



# Agriculture Act 2020

## 2020 CHAPTER 21

### PART 3

#### TRANSPARENCY AND FAIRNESS IN THE AGRI-FOOD SUPPLY CHAIN

### CHAPTER 3

#### PRODUCER ORGANISATIONS

#### **32 Regulations under sections 30 and 31**

- (1) The power to make regulations under sections 30(9), (10) or (12) and 31 includes power to make provision allowing the Secretary of State to delegate functions, including the function of deciding applications for recognition under section 30.
- (2) Regulations under sections 30(9), (10) or (12) and 31 may make additional or different provision, including in the case of section 30(9) an exemption from a condition in section 30, in relation to a specified agricultural sector (“sector-specific provision”) if the Secretary of State is satisfied that—
  - (a) there is a need for sector-specific provision due to market conditions or other circumstances creating adverse effects on agricultural producers in that sector, and
  - (b) the sector-specific provision is appropriate to remedy or mitigate the adverse effects.

Except as provided by this section, regulations under those provisions may not make different provision in relation to different agricultural sectors.

- (3) Regulations under sections 30 and 31 are subject to negative resolution procedure unless—
  - (a) section 50(5) applies,
  - (b) the regulations contain new sector-specific provision, or
  - (c) the regulations contain provision made under section 30(14).

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**Changes to legislation:** Agriculture Act 2020, Section 32 is up to date with all changes known to be in force on or before 03 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (4) Regulations under sections 30 and 31 which contain new sector-specific provision or provision made under section 30(14) are subject to affirmative resolution procedure.
- (5) Before making regulations which contain such provision the Secretary of State must consult—
- (a) persons who are representative of any agricultural sector (or any part of an agricultural sector) to which the regulations will apply, and
  - (b) persons who may otherwise be affected by the sector-specific provision or by the provision under section 30(14) (as the case may be).
- (6) In this section—
- “agricultural sector” means a sector listed in Schedule 1;
- “new sector-specific provision” means sector-specific provision that did not apply by virtue of any [<sup>F1</sup>assimilated direct] legislation immediately before this section comes into force.

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**Textual Amendments**

- F1** Words in s. 32(6) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 93(2)(h)**
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**Commencement Information**

- I1** S. 32 in force at Royal Assent for specified purposes and otherwise at 11.1.2021, see [s. 57\(1\)\(b\)\(c\)\(6\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 42(4A)(4B) inserted by [2021 c. 10 s. 9\(2\)](#)
- s. 42(6A)-(6C) inserted by [2021 c. 10 s. 9\(4\)](#)