Penalty on dismissal of workman on ground of membership of trade union.

9. No workman employed on or in connection with munitions work shall be discharged on the ground that he has joined or is a member of a trade union, or that he has taken part in any trade dispute, and if any employer discharges a workman on any such ground he shall be guilty of an offence triable by a munitions tribunal of the second class under the Munitions of War Act, 1915, and shall be liable to a fine not exceeding ten pounds, and the tribunal may order that the whole or any part of the fine imposed shall be paid as compensation to the workman:

Provided that nothing in this section shall prejudice any right of action for wrongful dismissal that the workman may have against his employer.

Proceedings under s. 4 (5) of principal Act.

10. Proceedings against a person for contravening or failing to comply with regulations made by the Minister of Munitions under subsection (5) of section four of the Munitions of War Act, 1915, shall not be instituted except by the Minister of Munitions or the Admiralty, or by a person acting on his or their behalf.

Application of s. 17 of principal Act.

11. Section seventeen of the Munitions of War Act, 1915, and section twenty-five of the Munitions of War (Amendment) Act, 1916, shall apply to any order or regulation made under this Act.

Short title and citation.

12. This Act may be cited as the Munitions of War Act, 1917, and shall be construed as one with the Munitions of War Acts, 1915 and 1916, and this Act and those Acts may be cited together as the Munitions of War Acts, 1915 to 1917.

CHAPTER 46.

An Act for encouraging the production of Corn, and for purposes connected therewith (including provision as to Agricultural Wages and Rents).

[21st August 1917.]

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:

PART I.

MINIMUM PRICE OF WHEAT AND OATS.

Payments to growers where average price of wheat or oats is less than minimum.

1. If the average price for the wheat or oats of any year for which a minimum price is fixed under this Act, as ascertained for the purpose of this Part of this Act, is less than the minimum price as fixed by this Act, the occupier of any land on which wheat or oats have been produced in that year shall be entitled to be paid by the Board of Agriculture and Fisheries in respect

of each acre on which he proves to the satisfaction of the Board that wheat or oats have been so produced, a sum equal in the case of wheat to four times, and in the case of oats to five times, the difference between the average price and the minimum price per quarter:

Provided that—

(*a*) if it appears to the Board in respect of any land on which wheat or oats have been produced that the wheat or oats were intermixed with any other crop, the amount payable in respect of that land shall be adjusted accordingly in such manner as the Board think proper; or

(*b*) if it appears to the Board that any such land has been negligently cultivated, the Board may either withhold altogether the payments to which the occupier would otherwise have been entitled or may diminish the amount of those payments to such extent as the Board think proper to meet the circumstances of the case.

Minimum price and average price.

2.—(1) The following minimum prices shall be fixed for the wheat and oats of the following years:—

Crop for Year.	Wheat Price, per quarter.	Oats Price, per quarter.
1917	60*s.*	38*s.* 6*d.*
1918, 1919	55*s.*	32*s.*
1920, 1921, 1922	45*s.*	24*s.*

(2) The average price for the wheat or oats of any year shall for the purposes of this Part of this Act be taken to be the average price for the seven months beginning on the first day of September in that year ascertained by adding together the weekly averages of the weeks included in those seven months, and dividing the total by the number of weeks.

For the purposes of this provision, the weekly averages for any week shall be taken to be the average price per quarter for that week of wheat or oats, as the case may be, ascertained in accordance with the Corn Returns Act, 1882.

45 & 46 Vict. c. 37.

(3) The Board of Agriculture and Fisheries shall, as soon as may be after the end of March in any year, cause the average price of wheat and oats for the preceding year, as ascertained under this section, to be published in the London Gazette.

Claims for payment.

3.—(1) The person who was, on the first day of September in the year in which the wheat or oats were produced, the occupier of the land on which they were produced shall be deemed to be the occupier entitled to receive any payments under this Part of this Act:

Provided that when there has been any change in the occupation of the land on which the wheat or oats were produced, then—

(*a*) if the outgoing tenant is under any custom or otherwise entitled to harvest any wheat or oats grown on the land, the outgoing tenant shall in lieu of the incoming tenant or the landlord be entitled to receive any payments under this Part of this Act in respect of the wheat or oats; and

(*b*) if the outgoing tenant is under any custom or otherwise entitled to receive compensation from his landlord or the incoming tenant in respect of the wheat or oats as for an away-going crop or otherwise, the right of the landlord or incoming tenant to receive payments under this Part of this Act in respect of the wheat or oats shall be taken into account in the assessment of the compensation so payable.

(2) All claims for payments under this Part of this Act shall be made to and determined by the Board of Agriculture and Fisheries in accordance with regulations made under this Act, and the decision of the Board shall be final and conclusive for all purposes:

Provided that if at any time it is found that a payment has been obtained, or payment in excess of the amount properly payable has been obtained, by means of any false statement or false representation, the person to whom the payment was made shall, without prejudice to any criminal liability in respect of any false statement or false representation, be liable to pay the Board the amount of such payment or excess, and any such amount may, without prejudice to the recovery thereof as a debt due to the Crown, be recovered by the Board summarily as a civil debt.

(3) If for the purpose of obtaining a payment under this Part of this Act, either for himself or for any other person, any person makes any false statement or false representation, he shall be liable on summary conviction to imprisonment with or without hard labour for a term not exceeding six months, or to a fine not exceeding fifty pounds, unless he proves that he did not know and could not with reasonable diligence have ascertained that the statement or representation was false.

PART II.

AGRICULTURAL WORKMEN (MINIMUM WAGE).

