SCOTTISH STATUTORY INSTRUMENTS

2001 No. 390

AGRICULTURE

COMMON AGRICULTURAL POLICY

The Abolition of the Intervention Board for Agricultural Produce (Consequential Provisions) (Scotland) Regulations 2001

Made - - - - 23rd October 2001
Laid before the Scottish Parliament - - - - 23rd October 2001

Coming into force in accordance with regulation 1(1)

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972[F1], and of all other powers enabling them in that behalf, hereby make the following Regulations:

F1 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46), **Schedule 8**, paragraph 15(3). The functions conferred on the Minister of the Crown by section 2(2) were transferred, so far as within devolved competence, to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Abolition of the Intervention Board for Agricultural Produce (Consequential Provisions) (Scotland) Regulations 2001 and shall come into force on the day on which the Intervention Board for Agricultural Produce (Abolition) Regulations 2001 [F2] come into force.

(2) These Regulations extend to Scotland only.

F2 S.I. 2001/3686.

Agency arrangements

2.—(1) The Scottish Ministers may, with the agreement of the Secretary of State, enter into an arrangement for the exercise by the Secretary of State on behalf of the Scottish Ministers of–

(a) any function in connection with the carrying out of the obligations of the United Kingdom under the common agricultural policy; or

(b) any other relevant function,

other than a power to legislate by means of orders, rules, regulations or other subordinate instrument.

(2) Any such arrangement shall be in writing and be signed by or on behalf of the Scottish Ministers and the Secretary of State and may be subject to such conditions (including conditions as to the costs) as may be agreed.

(3) In paragraph (1) above, "relevant function" means any function which has been exercisable by the Intervention Board for Agricultural Produce, established by section 6(1) of the European Communities Act 1972, but which has ceased to be so exercisable at any time before the coming into force of these Regulations.

Amendments consequential to the abolition of the Intervention Board for Agricultural Produce

3.—(1) In article 3(1) of the Foot-and-Mouth Disease Order 1983 [F3], in the definition of "certification centre", for "Intervention Board for Agricultural Produce" there shall be substituted " Scottish Ministers ".

(2) In the Home-Grown Cereals Authority Levy Scheme (Approval) Order 1987 [F4], in the Scheme set out in the Schedule to that Order, in paragraph 2(1), the definition of "Intervention Board" shall be omitted and for any other reference to "Intervention Board", there shall be substituted " Scottish Ministers ".

[F5](3) . . . . . .

(4) In the Beef Special Premium (Protection of Payments) Order 1989 [F6]–

(a) in article 2(1), the definitions of "the Board" and "the Ministers" shall be omitted;

(b) for any other reference to "the Board", there shall be substituted " the Scottish Ministers ";

(c) for article 2(2) there shall be substituted the following paragraph:–

"(2) Any reference in this Order to the Scottish Ministers other than in article 9 shall include a reference to the Meat and Livestock Commission when acting for them.";

and

(d) in article 9(1) the words "or of one of the Ministers" shall be omitted.

(5) In the Beef Special Premium (Recovery Powers) Regulations 1989 [F7] for any reference to "Board", there shall be substituted " Scottish Ministers ".

[F8](6) . . . . . .

(7) In the Home-Grown Cereals Authority Oilseeds Levy Scheme (Approval) Order 1990 [F9], in the Scheme set out in the Schedule to that Order, in paragraph 2(1), the definition of "Intervention Board" shall be omitted and for any other reference to "Intervention Board" there shall be substituted " Scottish Ministers ".

(8) In the Common Agricultural Policy (Protection of Community Arrangements) Regulations 1992 [F10]–

(a) in regulation 2(1), the definition of "the Board" shall be omitted;

(b) for any other reference to "the Board", there shall be substituted " the Scottish Ministers ";

(c) in regulation 2(1) in the definition of "authorised officer", after the word "Regulations", there shall be inserted–

"or, for the purposes of any action taken under these Regulations in relation to a Community debt, so authorised by the enforcement authority in a case where that Community debt was paid by them or which is payable to them";

(d) in regulation 2(1) for the definition of "enforcement authority", there shall be substituted the following definition:–

""enforcement authority" means the Scottish Ministers";

(e) in regulation 3, for the words "London, Edinburgh and Belfast Gazettes", there shall be substituted the words " Edinburgh Gazette ";

(f) regulation 9 shall be omitted; and

(g) in regulation 11, after "owed", there shall be inserted " to them ".

(9) In regulation 2(1) of the Surplus Foods Regulations 1995 [F11]–

(a) the definition of "the Board" shall be omitted; and

(b) for the definition of "enforcement authority" there shall be substituted the following definition:–

""enforcement authority" means the Scottish Ministers;".

(10) In the Arable Area Payments Regulations 1996 [F12]–

(a) in regulation 2(1), for the definition of "the Minister", there shall be substituted the following definition:–

""the Minister" means the Scottish Ministers";

and

(b) in paragraph 3(1) of Schedule 3, for "the Intervention Board for Agricultural Produce", there shall be substituted " them ".

[F13](11) . . . . . .

[F13](12) . . . . . .

(13) In the Common Agricultural Policy Support Schemes (Modulation) (Scotland) Regulations 2000 [F14]–

(a) in regulation 2, "the Intervention Board or" shall be omitted;

(b) in regulation 3(1), the definition of "Intervention Board" shall be omitted; and

(c) in regulation 4(1), "or (in the case of payments under support schemes in relation to which the Intervention Board is responsible for making payments) the Intervention Board," shall be omitted.

F3 S.I. 1983/1950, amended by S.I. 1993/3119, S.I. 1995/2922 and, as regards Scotland, by S.S.I. 2001/52, 55 and 101.

F4 S.I. 1987/671 approved (with modifications) the Home-Grown Cereals Authority Levy Scheme. That Scheme was varied by the Home-Grown Cereals Authority Levy (Variation) Scheme 1990 which was approved (with a modification) by the Home-Grown Cereals Authority Levy (Variation) Scheme (Approval) Order 1990 (S.I. 1990/1316), the Home-Grown Cereals Authority Levy (Variation) Scheme 1991 which was approved by the Home-Grown Cereals Authority Levy (Variation) Scheme (Approval) Order 1991 (S.I. 1991/1302) and the Home-Grown Cereals Authority Levy (Variation) Scheme 1996 which was approved (with modifications) by the Home-Grown Cereals Authority Levy (Variation) Scheme (Approval) Order 1996 (S.I. 1996/2843).

F5 Reg. 3(3) revoked (17.9.2018) by The Environment, Food and Rural Affairs (Miscellaneous Amendments and Revocations) Regulations 2018 (S.I. 2018/942), regs. 1(2), **46(d)**

F6 S.I. 1989/574.