
STATUTORY INSTRUMENTS

2001 No. 3686

**The Intervention Board for Agricultural
Produce (Abolition) Regulations 2001**

Part-repeal and amendment of s.6 of the European Communities Act 1972

3. In the European Communities Act 1972, in section 6—
- (a) subsections (1) and (2) are hereby repealed;
 - (b) in subsection (3), for the words “the Board and as if in section 5(1)(d) the reference to the Minister included the Board.”, there shall be substituted the words—
“the relevant Minister and as if for every reference in section 5 to the Minister there were substituted a reference to the relevant Minister.”;
 - (c) in subsection (4)—
 - (i) for the words “the Board” there shall be substituted the words “the relevant Minister”;
 - (ii) for the words “the Ministers”, in the first place where they appear, there shall be substituted the words “the relevant Minister”;
 - (iii) for the words “the Ministers consider” there shall be substituted the words “the relevant Minister considers”;
 - (d) after subsection (4) there shall be inserted the following subsections—
 - “(4A) Section 9 of the Agriculture Act 1957 shall apply in relation to an order made under section 5 of that Act as extended by this section as if—
 - (a) in the case of an order made by the Scottish Ministers—
 - (i) for the references in subsection (3) of section 9 to Parliament and each House of Parliament there were substituted references to the Scottish Parliament; and
 - (ii) for the reference in that subsection to section 7(1) of the Statutory Instruments Act 1946 there were substituted a reference to article 13(1) of the Scotland Act 1998 (Transitory and Transitional Provisions) (Statutory Instruments) Order 1999(1);
 - (b) in the case of an order made by the National Assembly for Wales, subsection (3) of section 9 were omitted;
 - (c) in the case of an order made by the Department of Agriculture and Rural Development, for subsection (3) of section 9 there were substituted the following subsection—
 - “(3) Any order under any provision of this Part of this Act shall be laid before the Northern Ireland Assembly as soon as may be after it is made, and shall cease to have effect (without prejudice to anything previously done thereunder or to the making of a new order) on the expiration of the period of forty days

beginning with the day on which it comes into force unless within that period it has been approved by resolution passed by the Northern Ireland Assembly.”; and

- (d) in subsection (4) of section 9 for the reference to the Minister there were substituted a reference to the relevant Minister.

(4B) Section 35(2) of the Agriculture Act 1957 shall not apply in relation to an order made by the Department of Agriculture and Rural Development under section 5 of that Act as extended by this section.

(4C) Section 3(2) of the Agriculture Act 1967⁽²⁾ shall apply in relation to section 5(1) (d) of the Agriculture Act 1957 as extended by this section as if the references in section 3(2) of the Act of 1967 to the Minister were references to the relevant Minister.”;

- (e) in subsection (5)—

(i) after the word “charged”, in the second place where it appears, there shall be inserted the words “or entrusted”; and

(ii) the words “, on behalf of the Board or otherwise,” are hereby repealed.

- (f) after subsection (8) there shall be inserted the following subsection—

“(9) In this section “the relevant Minister” means—

(a) in relation to England, the Secretary of State;

(b) in relation to Scotland, the Scottish Ministers;

(c) in relation to Wales, the National Assembly for Wales; and

(d) in relation to Northern Ireland, the Department of Agriculture and Rural Development;

and, in the case of goods exported or to be exported from the United Kingdom or shipped or to be shipped as stores, the identity of the relevant Minister is determined by reference to the territory from which the goods are, or are to be, exported or shipped.”.