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STATUTORY INSTRUMENTS

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**2001 No. 3686**

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

**Consequential repeals, revocations and amendments: United Kingdom**

6.—(1) In the Cereals Marketing Act 1965(1), in section 20(2), after the words “Intervention Board for Agricultural Produce” there shall be inserted the words “(or, in the exercise of functions previously exercisable by the Intervention Board for Agricultural Produce, by any person entitled to exercise such functions)”.

(2) In the Parliamentary Commissioner Act 1967(2), in Schedule 2, the words “Intervention Board for Agricultural Produce.” shall be repealed.

(3) The Intervention Board for Agricultural Produce Order 1972(3) shall be revoked, save that such revocation shall not affect the continued operation of paragraph 7 of the Schedule to that Order in relation to any document purporting to be made or issued by the Board before the coming into force of these Regulations.

(4) The Intervention Functions (Delegation) Regulations 1972(4) shall be revoked.

(5) In the Northern Ireland Assembly Disqualification Act 1975(5), in Schedule 1, in Part II, the words “The Intervention Board for Agricultural Produce and every committee of the Board performing functions of the Board.” shall be repealed.

(6) In the Finance Act 1977(6), in section 11(2), for the words “the Intervention Board for Agricultural Produce may” there shall be substituted the words—

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

(7) In the Customs and Excise Management Act 1979(7)—

- (a) in section 68A(4), for the words “the Intervention Board for Agricultural Produce” there shall be substituted the words “the Secretary of State, the Scottish Ministers, the National Assembly for Wales or (in relation to Northern Ireland) the Department of Agriculture and Rural Development, as the case may be”;
- (b) in section 136, for subsection (6) there shall be substituted the following subsection—

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(1) 1965 c. 14; section 20(2) was substituted by section 5(5) of the Agriculture Act 1986 (c. 49).  
(2) 1967 c. 13; Schedule 2 was substituted by section 1(2) of, and Schedule 1 to, the Parliamentary and Health Services Commissioners Act 1987 (c. 39).  
(3) S.I.1972/1578.  
(4) S.I. 1972/1679, amended by S.I. 1988/1000.  
(5) 1975 c. 25.  
(6) 1977 c. 36.  
(7) 1979 c. 2; section 68A was inserted by section 11(2), and section 136(6) by section 11(3), of the Finance Act 1982 (c. 39).

“(6) Without prejudice to section 6(5) of the European Communities Act 1972 (which provides for the application of certain enactments, including this section, if the Commissioners are charged or entrusted with the performance of certain duties in relation to the payment of refunds or allowances on goods exported or to be exported from the United Kingdom)—

- (a) references in this section to amounts by way of drawback include amounts payable by or on behalf of the Secretary of State, the Scottish Ministers, the National Assembly for Wales or (in relation to Northern Ireland) the Department of Agriculture and Rural Development by virtue of Community arrangements to which section 6(3) of the European Communities Act 1972 applies; and
- (b) in relation to such amounts, subsection (3) above shall have effect with the omission of the words from “but in the case” onwards.”.

(8) In the Customs and Excise (Positive Monetary Compensatory Amounts) Regulations 1980<sup>(8)</sup>, for regulation 2 there shall be substituted the following regulations—

“2. Of the amounts standing to the credit of the General Account of the Commissioners there shall be paid by them, from time to time as they shall decide, to the account of—

- (a) the Secretary of State, in relation to England;
- (b) the Scottish Ministers, in relation to Scotland;
- (c) the National Assembly for Wales, in relation to Wales;
- (d) the Department of Agriculture and Rural Development, in relation to Northern Ireland,

such sums as they determine are equivalent to the amounts paid to them as monetary compensatory amounts charged on—

- (i) goods imported into England, Scotland, Wales or Northern Ireland, as the case may be, from another member State of the European Community on or after the relevant date; and
- (ii) goods imported into England, Scotland, Wales or Northern Ireland, as the case may be, from another member State of the European Community on or after 1st August 1980 but before the relevant date in a case where no such equivalent sum has been paid to the Intervention Board for Agricultural Produce under these Regulations prior to the relevant date.

