



Isle of Man

Ellan Vannin

AT 7 of 1998

**AGRICULTURE AND FISHERIES
(MISCELLANEOUS PROVISIONS) ACT 1998**



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Index

Section	Page
1 False statements	5
2 Offences by bodies corporate	6
3 Amendments	6
4 Amendments to the Wild Animals (Restriction on Importation, Etc) Act 1980	6
5 Amendments to the Animal Health Act 1996	7
6 Short title and commencement	7
 ENDNOTES	 9
TABLE OF LEGISLATION HISTORY	9
TABLE OF RENUMBERED PROVISIONS	9
TABLE OF ENDNOTE REFERENCES	9

**Isle of Man***Ellan Vannin*

AGRICULTURE AND FISHERIES (MISCELLANEOUS PROVISIONS) ACT 1998

Received Royal Assent: 16 June 1998
Passed: 16 June 1998
Commenced: 1 July 1998

AN ACT to make it an offence to make false statements to obtain subsidies, etc; to amend the *Sea-Fisheries Act 1971*, the *Wild Animals (Restriction on Importation, Etc.) Act 1980* and the *Animal Health Act 1996*; and for connected purposes.

1 False statements

(1) If any person, for the purpose of obtaining (for himself or another) any assistance under an agricultural assistance scheme, knowingly or recklessly makes a false statement, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £5,000.

(2) In subsection (1) —

“agricultural assistance scheme” means any enactment, resolution of Tynwald, non-statutory scheme or other arrangement under which assistance may be given by or on behalf of a Department —

- (i) in respect of anything used for agriculture; or
- (ii) in respect of any agricultural trade or business; or
- (iii) in respect of any land used for agriculture (including accommodation for persons engaged in agriculture);

“agriculture” includes sea-fishing, inland fishing, marine and freshwater aquaculture, horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadowland, osier land, market gardens and nursery grounds, and the use of land for woodlands;

“assistance” means any grant, loan, indemnity, guarantee or other benefit (whether monetary or otherwise).

(3) This section is additional to any offence under any existing enactment.

2 Offences by bodies corporate

- (1) Where an offence under section 1 committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to neglect on the part of, a director, manager, secretary or other similar officer of the body corporate or a person who was purporting to act in such a capacity, he, as well as the body corporate, is guilty of the offence and liable to be proceeded against and punished accordingly.
- (2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.
- (3) For the purposes of subsection (1), “body corporate” includes a limited liability company constituted under the *Limited Liability Companies Act 1996* and, in relation to such a company, any reference to a director, or other officer of a body corporate is a reference to a member and to the company’s manager and registered agent.

3 Amendments

- (1) [Inserts section 2AA in the *Sea-Fisheries Act 1971*.]
 - (a)
 - (i) [Repealed]¹
 - (ii) [Amends section 2(1)(f) of the *Sea-Fisheries Act 1971* by repealing the words from “and for granting such licences” to the end of the paragraph.]
 - (b) [Amends section 2(3) of the *Sea-Fisheries Act 1971* by substituting the expression “£50,000” for the expression “£10,000”.]
- (2) [Amends section 5 of the *Sea-Fisheries Act 1971* as follows:- paragraph (a) substitutes in subsection (1B) the word “thing” for the word “instrument”, in both places where it occurs; and paragraph (b) substitutes subsection (2).]
- (3) [Substitutes section 7 of the *Sea-Fisheries Act 1971*.]

4 Amendments to the Wild Animals (Restriction on Importation, Etc) Act 1980

[Amends the *Wild Animals (Restriction on Importation, Etc) Act 1980*, as follows:- paragraph (a) amends section 1(2) by inserting the words “or for such other purpose as the Department may by order prescribe” after the words “zoological garden”; paragraph (b) inserts section 1(2A); and paragraph (c) inserts section 1A.]

5 Amendments to the Animal Health Act 1996

- (a) [Amends the cross-heading for Part III of the *Animal Health Act 1996* by adding the words “AND OTHER ANIMALS” at the end thereof.]
- (b) [Amends section 29 of the *Animal Health Act 1996* by substituting the word “animals” for the word “livestock”, wherever it occurs.]
- (c) [Amends section 32 of the *Animal Health Act 1996* as follows:-
subparagraph (i) substitutes in subsections (2) to (5) the word “animals” for the word “livestock”, wherever that occurs;
subparagraph (ii) substitutes in subsection (6) the word “animal” for the word “livestock”, wherever that occurs; and
subparagraph (iii) substitutes in subsection (7) the words “any animal” for the word “livestock” where it occurs for the first time, and the word “animal” in the other places where it occurs.]
- (d) [Amends Schedule 2 of the *Animal Health Act 1996* by substituting the word “animals” for the word “livestock”, wherever it occurs.]

6 Short title and commencement

- (1) This Act may be cited as the Agriculture and Fisheries (Miscellaneous Provisions) Act 1998.
- (2) This Act shall come into operation on such day as the Department of Agriculture, Fisheries and Forestry may by order appoint and different days may be so appointed for different provisions and for different purposes.²

ENDNOTES**Table of Legislation History**

Legislation	Year and No	Commencement

Table of Renumbered Provisions

Original	Current

Table of Endnote References

¹ Subpara (i) repealed by Agriculture (Miscellaneous Provisions) Act 2000 s 5.

² ADO (whole Act) 1/7/1998 (SD413/98).