
STATUTORY INSTRUMENTS

1974 No. 514

AGRICULTURAL EMPLOYMENT

AGRICULTURAL WAGES

**The Agricultural Wages Committees
(Transitional Provisions) Order 1974**

<i>Made</i>	- - - -	<i>20th March 1974</i>
<i>Laid before Parliament</i>		<i>22nd March 1974</i>
<i>Coming into Operation</i>		<i>1st April 1974</i>

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by section 254(1)(a) and (2)(a), (c), (e) and (h) of the Local Government Act 1972 and of all his other enabling powers, hereby makes the following order:—

Citation, commencement and extent

1. This order, which may be cited as the Agricultural Wages Committees (Transitional Provisions) Order 1974, shall come into operation on 1st April 1974 and shall apply to England and Wales.

Interpretation

2.—(1) In this order, unless the context otherwise requires—

“the Act” means the Agricultural Wages Act 1948 as amended or extended by or under any other enactment;

“agricultural wages committee” means an agricultural wages committee established under section 2 of the Act, and includes a sub-committee of any such committee;

“county”, except in the expression “administrative county”, means a county established by or under the Local Government Act 1972;

“dissolution” means dissolution by article 4 of this order, and “dissolved” shall be construed accordingly;

“new committee” means an agricultural wages committee established on or after 1st April 1974;

“old committee” means an agricultural wages committee dissolved by article 4 of this order.

(2) The Interpretation Act 1889 applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament, and as if this order and the orders hereby revoked were Acts of Parliament.

Amendments to the Agricultural Wages Act 1948

3.—(1) The Act shall be amended as follows:

(a) In section 17(1), for the definition of “county” there shall be substituted the following definition:

““county” means a county established by or under the Local Government Act 1972.”

(b) Subsections (2), (3) and (4) of section 17 are hereby repealed.

(c) In Schedule 2, for the lists of combinations of counties in England and Wales respectively for which agricultural wages committees are to be initially established there shall be substituted the lists of combinations of counties set out in the Schedule to this order.

(2) Proviso (a) to section 2(1) of the Act shall take effect in relation to the combinations of counties imported into Schedule 2 by paragraph (1)(c) above as though the Act had come into operation at the same time as this order.

Dissolution of existing agricultural wages committees

4. Every agricultural wages committee in existence immediately before 1st April 1974 is hereby dissolved.

Revocation of orders relating to committee areas

5. The Agricultural Wages Committees (Areas) Order 1960(1) and the Agricultural Wages (Luton and Solihull) Direction 1965 are hereby revoked.

Transfer of functions to new committees

6.—(1) Subject to the following provisions of this order, on the dissolution of an old committee—

(a) everything duly done by the old committee in the exercise of their functions under the Act shall be treated as having been duly done by the appropriate new committee, who shall also have power to exercise any residual functions which might have been exercised by the old committee in relation to anything done by a sub-committee of the latter;

(b) any application, request, complaint, representation or declaration made to the old committee in connection with the exercise of any of their functions under the Act shall be treated as having been made to the appropriate new committees;

(c) every certificate, permit, direction, or other instrument issued, granted or given by the old committee in the exercise of their functions under the Act shall, to the extent that it is in force immediately before 1st April 1974, continue in force on and after that date until it expires or is varied or revoked by the appropriate new committee.

(2) Every permit of exemption which has been granted under section 5 of the Act by an old committee and which remains in force until 31st March 1975 shall cease to have effect after that date unless the appropriate new committee has previously directed under subsection (4) of that section that a condition specified in the permit shall be varied in a manner specified in the direction.

(3) A certificate by the Chairman or Secretary of a new committee that a document purporting to be a copy of a resolution or craft certificate passed or issued by an old committee is a true copy shall

(1) (1960 I, p. 69).

have effect for the purposes of section 15 of the Act as though it were a certificate by the Chairman or Secretary of the old Committee.

(4) In this article “appropriate new committee”, in relation to the exercise by an old committee of any functions under the Act which become functions of a new committee on and after 1st April 1974, means that new committee.

Disposal of registers of craftsmen and other records of old committees

7.—(1) The registers of workers to whom craft certificates have been issued, kept by old committees under regulation 10 of the Agricultural Wages Committees (Wages Structure) Regulations 1971⁽²⁾ and all other records kept by such committees, shall on the dissolution of those committees become the property of the Minister of Agriculture, Fisheries and Food, who may either—

- (a) retain them as part of or in connection with any central register or records kept by him, or
- (b) entrust them to the keeping of such of the new committees as he considers appropriate, having regard to the places where the workers whose names appear in the registers or records are or were employed, or
- (c) otherwise dispose of them as he sees fit, subject to the provisions of the Public Records Act 1958.