3. For the purposes of regulation 2, “the relevant date” means the date on which the Intervention Board for Agricultural Produce (Abolition) Regulations 2001 come into force.”.

(9) In the Finance Act 1982<sup>(9)</sup>—

- (a) in section 11(1)—
  - (i) in paragraph (a), for the words “Intervention Board for Agricultural Produce” there shall be substituted the words “relevant Minister (within the meaning given by subsection (9) of that section)”; and
  - (ii) in paragraph (b), for the word “Board” there shall be substituted the words “Minister (within the meaning so given)”; and
- (b) section 11(3) shall be repealed.

<sup>(8)</sup> S.I. 1980/927.

<sup>(9)</sup> 1982 c. 39.

(10) The Intervention Functions (Delegation) (Amendment) Regulations 1988(10) shall be revoked.

(11) In the Deregulation and Contracting Out Act 1994(11)—

(a) in section 79(3)(a)—

(i) for the word “references” there shall be substituted the words “a reference”;

(ii) the words “and the Intervention Board for Agricultural Produce” shall be repealed;

(b) in section 79(4), the words “or that Board” and the words “; and any order under section 69 above which relates to a function of that Board shall be made by the Ministers (within the meaning of Part I of the Agriculture Act 1957)” shall be repealed;

(c) in section 80(1)(a), for the words “, the Forestry Commissioners or the Intervention Board for Agricultural Produce” there shall be substituted the words “or the Forestry Commissioners”.

(12) In the Scottish Parliament (Disqualification) Order 1999(12), in the Schedule thereto, in Part I, the entry “Any member of the Intervention Board for Agricultural Produce and of every committee of the Board performing functions of the Board” shall be deleted.

(13) In the Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999(13), in the Schedule thereto, the entry relating to the Intervention Board for Agricultural Produce shall be deleted.

(14) In the Scotland Act 1998 (Transitory and Transitional Provisions) (Complaints of Maladministration) Order 1999(14), in Schedule 2, the entry “Intervention Board for Agricultural Produce” shall be deleted.

(15) In the Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) Order 1999(15)—

(a) in Schedule 1, the entry “Intervention Board for Agricultural Produce” shall be deleted;

(b) Schedule 15 shall be deleted.

(16) In the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999(16), in Schedule 2, in paragraph 52, sub-paragraphs (1) and (2) shall be deleted.

(17) In the Regulation of Investigatory Powers Act 2000(17)—

(a) in section 31(2), paragraph (b) shall be repealed;

(b) in Schedule 1, in Part I, entry no. 21 shall be repealed.

(18) In the Whole of Government Accounts (Designation of Bodies) Order 2000(18), in the Schedule, the entry “Intervention Board” shall be deleted.

(19) In the Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order 2000(19)—

(a) in article 4(2), the words “and the Intervention Board for Agricultural Produce” shall be deleted;

(b) in the Schedule, in Part I—

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(10) S.I. 1988/1000.

(11) 1994 c. 40.

(12) S.I. 1999/680.

(13) S.I. 1999/1319.

(14) S.I. 1999/1351.

(15) S.I. 1999/1747.

(16) S.I. 1999/1820.

(17) 2000 c. 23.

(18) S.I. 2000/3357.

(19) S.I. 2000/2417.

(i) in the entry relating to the Ministry of Agriculture, Fisheries and Food, in column (2), after the entry relating to the Senior Investigation Officer in MAFF Investigation Branch there shall be inserted the following entry—

“Senior Executive Officer in the Rural Payments Agency Counter-Fraud and Compliance Unit”;

(ii) the entry relating to the Intervention Board for Agricultural Produce shall be deleted.

(20) In the Capital Allowances Act 2001(20), in section 41(5), for the definitions of “agriculture” and “agricultural produce” there shall be substituted the following definitions—

““agricultural produce” has the same meaning as in section 6 of the European Communities Act 1972 (c. 68),

“agriculture” has the same meaning as in the Agriculture Act 1947 (c. 48),”.