Minimum rate for agricultural wages.

4.—(1) Any person who employs a workman in agriculture shall pay wages to the workman at a rate not less than the minimum rate as fixed under this Act and applicable to the case, and if he fails to do so, shall be liable on summary conviction in respect of each offence to a fine not exceeding twenty pounds, and to a fine not exceeding one pound for each day on which the offence is continued after conviction therefor:

Provided that such a person shall not be liable to be so convicted if he proves that he did not know and could not with reasonable diligence have ascertained that the wages paid were less than the wages required under this Act to be paid.

(2) In any proceedings against an employer under this section the court may, whether there is a conviction or not, order the employer to pay, in addition to the fine, if any, such sum as appears to the court to be due to the workman employed on account of wages, the wages being calculated at the minimum rate; but the power to order the payment of wages under this provision shall not be in derogation of any right of the workman to recover wages by any other proceedings.

(3) Any agreement for the payment of wages in contravention of this section, or for abstaining to exercise any right of enforcing the payment of wages in accordance with this section, shall be void.

(4) The provisions of this section as to payment of wages at a minimum rate shall operate as respects able-bodied men as from the commencement of this Act (although a minimum rate of wages may not have been fixed), but only so as to enable any sum which would have been payable under this section to an able-bodied man on account of wages for time-work if a minimum rate for able-bodied men had been fixed to be recovered by the workman from his employer at any time not exceeding three months after the rate is fixed:

Provided that no sum shall be recoverable under this provision except in a case in which and to the extent to which the wages paid have not, in the opinion of the court, been equivalent to wages for an ordinary day's work at the rate of twenty-five shillings a week.

Establishment of Wages Board.

5.—(1) The Board of Agriculture and Fisheries shall, as soon as may be and after consultation with the Minister of Labour, establish an Agricultural Wages Board; and such of the provisions of the Trade Boards Act, 1909, as are set out (with modifications) in the First Schedule to this Act shall be deemed to be incorporated in this Part of this Act.

9 Edw. 7. c. 22.

(2) The Agricultural Wages Board shall fix minimum rates of wages for workmen employed in agriculture for time-work, and may also, if and so far as they think it necessary or expedient, fix minimum rates of wages for workmen employed in agriculture for piece-work.

(3) Any such minimum rates may be fixed so as to apply universally to workmen employed in agriculture, or to any special class of workmen in agriculture, or to any special area, or to any special class in a special area, subject in each case to any exceptions which may be made by the Agricultural Wages Board for employment of any special character, and so as to vary according as the employment is for a day, week, month, or other period, or according to the number of working hours or the conditions of the employment, or so as to provide for a differential rate in the case of overtime:

Provided that if the Agricultural Wages Board are satisfied that any workman employed or desiring to be employed on time-work to which a minimum rate fixed by the Board is applicable is affected by any mental or other infirmity or physical injury which renders him incapable of earning that minimum rate, the Board may grant to the workman, subject to such conditions, if any, as they prescribe, a permit exempting the employment of the workman from the provisions of this Act requiring wages to be paid at not less than the minimum rate, and while the permit is in force an employer shall not be liable to any penalty for paying wages to the workman at a rate less than the minimum rate so long as any conditions prescribed by the Board on the grant of the permit are complied with.

(4) Before fixing any minimum rate of wages, the Agricultural Wages Board shall give notice of the rate which they propose to fix, and consider any objections to the rate which may be lodged with them within one month; and the Board shall give notice of any minimum rates fixed by them in such manner as they think fit with a view to bringing the minimum rates, so far as practicable, to the knowledge of the persons affected.

(5) The Agricultural Wages Board may, if they think it expedient, cancel or vary any minimum rate fixed by them, and shall reconsider any such minimum rate if the Board of Agriculture and Fisheries direct them to do so, whether an application is made for the purpose or not; and the provisions of this section as to notices shall apply where it is proposed to cancel or vary the minimum rate in the same manner as they apply where it is proposed to fix the minimum rate.

(6) In fixing minimum rates under this section, the Agricultural Wages Board shall, so far as practicable, secure for able-bodied men wages which, in the opinion of the Board, are adequate to promote efficiency and to enable a man in an ordinary case to maintain himself and his family in accordance with such standard of comfort as may be reasonable in relation to the nature of his occupation.

(7) In fixing minimum rates for time-work under this section, the Agricultural Wages Board shall secure for able-bodied men wages which, in their opinion, are equivalent to wages for an ordinary day's work at the rate of at least twenty-five shillings a week.

(8) Nothing in this Part of this Act shall prejudice the operation of any agreement entered into or custom existing before the passing of this Act for the payment of wages at a rate higher than the minimum rate fixed under this Part of this Act.

(9) In this Part of this Act the expression "able-bodied man" means any male workman who is not incapable, by reason of age or mental or other infirmity or physical injury, of performing the work of a normally efficient workman.

Complaints as to inadequate payment for piece-work where no minimum piece-rate has been fixed.

6. Any workman employed in agriculture on piece-work for which no minimum piece-rate has been fixed, or any person authorised by such a workman, may complain to the Agricultural Wages Board that the piece-rate of wages paid to the workman for that work is such a rate as would yield in the circumstances of the case to an ordinary workman a less amount of wages than the minimum time-rate applicable in the case of that workman, and the Board may on any such complaint direct that the employer shall pay to the workman such additional sum by way of wages for any piece-work done by him at that piece-rate at any time within fourteen days before the date of complaint, or at any time after the date of complaint and before the decision of the Board thereon, as in the opinion of the Board represents the difference between the amount which would have been paid if the work had been done by an ordinary workman at the minimum time-rate and the amount actually received by the workman making the complaint, and any sum so directed to be paid may be recovered by the workman from the employer summarily as a civil debt.

