*c*) for enabling any person authorised in that behalf by the Minister to inspect any books, accounts or other documents relating to the business of the centre;

(*d*) for regulating the rates at which the depreciation of any assets (including cattle) employed in the business of the centre is to be calculated for the purpose of the accounts, and the manner in which the value of any such assets is to be determined for that purpose; and

(*e*) for securing that the scale of fees to be charged in respect of the provision of artificial insemination services from the centre shall be such as may be approved by the Minister.

(3) Any regulations made under this section shall be laid before Parliament as soon as may be after they are made, and if either House, within the period of forty days beginning with the day on which any such regulations are laid before it, resolves that the regulations be annulled, they shall thenceforth become void but without prejudice to the validity of anything previously done thereunder or to the making of new regulations.

In reckoning any such period of forty days, no account shall be taken of any time during which Parliament is dissolved or prorogued, or during which both Houses are adjourned for more than four days.

56 & 57 Vict. c. 66.

(4) Section one of the Rules Publication Act, 1893, shall not apply to any regulations made under this section by the Minister of Agriculture and Fisheries.

Extension of powers of Milk Marketing Boards.

5. Notwithstanding anything in the Agricultural Marketing Acts, 1931 to 1933, or in any milk marketing scheme in force under those Acts, the Board administering any such scheme shall have power, with the approval of the Minister and subject to any directions which may from time to time be given by him, to provide services of artificial insemination for cattle owned by persons not being registered producers of milk.

6. In this Act the following expressions have the meanings hereby respectively assigned to them, that is to say:— Interpretation.

" Cattle insemination centre " has the meaning assigned to it by section two of this Act;

" Licence " means a licence issued under section seventeen of the Agriculture (Miscellaneous Provisions) Act, 1943; 6 & 7 Geo. 6. c. 16.

" The Minister " means, in relation to England and Wales, the Minister of Agriculture and Fisheries, and in relation to Scotland, the Secretary of State.

7.—(1) This Act may be cited as the Agriculture (Artificial Insemination) Act, 1946. Short title and extent.

(2) This Act shall not extend to Northern Ireland.

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