
STATUTORY INSTRUMENTS

2002 No. 794

**The Ministry of Agriculture, Fisheries
and Food (Dissolution) Order 2002**

Other supplementary provisions

6.—(1) This Order shall not affect the validity of anything done (or having effect as if done) by or in relation to the transferor before the coming into force of this Order.

(2) Anything (including any legal proceedings) which, at the coming into force of this Order, is in the process of being done by or in relation to the transferor may, so far as it relates to anything transferred by this Order, be continued by or in relation to the transferee.

(3) Anything done (or having effect as if done) by or in relation to the transferor for the purposes of or in connection with anything transferred by this Order shall, if in force at the coming into force of this Order, have effect as if done by or in relation to the transferee in so far as that is required for continuing its effect after the coming into force of this Order.

(4) Subject to paragraphs (5) to (13), any enactment or instrument passed or made before the coming into force of this Order shall have effect, so far as may be necessary for the purposes of or in consequence of any transfer effected by this Order or the dissolution of the Ministry of Agriculture, Fisheries and Food, as if any references (including references which are to be construed as such references) to the transferor or his department or officers were references to the transferee or his department or officers, as the context may require.

(5) Any enactment or instrument passed or made before the coming into force of this Order shall have effect, so far as may be necessary for the purposes of or in consequence of a function ceasing to be exercisable by the Minister of Agriculture, Fisheries and Food by virtue of article 2 or 3 as read with article 1(3), as if any references (including references which are to be construed as such references) to the Minister of Agriculture, Fisheries and Food or his department or officers were omitted.

(6) Any enactment or instrument passed or made before the coming into force of this Order shall have effect, so far as may be necessary for the purposes of or in consequence of any transfer effected by this Order from the Minister of Agriculture, Fisheries and Food to the Secretary of State of a share of a function which is exercisable by the Minister of Agriculture, Fisheries and Food acting alone concurrently with (whether with or without others) a named Secretary of State (however described) acting alone, as if any references (including references which are to be construed as such references) to the Minister of Agriculture, Fisheries and Food and the named Secretary of State, or either of them, or their departments or officers were references to the Secretary of State or his department or officers, as the context may require.

(7) Any enactment or instrument passed or made before the coming into force of this Order shall have effect, so far as may be necessary for the purposes of or in consequence of any transfer effected by this Order from the Minister of Agriculture, Fisheries and Food to the Secretary of State of, or in connection with, any function or share of a function which is exercisable only with the agreement of, or after consulting with, the Secretary of State acting alone as if any requirement for the agreement of, or (as the case may be) for consultation with, the Secretary of State in connection with the exercise of the function were omitted.

(8) Any enactment or instrument passed or made before the coming into force of this Order shall have effect, so far as may be necessary for the purposes of or in consequence of any transfer effected by this Order from the Minister of Agriculture, Fisheries and Food acting alone to the Secretary of State of, or in connection with, any function of deciding whether to agree with, or of being consulted by, the Secretary of State (whether acting alone or jointly) as if any such function were omitted.

(9) Documents or forms printed or duplicated for use in connection with any function of the Minister of Agriculture, Fisheries and Food may, subject to paragraph (10), be used in connection with that function on and after the coming into force of this Order notwithstanding that they contain, or are to be construed as containing, references to the Minister of Agriculture, Fisheries and Food, the Ministry of Agriculture, Fisheries and Food or any officer of either of them.

(10) For the purposes of the use of any such documents or forms on or after the coming into force of this Order, those references shall be construed in accordance with paragraphs (4) to (8).

(11) Paragraphs (4) to (8) are subject to any specific amendment, repeal or revocation made by this Order but any such amendment, repeal or revocation is without prejudice to the operation of those paragraphs in relation to anything not specifically dealt with by that amendment, repeal or revocation.

(12) Section 5(1) of the Government Resources and Accounts Act 2000⁽¹⁾ shall apply, in relation to the Department for Environment, Food and Rural Affairs and resource accounts in its name, as if the resources acquired, held, disposed of or used by the Ministry of Agriculture, Fisheries and Food during the relevant financial year and before its dissolution had been acquired, held, disposed of or (as the case may be) used by the Department for Environment, Food and Rural Affairs.

(13) In paragraph (12) “relevant financial year” means the year ending with 31st March 2002.

(1) 2000 c. 20.