Complaints as to infraction of minimum rates of wages.

7. Any workman employed in agriculture, or any person authorised by a workman so employed, may complain to the Agricultural Wages Board that the wages paid to the workman by any employer are at a rate less than the minimum rate applicable in the case of that workman, and the Board shall consider the matter, and may, if they think fit, take any proceedings under this Act on behalf of the workman.

PART III.

RESTRICTION ON RAISING OF AGRICULTURAL RENTS.

Rents not to be raised in consequence of Act.

8.—(1) The rent payable under any contract of tenancy made or varied after the passing of this Act in respect of an agricultural holding shall, notwithstanding any agreement to the contrary, not exceed such rent as could have been obtained if Part I. of this Act had not been in force, and any question as to whether the rent payable under such a contract is in excess of the rent permitted by this section or as to the amount of the excess shall be determined by a single arbitrator under and in accordance with the provisions of the Second Schedule to the Agricultural Holdings Act, 1908: 8 Edw. 7. c. 28

Provided that the rent payable under a contract of tenancy shall not be deemed to be in excess of that permitted under this section unless notice in writing requiring the question to be referred to arbitration has been served on the landlord within one year from the commencement or variation of the tenancy.

(2) If on any such arbitration it is determined that the rent payable under the contract of tenancy is in excess of the amount permitted under this section, the contract shall, as from the commencement or variation of the tenancy, have effect as if the

rent payable under the contract was reduced by the amount of the excess.

(3) This section shall not affect any proceedings by a landlord for enforcing payment of any rent except so far as the rent has before the commencement of such proceedings been determined in manner hereinbefore provided to be in excess of the rent permitted by this section, but any rent in excess of the rent permitted by this section which is paid or recovered before the award of the arbitrator shall be recoverable by the tenant from the landlord by way of deduction from rent or otherwise.

(4) In this section expressions have the same meaning as in the Agricultural Holdings Act, 1908.

PART IV.

POWER TO ENFORCE PROPER CULTIVATION.

Power to enforce proper cultivation.

9.—(1) The Board of Agriculture and Fisheries, if in any case they are of opinion—

(*a*) that any land is not being cultivated according to the rules of good husbandry; or

(*b*) that for the purpose of increasing in the national interest the production of food the mode of cultivating any land or the use to which any land is being put should be changed;

may serve notice on the occupier of the land requiring him to cultivate the land in accordance with such directions as the Board may give for securing that the cultivation shall be according to the rules of good husbandry or for securing the necessary change in the mode of cultivating or in the use of the land, as the case may be, and where compliance with any such directions, in the case of land in the occupation of a tenant, involves any breach of or non-compliance with any covenant or condition of the contract of tenancy, the Board may in the same or any subsequent notice so served direct that any such covenant or condition, so far as it interferes with compliance with such directions, shall be suspended, and may provide for securing to the landlord such payments or other benefits (if any) as the Board think just on account of any profit or benefit derived or expected to be derived by the tenant by reason of the suspension of the covenant or condition, and any such provision of the notice shall have effect as if it was contained in the contract of tenancy:

Provided that if any person on whom any notice is served under this section is aggrieved by the notice, he may within the prescribed time require the question whether the land has been cultivated according to the rules of good husbandry, or whether it is undesirable in the interest of food production that the change should apply to any portion of the land included in the notice, to be referred to arbitration in accordance with this Part of this Act, and where any question is so referred to arbitration no action shall be taken for enforcing the directions given by

the Board until the determination of the reference or except in accordance with the terms of the award, and, where the person on whom any notice is served is a tenant, the landlord shall have the same right as the tenant of requiring any question to be referred to arbitration.

(2) Where any notice is served on a tenant, a copy of the notice shall at the same time be served on the landlord.

(3) If, in the opinion of the Board, the occupier fails to cultivate the land in accordance with directions so given, the Board, after the prescribed notice, may, if the occupier in default is a tenant, make such order as seems to them required in the circumstances, either authorising the landlord to determine the tenancy of the holding, or determining the tenancy by virtue of the order, and, if the occupier in default is not a tenant, enter on and take possession of the land, or of the holding of which it forms part, for such time, and (either themselves or by any person authorised by them) do all such things, as appear to the Board necessary or desirable for the cultivation of the land of which possession has been taken, or for adapting such land for cultivation.

Any such order of the Board may contain such provisions as the Board think fit for adjusting the relations of landlord and tenant where the tenancy is determined; and any such provision of the order shall have effect as if it was contained in the contract of tenancy.

(4) If, within three months after the Board have entered on any land, the person who was in occupation of the land at the time of the entry so requires, a record of the condition of the buildings, fences, gates, roads, drains, ditches, and cultivation of the land shall be made within three months after the date of the requisition by a person to be appointed, in default of agreement, by the President of the Surveyors' Institution; and in default of agreement, the cost of making such record shall be borne by the Board and the person so previously in occupation in equal portions.

(5) Where the Board have entered on any land under this provision they may, after the prescribed notice, let the land, or, with the consent of the owner, any part thereof, for any term not exceeding five years on such terms and conditions as the Board think fit, and at the best rent that, having regard to such terms and conditions, can reasonably be obtained:

Provided that—

(*a*) before any contract of tenancy is executed by the Board under this provision a draft thereof shall be sent to the owner of the land and a reasonable opportunity afforded him of objecting to any provision therein; and

(*b*) a copy of the contract of tenancy shall be sent to such owner as soon as possible after its execution.

