



Agriculture (Miscellaneous War Provisions) Act 1940

1940 CHAPTER 14

PART I

WHEAT

1 Deficiency payments

- (1) For the purpose of enabling deficiency payments under the Wheat Acts, 1932 and 1939, to be computed and made in respect of periods less than a year, every cereal year to which this section applies shall be divided into accounting periods as follows:—
- (a) the first accounting period in the cereal year beginning on the first day of August nineteen hundred and thirty-nine shall be deemed to have ended with the eighth day of September;
 - (b) the second accounting period in that year shall be deemed to have ended with the twentieth day of October;
 - (c) each subsequent accounting period in that or any subsequent cereal year to which this section applies shall end or be deemed to have ended with such date as the Minister may by order determine after consultation with the Wheat Commission;

and, as respects home-grown millable wheat sold in any such year, the provisions of the said Acts relating to deficiency payments set out in the First Schedule to this Act shall have effect as if a reference to an accounting period were substituted for any reference to a cereal year.

- (2) For the purpose of computing the amount of a deficiency payment payable in respect of any home-grown millable wheat sold in any accounting period, the Wheat Commission may, if it appears to them that the price of the wheat was fixed in some subsequent accounting period, treat the wheat as having been sold in that subsequent period.

- (3) As respects home-grown millable wheat sold in any cereal year to which this section applies, the quantity of such wheat in respect of which deficiency payments may be made shall not be limited by reference to the anticipated supply of wheat for that year, and accordingly—
- (a) the proviso to subsection (1) of section one of the Wheat Act, 1932, and subsection (2) of section two of that Act shall not have effect as respects any such year; and
 - (b) it shall not be necessary for the Minister to make an order as respects any such year under subsection (4) of the said section two.
- (4) This section shall apply to the cereal year beginning on the first day of August nineteen hundred and thirty-nine and every subsequent cereal year falling wholly or partly within the period of suspension.

2 Standard price

- (1) As respects wheat sold in any cereal year to which this section applies, the standard price for the purpose of the Wheat Acts, 1932 and 1939, shall be eleven shillings per hundredweight, unless an order is made under the following provisions of this section as respects wheat sold in that year.
- (2) As respects wheat sold in the cereal year beginning on the first day of August nineteen hundred and forty or any subsequent cereal year to which this section applies, the Minister may, by order made with the consent of the Treasury either in that or the preceding cereal year, direct that the standard price shall be such price as may be specified in the order instead of eleven shillings per hundredweight:
- Provided that, after the end of the first of the accounting periods into which any cereal year is divided under the foregoing section of this Act, no such order shall be made as respects wheat sold, in that year.
- (3) Any order made under this section may be varied or revoked by a subsequent order made in like manner and subject to the like provisions.
- (4) The next committee to be appointed under section one of the Wheat (Amendment) Act, 1939, to report as to the desirability of making alterations in the standard price shall be appointed in the year beginning on the first day of January in the last cereal year to which this section applies, and thereafter committees shall be appointed under that section in each third succeeding year as therein provided.
- (5) This section shall apply to every cereal year to which the last foregoing section of this Act applies.

3 Suspension of quota payments

- (1) No quota payments shall be made under the Wheat Acts, 1932 and 1939, in respect of any flour, chargeable food or chargeable imports, by virtue of any delivery or importation thereof during the period of suspension, and accordingly the provisions of the Wheat (Amendment) Act, 1939, relating to such payments shall have effect subject to the amendments specified in the Second Schedule to this Act.
- (2) The Minister of Food shall from time to time pay to the Wheat Commission out of moneys provided by Parliament such sums as may be certified by the Minister of Agriculture and Fisheries, with the consent of the Treasury, to be necessary to enable

the Commission to discharge during the period of suspension its functions under the Wheat Acts, 1932 and 1939, as amended by this Act:

Provided that nothing in this subsection shall affect the provisions of subsection (6) of section ten of the Wheat Act, 1932 (which provides for the payment of the administrative expenses of the Commission by registered growers).

4 Delegation to committee of powers of Wheat Commission

- (1) After such date as the Minister may by order appoint, and until the end of the period of suspension, all the powers and duties of the Wheat Commission shall be exercised and performed by a committee consisting of five members of the Commission appointed (subject to the provisions of this section) by the Commission.
- (2) A member of the said committee shall be appointed until the expiration of one year from the date of his appointment or until the expiration of the period of suspension, whichever first occurs, but shall be eligible for re-appointment.
- (3) The first members of the said committee shall be appointed within one month from the commencement of this Act, and any vacancy among the members of the said committee shall be filled by the Commission within one month after it occurs, and if the Commission fail to make any appointment as required by this subsection, the Minister shall make it.
- (4) The said committee shall submit annually to the Commission a report on the discharge of their functions.
- (5) The quorum of the said committee shall be three, and the committee shall have power to act notwithstanding any vacancy among the members thereof.
- (6) In the case of an equality of votes at a meeting of the said committee, the chairman of the meeting shall have a second or casting vote.

5 Extension of powers of Wheat Commission

The Wheat Commission shall have power and shall be deemed always to have had power—

- (a) to enter into any agreement for the letting or use of their premises, or for the hiring or use of any of their equipment, or for the loan of any of their assets, to or by any Government Department or any person designated by any Government Department;
- (b) to sell to any Government Department or any person so designated any of the Commission's property;
- (c) to make arrangements with any Government Department or person so designated and with any officer or servant of the Commission for the temporary use by that Department or person of the services of that officer or servant;
- (d) subject to the concurrence of the Minister, to make payments to, or to the dependants of, any officer or servant of the Commission who is engaged in any national service or has been injured or killed in the performance of any such service.

6 Suspension of functions of Flour Millers' Corporation

Until the end of the period of suspension, no order shall be made under subsection (3) of section one of the Wheat Act, 1932, requiring the Flour Millers' Corporation to buy any stocks of home-grown millable wheat, and accordingly until the end of that period—

- (a) it shall not be necessary for the accounts of the Millers' Quota Fund to be audited; and
- (b) the Minister shall not approve any arrangements made by the Corporation under paragraph 3 of the Second Schedule to that Act (which relates to the registration of millers) or any scheme submitted to him by the Corporation under paragraph 6 of the said Schedule (which provides for the election of members of the Corporation by registered millers);

and the Minister shall require the Corporation at the end of that period either to prepare and submit to him the draft of a new scheme under the said paragraph 6 or to give a fresh public notice under that paragraph with respect to the draft scheme already submitted.

7 Interpretation, construction and citation of Part I

- (1) For the purposes of this Part of this Act, the expression " the period of suspension" means a period—
 - (a) beginning on such date as the Minister may by order appoint, being a date not later than the end of the three months beginning with the commencement of this Act; and
 - (b) ending on such date as His Majesty may by Order in Council appoint, being a date not later than the end of the two years beginning with the end of the war period.
- (2) This Part of this Act shall be construed as one with the Wheat Acts, 1932 and 1939, and may be cited together with those Acts and section thirteen of the Agriculture Act, 1937, as the Wheat Acts, 1932 to 1940.