

---

STATUTORY INSTRUMENTS

---

**1996 No. 848**

**DEREGULATION**

**The Deregulation (Corn Returns Act 1882) Order 1996**

*Laid before Parliament in draft*

*Made - - - - 14th March 1996*

*Coming into force - - 1st July 1996*

Whereas:

- (a) the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales are of the opinion that certain provisions of the Corn Returns Act 1882(1) impose burdens affecting persons in the carrying on of a trade, business, profession or otherwise and that by amending or repealing the provisions concerned and by making certain other provision it is possible to remove or reduce the burdens without removing any necessary protection;
- (b) the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales have consulted such organisations as appear to them to be representative of interests substantially affected by their proposals and such other persons as they consider appropriate;
- (c) it appears to the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales that it is appropriate, following that consultation, to proceed with the making of this Order;
- (d) a document setting out the proposals of the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales has been laid before Parliament as required by section 3 of the Deregulation and Contracting Out Act 1994(2) and the period for Parliamentary consideration under section 4 of that Act has expired;
- (e) the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales have had regard to the representations made during that period;
- (f) a draft of this Order has been laid before Parliament with a statement giving details of those representations and the change to the proposals of the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales in the light of those representations; and
- (g) a draft of this Order has been approved by resolution of each House of Parliament.

---

(1) 1882 c. 37; section 5 has been substituted by the Agriculture Act 1970 (c. 40), section 108(3)(b); see also the remainder of that section and the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I.1978/272).

(2) 1994 c. 40.

Now, therefore, the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, in exercise of the powers conferred on them by section 1 of the Deregulation and Contracting Out Act 1994, hereby make the following Order:

### **Title, commencement and extent**

1.—(1) This Order may be cited as the Deregulation (Corn Returns Act 1882) Order 1996 and shall come into force on 1st July 1996.

(2) This Order extends to Great Britain.

### **Amendment of Corn Returns Act 1882 and repeal of spent provision**

2.—(1) For section 5 of the Corn Returns Act 1882 (weekly returns of purchases of British corn) there shall be substituted the following section—

(1) Every relevant person carrying on in an area for the time being prescribed under section 4 of this Act a business consisting of or including the buying of British corn by wholesale from the growers shall weekly at such times as may be prescribed and in an appropriate manner make to the Minister of Agriculture, Fisheries and Food and the Secretary of State jointly or, in Scotland, to the Secretary of State a return—

- (a) specifying with respect to such period of seven days as may be prescribed the aggregate amount of each sort of British corn, if any, bought by that person from the growers and the aggregate purchase price thereof, and
- (b) giving such additional particulars of the purchases comprised in the return as may be prescribed.

(2) For the purposes of subsection (1) above, “appropriate manner”, in relation to the making of a return, means a manner which is—

- (a) prescribed, or
- (b) agreed between the person required to make the return and the person to whom it is to be made.

(3) Regulations for the purpose of subsection (2)(a) of this section—

- (a) shall provide for there to be at least two ways of making a return, one of which shall be for the return to be made in writing and signed by its maker, and
- (b) may make such other provision about the manner of making a return as the person making the regulations considers expedient.

(4) In this section—

“harvest year” means the period which begins on 1st July and ends on the following 30th June; and

“relevant person” means a person who has taken delivery of at least one thousand tonnes of British corn in the previous harvest year”.

(2) Section 108(3)(b) of the Agriculture Act 1970<sup>(3)</sup> (which is spent in consequence of paragraph (1) above) is hereby repealed.

---

(3) 1970 c. 40.

14th March 1996

*Tim Boswell*  
Parliamentary Secretary, Ministry of Agriculture,  
Fisheries and Food

13th February 1996

*Lindsay*  
Parliamentary Under Secretary of State, Scottish  
Office

Signed by authority of the Secretary of State for Wales:

29th February 1996

*Gwilym Jones*  
Parliamentary Under Secretary of State, Welsh  
Office

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, which extends to Great Britain, amends the Corn Returns Act 1882 by substituting a new section for section 5. The new section continues to require weekly returns of British corn to be made, but the requirements of the previous section are modified in the following respects. First, the new section limits the number of purchasers of corn required to make returns to those who have taken delivery of one thousand tonnes or more of British corn in the previous harvest year; secondly, it replaces the requirement that all returns must be in writing and signed by provision for regulations under the Act to include at least two ways of making a return, one of which is to comprise that requirement; and thirdly, it extends the manner of making a return so as to provide for it to be agreed with the recipient of the return. This Order also repeals section 108(3)(b) of the Agriculture Act 1970, which is spent in consequence of the substitution indicated above.