(6) Any notice given by the Board of Agriculture and Fisheries for the purposes of this section, which directs the

suspension of any covenant or condition, shall be a sufficient defence to any action or other proceeding in respect of any breach of, or non-compliance with, the covenant or condition so far as the breach or non-compliance is authorised by the notice of suspension.

(7) If, at any time after a contract of tenancy of any land has been created by the Board, the owner of the land requires the Board to withdraw, the Board shall so withdraw as soon as reasonably may be.

(8) When the Board at any time withdraw from possession of any land of which they have taken possession under this section—

(*a*) they shall before withdrawing (except where the withdrawal is required by the owner of the land) give the prescribed notice in writing of their intention to the person then entitled to resume occupation of the land, and such notice shall be given not less than three months previously to the withdrawal by the Board, and shall expire on one of the half-yearly days customary in the district where the land is situate; and

(*b*) they may recover from the person then entitled to resume occupation of the land such amount as represents the value to him of all acts of cultivation or adaptation for cultivation executed by the Board; and

(*c*) the land shall be subject to any tenancy created by the Board in like manner as if the tenancy had been created by the person who would but for the tenancy have been entitled to resume occupation of the land.

(9) Any person who is interested in any land in respect of which any notice is served or order made under this section or of which possession is taken under this section, and who suffers any loss by reason of the exercise of the powers conferred by this section shall, if he makes a claim for the purpose before the expiration of such period, not being less than one year, after the exercise of the powers as may be prescribed by the Board, be entitled to be paid by the Board such amount or amounts by way of periodical payments or otherwise as may represent the loss.

(10) The amount recoverable or payable by the Board under subsection (8) or subsection (9) of this section shall be determined in each case in default of agreement by arbitration under this Part of this Act.

Protection of crops, &c., from damage by rabbits and vermin.

10.—(1) The Board of Agriculture and Fisheries may in any case where they are satisfied that crops, trees or pasturage are being damaged by reason of the failure of an occupier of land to destroy sufficiently the rabbits or vermin on the land in his occupation, after giving to the occupier and owner such opportunity of destroying the rabbits or vermin as in the opinion of the Board is reasonable, authorise in writing any person to enter on the land and kill and take the rabbits or vermin thereon, and the Board may recover from the occupier, summarily as a civil

debt, the net cost incurred by the Board in connection with the action so taken.

(2) Any person acting under an authority given by the Board under this section shall, if so required, produce his authority, and if any person obstructs any person so authorised in the exercise of his powers or duties under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

(3) The person entitled to kill rabbits or vermin on any common land shall for the purpose of this section be deemed to be the occupier of the land.

General provisions applicable to Part IV.

11.—(1) Arbitrations under this Part of this Act shall be before a single arbitrator under and in accordance with the provisions of the Second Schedule to the Agricultural Holdings Act, 1908: Provided that the arbitrator shall be nominated, in default of agreement, by the President of the Surveyors' Institution.

(2) The Board may, with respect to any area consisting of one or more counties or county boroughs, authorise any body of persons constituted in the prescribed manner, to exercise on behalf of the Board, subject to such appeal to the Board as may be prescribed, any of the powers of the Board under this Part of this Act, and may if they think fit prescribe the procedure and the method of authentication of any notice or other instrument issued by any such body: Provided that the regulations shall provide that the body so constituted shall in the first instance consist of or comprise the persons who immediately before this Part of this Act comes into operation were acting as members of the War Agricultural Executive Committees, if any, constituted under the Defence of the Realm Regulations for the counties and county boroughs comprised in the area.

(3) The powers under the Defence of the Realm regulations exerciseable by the Board of Agriculture and Fisheries with a view to maintaining the food supply of the country with respect to the matters dealt with in this Part of this Act shall cease to operate at the expiration of one year from the passing of this Act, or at the termination of the present war, whichever is the earlier, and thereupon this Part of this Act shall come into operation.

(4) In this Part of this Act the expression "prescribed" means prescribed by regulations made by the Board.

PART V.

GENERAL.

Regulations.

12.—(1) The Board of Agriculture and Fisheries shall, in addition to any special power to make regulations given to them under this Act, have power to make regulations generally for the purposes of carrying this Act into effect, and in particular—

(*a*) for prescribing the manner in which claims for payment under Part I. of this Act are to be made, and the

evidence to be required in support of any such claim; and

(*b*) for requiring the Agricultural Wages Board to define the benefits or advantages (not being benefits or advantages prohibited by law) which may be reckoned as payment of wages in lieu of payment in cash, and the value at which they are to be so reckoned, and for enabling the Agricultural Wages Board to limit or prohibit the reckoning of benefits or advantages as payment of wages in lieu of cash, and for enabling the Agricultural Wages Board, on the application of any employer or workman, to determine any question which may arise as to the value of any such benefits or advantages, or generally as to any contract of employment so far as the application of the provisions of this Act thereto is concerned; and

(*c*) for requiring the Agricultural Wages Board to define for the purposes of any differential rate for overtime the employment which is to be treated as overtime employment.

(2) Any regulation made under this Act shall be laid before each House of Parliament forthwith, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-eight days on which that House has sat after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Powers of entry and inspection.

13. Any person authorised in that behalf by the Board of Agriculture and Fisheries, or by any body of persons exercising any powers of the Board on their behalf, may, for the purpose of carrying this Act into effect, on the production (if so required) of his authority, enter on and inspect any land. The occupier shall in all such cases be served with notice of the date on which the inspection is to take place.

