STATUTORY INSTRUMENTS

1981 No. 926 (S.91)

AGRICULTURE

CORN CROPS

The Corn Returns (Delegation of Functions) (Scotland) Order 1981

Made - - - -	18*th June* 1981
Laid before Parliament	10*th July* 1981
Coming into Operation	1*st August* 1981

In exercise of the powers conferred on me by section 108(1) of the Agriculture Act 1970(a) and of all other powers enabling me in that behalf, with the approval of the Treasury, and after consultation with the Home-Grown Cereals Authority, I hereby make the following order:—

Citation, extent and commencement

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

Interpretation

2. In this order, unless the context otherwise requires, the following expressions have the meanings respectively assigned to them:—

"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.

Delegation of functions to the Authority

3. The Secretary of State hereby authorises and requires the discharge by the Authority instead of by the Secretary of State of the following functions of the Secretary of State under the Act:—

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

(a) 1970 c.40.
(b) 1882 c.37. The Act was extended to Scotland by section 14 of the Agriculture (Miscellaneous Provisions) Act 1954 (c.39).
(c) 1965 c.14.
(d) Section 5 was substituted by section 108(3)(b) of the Agriculture Act 1970 (c.40).

(*b*) the computation of the average price in each week of each sort of British corn pursuant to sections 4 and 9 of the Act (**a**) (which require the Secretary of State to cause average prices of British corn to be computed from the returns made in pursuance of the Act); and

(*c*) the power to omit in the computation made under paragraph (b) of this Article, any return received under paragraph (a) of this Article or any particular in such a return pursuant to section 12 of the Act (**a**) (which enables the Secretary of State where he has reason to believe that a return or any part 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

4. The Authority, while carrying out the functions of the Secretary of State delegated by Article 3 of this order, shall:—

(*a*) retain any form of return until required by the Secretary of State to deliver it to such officer as is mentioned in paragraph (b) of this Article;

(*b*) permit any officer authorised by the Secretary of State to have access at all reasonable times to any form of return which is in the possession of the Authority and to take copies or extracts from it; and

(*c*) deliver to the Secretary of State the average prices computed in each week.

Revocation

5. The Corn Returns (Delegation of Functions) (Scotland) Order 1970 (**b**) is hereby revoked.

George Younger,
One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh.
10th June 1981.

We approve.

John Wakeham,
J. A. Cope,
Two of the Lords Commissioners of Her Majesty's Treasury.

18th June 1981.

(**a**) Sections 4 and 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. 1970/1090.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order replaces the Corn Returns (Delegation of Functions) (Scotland) Order 1970. The requirements on the Home-Grown Cereals Authority to receive returns made in Scotland under the Corn Returns Act 1882 (as extended to Scotland by section 14 of the Agriculture (Miscellaneous Provisions) Act 1954) and to permit access to returns in its possession continue unchanged. The Order delegates to the Authority the functions of the Secretary of State under the Act of computing from these returns the weekly average prices of British corn and of disregarding in that computation particulars which appear to be false. The Authority is then required to provide the Secretary of State with these average prices and to retain the returns until required by the Secretary of State.

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