Draft Order in Council laid before Parliament under paragraph 2(1)(a) of the Schedule to the Northern Ireland Act 2000, for approval by resolution of each House of Parliament

DRAFT STATUTORY INSTRUMENTS

2004 No. (N.I.)

NORTHERN IRELAND

The Agricultural Statistics (Northern Ireland) Order 2004

Made - - - -	*2004*
Coming into operation	*2004*

At the Court at Buckingham Palace, the day of 2004

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order in Council has been approved by resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1(1) of the Schedule to the Northern Ireland Act 2000 (c. 1) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:–

Title and commencement

1.—(1) This Order may be cited as the Agricultural Statistics (Northern Ireland) Order 2004.

(2) This Order comes into operation on the expiration of two months from the day on which it is made.

Interpretation

2.—(1) Subject to paragraph (3), the Interpretation Act (Northern Ireland) 1954 (c. 33) applies to this Order as it applies to an Act of the Assembly.

(2) In this Order—

"agricultural unit" means the aggregate of—

(a) any land owned or occupied by a person which is used for agriculture and is so used for the purposes of a trade or business; and

(b) any other land owned or occupied by that person as a single unit with land falling within paragraph (a);

"agriculture" has the same meaning as in the Agriculture Act (Northern Ireland) 1949 (c. 2);

"the Department" means the Department of Agriculture and Rural Development;

"livestock" includes creatures kept for any purpose;

"relevant person", in relation to any land comprised in an agricultural unit, means any of the following—

(a) the owner of the land;

(b) the occupier of the land;

(c) any person who by virtue of any contract, licence or other arrangement (whether express or implied) is entitled to use the land for his own benefit;

(d) any person who owns livestock on the land;

(e) any person who manages livestock on the land on behalf of the owner or occupier of the land.

(3) In its application to the service of notices under this Order, section 24 of the Interpretation Act (Northern Ireland) 1954 (c. 33) shall have effect with the omission of the word "registering" in subsection (1).

Power to obtain agricultural statistics

3.—(1) In relation to any land comprised in an agricultural unit, the Department may by notice in writing served on any relevant person require him to furnish to the Department such information as may be specified in the notice in relation to any matter listed in paragraph (3) or any person listed in paragraph (4).

(2) Any information required by a notice under this Article must be furnished—

(a) with reference to such date or dates or such period or periods as the Department may specify in the notice;

(b) in such form and manner as the Department may so specify; and

(c) within such time as the Department may so specify.

(3) The matters referred to in paragraph (1) are—

(a) the situation, area and description of the land, the estate for which, or arrangements under which, it is held, occupied or used by the relevant person and the acquisition of any estate in the land;

(b) the crops growing or produced on the land;

(c) the livestock owned by the relevant person or kept on the land;

(d) the machinery, equipment and facilities owned by the relevant person or kept, used or operated on the land;

(e) the methods and operations used on the land;

(f) any scheme, agreement or practice which applies in relation to the land for the purpose of protecting the environment;

(g) any other commercial activities or occupation carried on on the land;

(h) the keeping of accounts by the relevant person and the accounting method used.

(4) The persons referred to paragraph (1) are—

(a) the relevant person;

(b) any other person whose main residence is on the land;

(c) any other person who works on the land.