If any person prevents or obstructs the entry, for the purpose of this Act, upon any land of any person authorised under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

Appointment and powers of officers.

14.—(1) The Board of Agriculture and Fisheries may appoint such officers as they think necessary for the purpose of investigating complaints and otherwise securing the proper observance of Part II. of this Act, and any officer so appointed shall, if the Board of Agriculture and Fisheries so determine, act under the directions of the Agricultural Wages Board.

(2) Any officer so appointed shall have power—

(*a*) to require the production of and to inspect and take copies of wages sheets or other records of wages paid to workmen employed in agriculture;

(*b*) to require the employer of any such workman to give any information which it is in his power to give with respect to the employment of the workman or the wages paid to him.

(3) If any person refuses to produce any document or give any information which any officer requires him to produce or give under this section, or produces or gives to any officer acting in the exercise of the powers given by this section, any document or information knowing the same to be false, he shall be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months with or without hard labour.

Power to require agricultural returns.

15.—(1) The Board of Agriculture and Fisheries may, in order to obtain such information as is necessary for the purpose of the proper exercise by the Board of their powers under this Act, by notice served on the occupier of any agricultural land or the person having the management of any such land, require him to make, within such time and in such form and to such person as the Board may prescribe, a return in writing with respect to the cultivation of that land, the crops and live stock thereon, and the owner thereof.

(2) No individual return or part of a return made under this section shall be published or disclosed except for the purposes of a prosecution or other proceedings under this Act.

(3) If any person—

(*a*) refuses or without lawful excuse neglects to make a return under this section to the best of his knowledge and belief; or

(*b*) makes or causes to be made a return which is false in any particular; or

(*c*) discloses or publishes contrary to the provisions of this section any individual return, or part of a return;

he shall be liable on summary conviction to a fine not exceeding twenty pounds, or, if the court is of opinion that the offence was committed wilfully, to imprisonment, with or without hard labour, for a period not exceeding three months.

Provision of money.

16. Any expenses incurred by the Board of Agriculture and Fisheries in meeting payments under this Act, and any expenses of that Board or of any other Department or body to whom any powers or duties are entrusted under or in pursuance of this Act, and any expenses of the Agricultural Wages Board or any district committees thereof, including any expenses incurred with the consent of the Board of Agriculture and Fisheries by any members thereof in the performance of their duties, and any sums paid with such consent to any such members by way of compensation for loss of time, in each case, up to an amount approved by the Treasury, shall be defrayed out of moneys provided by Parliament.

Definitions, &c.

17.—(1) For the purposes of this Act—

(*a*) the expression "agriculture" includes the use of land as grazing, meadow, or pasture land, or orchard, or osier land, or woodland, or for market gardens or nursery grounds, and the expression "agricultural" shall be construed accordingly; and

(*b*) the expression "cultivation" includes use for grazing, meadow, or pasture; and the expression "cultivate" has a corresponding meaning; and

(*c*) the expression "workmen" includes boys, women, and girls; and

(*d*) The expression "employment" means employment under a contract of service or apprenticeship, and the expressions "employ" and "employer" shall be construed accordingly; and

(*e*) the expression "quarter" means, in the case of wheat, four hundred and eighty imperial pounds, and in the case of oats three hundred and twelve imperial pounds.

(2) Any notice under this Act may be served on the person to whom it is to be given either personally or by registered post.

Application to Scotland and Ireland.

18.—(1) This Act shall apply to Scotland with the following modifications:—

(*a*) The Board of Agriculture for Scotland shall be substituted for the Board of Agriculture and Fisheries;

(*b*) Subsection (1) of the section of this Act relating to the establishment of a Wages Board shall not apply to Scotland, and in lieu thereof the provisions contained in the Second Schedule of this Act shall be deemed to be incorporated in Part II. of this Act;

8 Edw. 7. c. 64.

(*c*) The Agricultural Holdings (Scotland) Act, 1908, shall be substituted for the Agricultural Holdings Act, 1908:

Provided that where under this Act the Board of Agriculture for Scotland is a party to an arbitration, the sheriff principal of the sheriffdom in which the land affected is situate shall, in the Second Schedule to the first-mentioned Act, be substituted for the Board;

(*d*) The sheriff principal of the sheriffdom in which the land affected is situate shall be substituted for the President of the Surveyors' Institution, and an agricultural executive committee and the district thereof, shall, respectively, be substituted for a war agricultural executive committee constituted under the Defence of the Realm Regulations, and a county or county borough;

(*e*) The Edinburgh Gazette shall be substituted for the London Gazette;

(*f*) Part III. of this Act shall have effect subject to and without prejudice to the provisions of the Small

Landholders (Scotland) Acts, 1886 to 1911, and in fixing the rent of a holding the Scottish Land Court shall not take into consideration the operation of Part I. or Part II. of this Act;

(*g*) The provisions of Part IV. of this Act with respect to the determination of tenancies shall not apply to land in the occupation of a landholder or a statutory small tenant under the Small Landholders (Scotland) Acts, 1886 to 1911, but the powers of entering on and taking possession of land and cultivating the land, or adapting it for cultivation, conferred by this Act may, notwithstanding anything in Part IV. of this Act, be exercised in respect of land in such occupation; and

(*h*) Where a tenant of shootings is, or under the operation of Part IV. of this Act becomes, the only tenant of land, the owner of the land shall for the purposes of the said Part IV., if the Board of Agriculture for Scotland so by order decide, be deemed to be the occupier thereof, and the Board's power to suspend any covenant or condition of the contract of tenancy shall in such case be deemed to include a power to determine the tenancy or any such covenant or condition and to make such provisions as the Board think fit for the adjustment of the relations of landlord and tenant.

