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STATUTORY INSTRUMENTS

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**1999 No. 3141**

**The Transfer of Functions (Agriculture and Food) Order 1999**

**Transfer of certain functions involving territorial Secretaries of State**

2.—(1) Any function of the Secretary of State, the Secretary of State for Scotland or the Secretary of State for Wales under an enactment mentioned in the Schedule is hereby transferred to the Minister of Agriculture, Fisheries and Food.

(2) Any function of the Secretary of State, the Secretary of State for Scotland or the Secretary of State for Wales under the Industrial Organisation and Development Act 1947(1) which is exercisable by him by virtue of the Transfer of Functions (Wales) (No. 1) Order 1978 or the proviso to section 1(2) of the Act of 1947 is hereby transferred to the Minister of Agriculture, Fisheries and Food.

(3) Any function of the Secretary of State or the Secretary of State for Wales which is exercisable by him under section 34(2) or 61 of the Agriculture Act 1967(2) by virtue of the Transfer of Functions (Wales) Order 1969 or the Transfer of Functions (Wales) (No. 1) Order 1978 is hereby transferred to the Minister of Agriculture, Fisheries and Food.

(4) Any function of the Secretary of State for Scotland under paragraph 1(2) of Schedule 9 to the Deregulation and Contracting Out Act 1994(3) is hereby transferred to the Minister of Agriculture, Fisheries and Food.

(5) For the purposes of paragraphs (1) to (4)—

- (a) the references to any function of the Secretary of State do not include any function of a named Secretary of State (however described), and
- (b) the references to the Secretary of State for Scotland and the Secretary of State for Wales include references to the Secretary of State concerned with agriculture in Scotland and the Secretary of State concerned with agriculture in Wales respectively.

(6) Any function under the Food Safety Act 1990(4) which is exercisable by the Minister of Agriculture, Fisheries and Food jointly with the Secretaries of State respectively concerned with health in England and food and health in Wales is hereby transferred to the Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly.

(7) This article is subject to article 3.

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(1) 1947 c. 40. Relevant amendments made by the Transfer of Functions (Ministry of Food) Order 1955 (S.I. 1955/554) (“the 1955 Order”), art. 3(3), the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272) (“the 1978 Order”), art. 9, the Scotland Act 1998 (c. 46) (“the Scotland Act”), the Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) Order 1999 (S.I. 1999/1747) (“the CBPA Order”), art. 3 and Schs. 4, 14 and 17, the Government of Wales Act 1998 (c. 38) (“the Wales Act”) and the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) (“the Assembly Order”).

(2) 1967 c. 22. Relevant amendments made by the Transfer of Functions (Wales) Order 1969 (S.I. 1969/388) (“the 1969 Order”), art. 3 and Sch. 2, the 1978 Order, art. 2 and Sch. 1, the Scotland Act, the Wales Act and the Assembly Order.

(3) 1994 c. 40. Relevant amendments made by the Scotland Act.

(4) 1990 c. 16. Relevant amendments made by the Deregulation and Contracting Out Act 1994, Sch. 9, para. 6, the Wales Act and the Assembly Order.