
 S T A T U T O R Y I N S T R U M E N T S

1981 No. 142

AGRICULTURE

CORN CROPS

The Corn Returns (Delegation of Functions) Order 1981

Made - - - 6th February 1981

Laid before Parliament 16th February 1981

Coming into Operation 1st August 1981

The Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly in exercise of the powers conferred by section 108 of the Agriculture Act 1970(a) and now vested in them and all other powers enabling them in that behalf, with the approval of the Treasury, and after consultation with the Home-Grown Cereals Authority, hereby order as follows:—

Citation, extent, commencement and interpretation

1.—(1) This order, which may be cited as the Corn Returns (Delegation of Functions) Order 1981, shall apply to England and Wales and shall come into operation on 1st August 1981.

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

“ the Act ” means the Corn Returns Act 1882(b);

“ the Authority ” means the Home-Grown Cereals Authority established by the Cereals Marketing Act 1965(c);

“ British corn ” means wheat, barley, rye, maize and oats, the produce of the United Kingdom, the Channel Islands, or the Isle of Man;

“ the Ministers ” means the Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly.

Delegation of Functions to the Authority

2. The Ministers hereby jointly authorise and require the discharge by the Authority instead of the Ministers of the following functions under the Act, now vested in them, that is to say,—

(a) the receipt of returns made pursuant to section 5 of the Act(d) (which requires weekly returns to be made to the Ministers by persons carrying on business in prescribed areas of England and Wales of certain particulars relating to the purchase of British corn);

(a) 1970 c. 40; section 108 is to be read with the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).

(b) 1882 c. 37. (c) 1965 c. 14.

(d) Section 5 was substituted by section 108(3)(b) of the Agriculture Act 1970 (c. 40).

- (b) the computation and publication in the London Gazette of the average prices of each sort of British corn pursuant to sections 4 and 9 of the Act(a) (which require the Ministers to cause the average price of British corn to be computed from the returns made in pursuance of the Act and published in the London Gazette);
- (c) the power to omit in the computation made under paragraph (b) of this Article any return made under paragraph (a) of this Article or any particular in such a return pursuant to section 12 of the Act(a) (which enables the Ministers, where they have reason to believe that a return or any particular in a return is false in any particular to cause that return, or so much as relates to that particular, to be omitted in the computation of the average prices in pursuance of the Act).

Restrictions and directions as to exercise of delegated functions

3. The Authority shall while carrying out the functions of the Ministers delegated by Article 2 of this order:—

- (a) permit any officer authorised by the Ministers to have access at any reasonable time to any form of return while it is in the possession of the Authority and to take copies of or extracts from it;
- (b) retain any form of return until required by Ministers to deliver it to such officer as is mentioned in paragraph (a) of this Article.

Revocation

4. The Corn Returns (Delegation of Functions) Order 1970(b) is hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 2nd February 1981.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries
and Food.

4th February 1981.

Nicholas Edwards,
Secretary of State for Wales.

We approve.

Carol Mather,
J. A. Cope,
Two of the Lords Commissioners of
Her Majesty's Treasury.

6th February 1981.

(a) Sections 4, 9 and 12 were amended by section 18 of, and Schedule 3 to, the Agriculture (Miscellaneous Provisions) Act 1943 (c. 16); section 4 was further amended by section 108(3)(a) of the Agriculture Act 1970 (c. 40).

(b) S.I. 1970/1046.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order re-enacts with amendments the provisions of the Corn Returns (Delegation of Functions) Order 1970 (which is now revoked). It requires the Home-Grown Cereals Authority, instead of the Minister of Agriculture, Fisheries and Food and the Secretary of State, to receive returns made in England and Wales under the Corn Returns Act 1882 (as amended) and to compute and publish in the London Gazette the average prices of British corn. It enables the Authority to omit in the computation of the average price any return or any particular in a return which it has reason to believe is false. The forms of return are to be retained by the Authority until required by the Ministers and must while in the possession of the Authority be made available at reasonable times to any officer authorised by the Ministers.

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