(2) This Act shall apply to Ireland with the following modifications:—

(*a*) References to the Board of Agriculture and Fisheries shall be construed as references to the Department of Agriculture and Technical Instruction for Ireland;

(*b*) A separate Agricultural Wages Board shall be established for Ireland; and the separate Board so established shall be substituted for the Agricultural Wages Board; the provision as to wages at the rate of at least twenty-five shillings a week, and the provisions as to the retrospective effect of a minimum rate of wages for able-bodied men shall not apply, except that the Agricultural Wages Board for Ireland in fixing a minimum rate of wages for able-bodied men may, if they think proper, direct that the rate so fixed shall operate as from such earlier date as may be specified by them, not being a date prior to the passing of this Act, and in that event the last-mentioned provisions shall apply as respects that rate with the substitution of a reference to the date so specified for the reference to the commencement of this Act;

(*c*) Where a person other than the occupier was, on the first day of September in the year in which wheat or oats were produced, entitled under a conacre

agreement to the use of the land on which they were produced, that person shall be substituted for the occupier for the purpose of any payments in respect of the wheat or oats under Part I. of this Act;

(*d*) Questions and amounts requiring to be determined for the purposes of Part III. or Part IV. of this Act shall be determined by the Irish Land Commission on the application of any person interested instead of by arbitration, and the powers and jurisdiction exercisable by the Land Commission in relation to applications under the Land Law (Ireland) Acts may be exercised by the Land Commission in relation to any applications under this provision;

(*e*) Part III. of this Act in its application to Ireland shall have effect subject and without prejudice to the provisions of the Land Law (Ireland) Acts, and, in fixing the judicial rent of a holding after the passing of this Act, the court shall not take into consideration the operation of Part I. or Part II. of this Act as respects the holding or tenant. Proceedings by way of ejectment for non-payment of rent shall be deemed to be proceedings for enforcing payment of rent within the meaning of Part III. of this Act;

(*f*) Part IV. of this Act in its application to Ireland shall have effect subject to the following further modifications:—

(i) the powers of entering on and taking possession of land and cultivating the land or otherwise dealing with it may be exercised whether the occupier in default is or is not a tenant;

(ii) the provisions of subsection (3) of section eleven shall not apply; and

(iii) the provisions with respect to the determination of tenancies shall not apply;

For the purpose of enforcing proper cultivation of land in Ireland the additional provisions set out in the Third Schedule to this Act shall have effect as if they were included in Part IV. of this Act;

(*g*) The Dublin Gazette shall be substituted for the London Gazette.

Short title and duration.

19.—(1) This Act may be cited as the Corn Production Act, 1917.

(2) This Act shall, except as otherwise provided, come into operation at the date of the passing of this Act and shall continue in force until the end of the year nineteen hundred and twenty-two, and no longer, unless meanwhile Parliament makes provision for the continuation thereof, but the expiration of this Act shall not affect the right to any payments under Part I. of this Act in

respect of wheat and oats of that year or any previous year, or any rights, privileges, obligations, or liabilities acquired, accrued, or incurred under this Act before the date of the expiration thereof, or any penalty, forfeiture, or punishment incurred in respect of any offence committed under this Act before that date, or in respect of any statement or representation made in connection with a claim under this Act, whether the statement, representation, or claim was made before or after that date.

SCHEDULES.

FIRST SCHEDULE.

Section 5 (1).

SECTIONS 11, 12, 13, AND 17 OF THE TRADE BOARDS ACT, 1909.

Constitution, Proceedings, &c. of Wages Board.

Constitution and proceedings of the Agricultural Wages Board.

11.—(1) The Board of Agriculture and Fisheries may make regulations with respect to the constitution of the Agricultural Wages Board, which shall consist of members representing employers and members representing workmen (in this Act referred to as representative members) in equal proportions and of the appointed members.

* * * * *

(2) Women shall be eligible as members of the Agricultural Wages Board as well as men.

(3) The representative members shall be elected or nominated by the Board of Agriculture and Fisheries or otherwise, or partly elected and partly so nominated, as may be provided by the regulations.

* * * * *

(4) The chairman of the Agricultural Wages Board shall be such one of the members as the Board of Agriculture and Fisheries may appoint, and the secretary of the Agricultural Wages Board shall be appointed by the Board of Agriculture and Fisheries.

(5) The proceedings of the Agricultural Wages Board shall not be invalidated by any vacancy in their number, or by any defect in the appointment, election, or nomination of any member.

(6) In order to constitute a meeting of the Agricultural Wages Board, at least one third of the whole number of the representative members and at least one appointed member must be present.

(7) The Board of Agriculture and Fisheries may make regulations with respect to the proceedings and meetings of the Agricultural Wages Board, including the method of voting; but subject to the provisions of this Act and to any regulations so made the Agricultural Wages Board may regulate their proceedings in such manner as they think fit.

Establishment of district wages committees.

12.—(1) The Agricultural Wages Board may, and if so required by the Board of Agriculture and Fisheries shall, establish district wages committees consisting, subject as hereinafter provided, of persons representing employers or workers engaged in agriculture and constituted in accordance with regulations made for the purpose by the Board of Agriculture and Fisheries, and acting for such area as the Agricultural Wages Board may determine.

(2) Provision shall be made by the regulations for at least one member of the Agricultural Wages Board or other person nominated by the Board of Agriculture and Fisheries acting as a member of each district wages committee, and for the equal representation of local employers and local workmen on the committee.

