
STATUTORY INSTRUMENTS

1997 No. 3020

AGRICULTURE

**The Potato Marketing Scheme
(Certification of Revocation) Order 1997**

Made - - - - 17th December 1997

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly in exercise of the powers conferred on them by section 26(5) of the Agriculture Act 1993(1), hereby make the following Order:—

Title and Extent

1. This Order may be cited as the Potato Marketing Scheme (Certification of Revocation) Order 1997 and applies in Great Britain.

Interpretation

2.—(1) In this Order—

“the Act” means the Agriculture Act 1993;

“the Board” means the Potato Marketing Board administering the Scheme;

“the Scheme” means the Potato Marketing Scheme(2).

(2) In this Order any reference to a numbered section shall be construed as a reference to the section so numbered in the Act.

Certification of Revocation

3. It is hereby certified that—

(a) property, rights and liabilities of the Board were transferred under section 35 (statutory transfer on vesting day under approved transfer scheme), and

(b) in pursuance of section 26(4), section 26(1) (which, subject to section 37 and any provision of regulations made under section 38(3)(a), revokes the Scheme) came into force on 1st July 1997.

(1) 1993 c. 37; section 49(2) contains a definition of “the Ministers”.

(2) Approved by The Potato Marketing Scheme (Approval) Order (S.I. 1955/690) amended by S.I. 1962/883, 1971/711, 1976/133, 1985/312, 1987/282, 1990/1626 and 1994/2404, and by section 64 of, and Schedule 5 to, the Agriculture Act 1993 (c. 37).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

15th December 1997

Donoghue
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

15th December 1997

Sewel
Parliamentary Under Secretary of State, Scottish
Office

Signed by authority of the Secretary of State for Wales

17th December 1997

Win Griffiths
Parliamentary Under Secretary of State, Welsh
Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which applies in Great Britain, certifies the revocation of the Potato Marketing Scheme on 1st July 1997, subject to the saving specified below.

The Agriculture Act 1993, section 26(1), revokes the Potato Marketing Scheme. However, by virtue of section 26(4) of the 1993 Act, on the transfer under section 35 of that Act of property, rights or liabilities of the Potato Marketing Board, revocation on the transfer date follows as an automatic consequence. The transfer took place on 1st July 1997.

Revocation of the Scheme is, by virtue of sections 37 and 38 of the 1993 Act, made subject to a saving in respect of winding up provisions of the Scheme and other provisions preserved by regulations. Those provisions are set out in the Schedule to the Potato Marketing Board (Residuary Functions) Regulations 1997 (S.I.1997/1573).