(2) The provisions of the said regulation 10 relating to the keeping and disclosure of entries in a register shall apply to any register entrusted to the keeping of a committee under the preceding paragraph as they apply to the register kept by the committee of craft certificates which they themselves have issued.

(3) A committee to whom a register has been entrusted under paragraph (1) above shall, if the Minister so requests, return the register to him, and thereupon any obligation of the committee under paragraph (2) above shall cease.

(4) In this paragraph, “register” includes any part of a register.

Terms of office of first members of committees established on 1st April 1974

8. The Agricultural Wages Committees Regulations 1949⁽³⁾ shall be amended by the insertion of the following regulation after Regulation 7:

“7A.—(1) Notwithstanding the provisions of Regulation 7 above, the terms of office of the first members of an agricultural wages committee established on 1st April 1974 shall be fixed in accordance with the following provisions of this Regulation.

(2) The date of expiry of the term of office of each representative member shall be fixed by the organisation which nominates him at the time of his nomination, and in default, or in case of a dispute, shall be fixed by the Minister.

(3) The terms of office of one third of the representative members nominated to represent employers and workers respectively shall be fixed so as to expire at the end of 1974, and one third so as to expire at the end of 1975, and one third so as to expire at the end of 1976.

(4) Where the number of representative members on the committee is not an exact multiple of three, the proportion in each case shall be as near as possible to one third.

(5) Where in the opinion of the Minister the dates of expiry of the terms of office of any of the first representative members are not fixed in the proportions specified above, he may fix such alternative dates as appear to him necessary to ensure that this article is complied with.

(2) (1971 II, p. 2426).

(3) (1949 I, p. 67).

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(6) One of the appointed members shall be appointed for a term of office expiring at the end of 1974 and one for a term expiring at the end of 1975.”

Interpretation and amendment of the Agricultural Wages Order 1974

9. In the Agricultural Wages Order 1974—

- (a) in article 2 the references to the county of Northumberland in the definition of “public holiday” shall be construed as references to the area comprised in the administrative county of Northumberland immediately before 1st April 1974;
- (b) in paragraph 14(2) of Schedule I (benefits or advantages) references to a specified county shall be construed as references to the area comprised in the administrative county of that name immediately before 1st April 1974, and in paragraph 15 the word “county” shall be construed accordingly;
- (c) in paragraph 2(3)(b) of Part I of Schedule 3 (revocation of craft certificates) the words “by the Committee which issued it” shall be deleted.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 20th March 1974.

L.S.

Frederick Peart
Minister of Agriculture, Fisheries and Food

SCHEDULE

Article 3

Combinations of Counties for which Agricultural Wages Committees are to be initially established

<i>Counties in England</i>	
Bedfordshire and Cambridgeshire	Gloucestershire, Avon and Wiltshire
Berkshire, Buckinghamshire and Oxfordshire	Hampshire and Isle of Wight
Cheshire and Staffordshire	Hereford and Worcester, Warwickshire and West Midlands
Cleveland, Durham and Tyne and Wear	Lancashire, Greater Manchester and Merseyside
Cornwall and Isles of Scilly	Leicestershire and Northamptonshire
Derbyshire and Nottinghamshire	South Yorkshire and West Yorkshire
Dorset and Somerset	Surrey, East Sussex and West Sussex
Essex and Hertfordshire	

Counties in Wales

Mid Glamorgan, South Glamorgan and West Glamorgan

EXPLANATORY NOTE

This Order, which is made under section 254 of the Local Government Act 1972, dissolves all existing agricultural wages committees in England and Wales on 1st April 1974 in order that new committees can be set up in conformity with the altered Local Government boundaries. It also amends the Agricultural Wages Act 1948 so as to enable committees to be set up for combinations of the new counties.

The Order includes transitional provisions for continuing the functions of existing committees by transferring them to new committees and for transferring registers and records; there are also some minor consequential amendments to the Agricultural Wages Act 1948 and to the current order of the Agricultural Wages Board made under section 3 of that Act.

The new committees are established by the Agricultural Wages Committees (Areas) Order 1974, which comes into operation on the same day as this Order. This Order provides for the duration of the terms of office of the first members by amending the Agricultural Wages Committees Regulations 1949.