* * * * *

(3) The Agricultural Wages Board may refer to a district wages committee for their report and recommendations any matter which they think it expedient so to refer, and may also, if they think fit, delegate to a district wages committee any of their powers and duties under this Act other than their power and duty to fix minimum rates of wages, and, subject to regulations made by the Board of Agriculture and Fisheries, authorise any such district wages committee to delegate to a sub-committee thereof any of the powers so delegated to the committee.

(4) Where a district wages committee has been established for any area, it shall be the duty of the committee to recommend to the Agricultural Wages Board minimum rates of wages * * * * applicable to * * * * that area, and no such minimum rate of wages fixed under this Act, and no variation or cancellation of such a rate, shall have effect within that area unless either the rate or the variation or cancellation thereof, as the case may be, has been recommended by the district wages committee, or an opportunity has been given to the committee to report thereon to the Agricultural Wages Board, and the Agricultural Wages Board have considered the report (if any) made by the committee.

Appointed members of the Agricultural Wages Board.

13.—(1) The Board of Agriculture and Fisheries may appoint such number of persons (including women) as they think fit to be appointed members of the Agricultural Wages Board or to act as members of district wages committees: Provided that the number of persons so appointed shall not exceed one quarter of the total number of members of the Agricultural Wages Board or of any district wages committee.

* * * * *

Power to take and conduct proceedings.

17.—(1) Any officer appointed by the Board of Agriculture and Fisheries under this Act, and any officer of any Government Department for the time being assisting in carrying this Act into effect, shall have power in pursuance of any special or general directions of the Board of Agriculture and Fisheries to take proceedings under this Act, and the Agricultural Wages Board may also take any such proceedings in the name of any officer appointed by the Board of Agriculture and Fisheries for the time being acting under the directions of the Agricultural Wages Board in pursuance of this Act, or in the name of their secretary or any of their officers authorised by them.

(2) Any officer appointed by the Board of Agriculture and Fisheries under this Act, or any officer of any Government Department for the time being assisting in carrying this Act into effect, and the secretary of the Agricultural Wages Board, or any officer of the Agricultural Wages

Board authorised for the purpose, may, although not a counsel or solicitor, or law agent, prosecute or conduct before a court of summary jurisdiction any proceedings arising under this Act.

* * * * *

In the application of this Schedule to Ireland, references to the Board of Agriculture and Fisheries shall be construed as references to the Department of Agriculture and Technical Instruction for Ireland, and references to the Agricultural Wages Board shall be construed as references to the Agricultural Wages Board for Ireland.

SECOND SCHEDULE.

Section 18 (1) (*b*).

CONSTITUTION OF AGRICULTURAL WAGES COMMITTEES IN SCOTLAND.

1. The Board of Agriculture for Scotland (in this Schedule referred to as the Board) may from time to time divide Scotland into districts and combinations of districts, and fix such districts and combinations for the purposes of this Schedule.

2. Where and so long as the Board are satisfied that in any district fixed by them a representative joint committee, comprising a chairman and representatives of employers of agricultural labour and of workmen employed in agriculture in equal numbers, exists for purposes which include the fixing of minimum rates of wages for workmen employed in agriculture, the Board may recognise and certify that committee as a district wages committee for the district.

3. Where in any district, after a date to be fixed by the Board, the Board are satisfied that no representative joint committee as aforesaid exists in the district, the Board may proceed to nominate a joint committee, constituted as aforesaid, for the district and the committee so nominated shall be certified by the Board as the district wages committee for the district: Provided that the Board may require any committee so nominated to demit office if at any time they are satisfied that a representative joint committee exists in the district in terms of the immediately preceding paragraph.

4. The Board shall, for the purpose of constituting a central agricultural wages committee for Scotland (hereinafter referred to as "the central committee"), combine districts so as to form five combination districts from each of which two representatives of district wages committees within the combination, one of whom shall represent employers and the other workmen, shall be elected by the district committees under a scheme prescribed by the Board. The Board shall appoint a chairman and a secretary for the central wages committee and may appoint two women as additional members thereof. The ten elected members, with the chairman and any additional members appointed by the Board, shall constitute the central committee.

5. Subject as hereinafter provided, a district wages committee shall, within its district, have the powers and duties conferred and imposed on

the Agricultural Wages Board by or under this Act, except any of such powers and duties which the Board may by regulation reserve to and confer and impose on the central committee, and references in this Act to the Agricultural Wages Board shall be construed accordingly as references to district wages committees or the central committee, as the case may be.

6. Every decision of a district wages committee fixing a minimum rate of wages shall be reported to the central committee and to the Board, and if the central committee do not disallow the same within a period to be prescribed by the Board, the minimum rate so fixed shall be deemed to be the minimum rate fixed under this Act.

7. Where a district wages committee fail within a period to be prescribed by the Board to fix minimum rates of wages for time work within the district, the Board shall refer the question of fixing such rates to the central committee, and thereupon the powers and duties of the district wages committee to fix such rates shall, so far as required for the purposes of the reference, be transferred to the central committee, and any rate fixed under such a reference by the central committee after consultation with the district wages committee shall be deemed to be the minimum rate fixed under this Act.

8. Any other question within their jurisdiction under this Act on which a district wages committee fail to agree shall, if the representatives of the employers or the representatives of the workmen on the committee so request in writing, be referred to the central committee by the district wages committee for decision, and any decision by the central committee on such a reference shall be reported to the Board and shall have the like effect and validity as if it were the decision of the district wages committee.

