

SCHEDULE 4

Article 3

BRITISH POTATO COUNCIL

PART I

APPLICATION AND INTERPRETATION

- 1.—(1) This Schedule shall apply to the British Potato Council.
- (2) In this Schedule—
- “the principal Order” means the Potato Industry Development Council Order 1997(1);
  - “the 1947 Act” means the Industrial Organisation and Development Act 1947(2);
  - “the Council” means the British Potato Council constituted by article 3 of the principal Order.

PART II

MODIFICATIONS

**General modification of functions in relation to the Council**

- 2.—(1) Any function which is exercisable in relation to the Council by the Secretary of State for Scotland acting alone shall instead be exercisable by the Scottish Ministers.
- (2) Any function which is—
- (a) specifically exercisable in relation to the Council; and
  - (b) exercisable by the Secretary of State for Scotland acting jointly with other Ministers of the Crown,
- shall instead be exercisable by the Scottish Ministers and those other Ministers acting jointly.
- (3) This paragraph does not apply to any function to which paragraph 3 applies.

**Modification of function under the 1947 Act**

- 3.—(1) This paragraph applies to any function exercisable by a Minister of the Crown under the 1947 Act to modify the principal Order.
- (2) The Secretary of State for Scotland is to cease to be among the Ministers who, acting jointly, may exercise any function to which this paragraph applies.
- (3) Any function to which this paragraph applies shall be exercisable only with the consent of the Scottish Ministers, and section 88(2) of the Act shall not apply in relation to any such function.

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(1) S.I.1997/266.  
(2) 1947 c. 40.