9. The Board may by regulation prescribe the tenure of office and procedure of a district wages committee, so far as certified for the purposes of this Act, and of the central committee and its chairman and officers, and make other necessary provision for the efficient conduct of their business including provision as to sub-committees and the authentication of any notice, finding, or other instrument issued by them respectively.

Section 18 (2) (*f*).

THIRD SCHEDULE.

ADDITIONAL PROVISIONS FOR THE ENFORCEMENT OF PROPER CULTIVATION OF LAND IN IRELAND.

1. It shall be the duty of every occupier of arable land to cultivate and maintain in cultivation a portion of the arable land held by him (in this Schedule referred to as the "holding"), not less in extent than the minimum tillage portion as prescribed by an order of the Department of Agriculture and Technical Instruction for Ireland made under this Schedule and applying to the holding for the time being: Provided that no occupier shall be required by virtue of any such order to cultivate more than one-half of the area of his holding.

2. The Department of Agriculture and Technical Instruction for Ireland (in this Schedule referred to as the "Department") may make orders for the purpose of prescribing the minimum tillage portion of holdings, and may make any such order so as to apply to all holdings throughout Ireland, or to all holdings in any area specified in the order,

or to any class or classes of holdings specified in the order whether throughout Ireland or in any area so specified, subject in each case to any exceptions which may be made by or under the order, or so as to apply to any particular holding or holdings.

3. If in any year the occupier of a holding fails to cultivate the minimum tillage portion of the holding, the Department, after affording him an opportunity of being heard in such manner as may be prescribed by regulations under this Act, shall ascertain how much of the minimum tillage portion he has failed without reasonable cause to cultivate, and subject to the provisions of the next following article of this Schedule shall specify in a certificate under their seal the acreage thereof and the amount which, in their opinion, ought to be paid by way of penalty in respect of such failure as aforesaid, not exceeding five pounds for each acre of the acreage specified in the certificate and not exceeding a proportionate amount for any fraction of an acre so specified.

Upon the making of the certificate the occupier shall become liable to pay to the Department on demand the amount specified therein as aforesaid, and the certificate shall be conclusive evidence of such liability.

Where there has been a change of occupiers during the year, the amount shall be payable by the person who was occupier at the end of the year.

4. The Department before making any such certificate shall send a draft thereof to the occupier, and if the occupier within the prescribed time and in the prescribed manner serves a notice of objection to the draft certificate, any questions raised by the notice as to the making of the certificate or as to the particulars specified in the draft, shall be referred to a tribunal designated or constituted by or in accordance with regulations under this Act, and provision shall be made by those regulations for the hearing and determination by the tribunal of the questions so referred to them with power to postpone or stay the making of a certificate or to vary the draft certificate in such manner as seems proper, and generally for regulating the procedure on any such objection.

The certificate shall not be made whilst any objection to the draft certificate is pending before the tribunal, and effect shall be given by the Department to any rulings of the tribunal, and, where the draft certificate is varied by the tribunal, the certificate if made by the Department shall be made in accordance with the draft as so varied and not otherwise.

5. Any sum payable to the Department under this Schedule shall, irrespective of the amount, be recoverable by the Department by ordinary civil bill before the county court judge of any county in which the holding or any part thereof is situated, and the decision of the county court judge shall be final.

Any such sum, when received or recovered by the Department, shall be applied by them for the purposes of agriculture and other rural industries within or in connection with the county or counties in which the holding is situated.

6. The powers of the Department under this Schedule shall be in addition to and not in substitution for their other powers for the enforcement of proper cultivation under this Act and all such powers may be exercised concurrently.

7. No penalty by way of increase of rent or otherwise shall be incurred by any tenant under any contract of tenancy in respect of any acts of cultivation which may be necessary in order to comply with the requirements of this Schedule.

8. For the purpose of this Schedule, except where the context otherwise requires—

(*a*) the expression "cultivation" means tillage, and the expression "cultivate" has a corresponding meaning: Provided that land used for grazing, meadow, or pasture in any year shall be deemed to be cultivated in that year if it was tilled in either of the two years last preceding that year;

(*b*) the expression "prescribed" means prescribed by regulations under this Act; and

(*c*) the expression "arable" means capable of being tilled.

CHAPTER 47.

An Act to deprive Enemy Peers and Princes of British Dignities and Titles. [8th November 1917.]

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:

Forfeiture of title of peer or prince held by enemy.

1.—(1) His Majesty may appoint a committee of His Privy Council, of which two members at least shall be members of the Judicial Committee, to enquire into and report the names of any persons enjoying any dignity or title as a peer or British prince who have, during the present war, borne arms against His Majesty or His Allies, or who have adhered to His Majesty's enemies.

(2) The Committee shall have power to take evidence on oath and to administer an oath for the purpose, and may, if they think fit, act upon any evidence given either orally or by affidavit based on information and belief, the grounds of which are stated.

(3) Such report shall be laid upon the table of both Houses of Parliament for the space of forty days, and, if by that time there has not been passed in either House a motion disapproving of the report, it shall be taken as final and presented to His Majesty.

(4) Where the name of any peer or prince is included in the report, then from and after the date of the presentation of the report to His Majesty—

(*a*) The name of such person, if he be a peer, shall be struck out of the Peerage Roll, and all rights of such peer to receive a writ of summons and to sit in the House of Lords or to take part in the election of representative peers shall cease and determine:

(*b*) All privileges and all rights to any dignity or title, whether in respect of a peerage or under any Royal Warrant or Letters Patent, shall cease and determine.

Power of successor to petition for

2. It shall be lawful for the successor of any peer whose name has been so removed, to present a petition to His Majesty