
STATUTORY INSTRUMENTS

2002 No. 794

**The Ministry of Agriculture, Fisheries
and Food (Dissolution) Order 2002**

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002.

(2) This Order shall come into force on the day after the day on which it is made.

(3) Any provision of this Order for the transfer of functions of the Minister of Agriculture, Fisheries and Food acting alone to the Secretary of State or a named Secretary of State (however described) shall be construed, in relation to any of those functions so far as they are already exercisable concurrently with the Minister of Agriculture, Fisheries and Food by the Secretary of State acting alone or (as the case may be) the named Secretary of State acting alone, as providing that the functions shall cease to be exercisable by the Minister of Agriculture, Fisheries and Food; and references in this Order to functions transferred or to a transfer by the Order shall be construed accordingly.

(4) In determining for the purposes of this Order whether a share of a joint function is held by the Secretary of State or a named Secretary of State (however described), any transfer under the Transfer of Functions (Wales) Order 1969(1) or the Transfer of Functions (Wales) (No. 1) Order 1978(2) which was expressed to be a transfer to the Secretary of State, or to the Secretary of State and another person jointly, shall, irrespective of any supplementary provision in the Order, be treated as a transfer to, or (as the case may be) including a transfer to, the Secretary of State (and not a named Secretary of State).

(5) In this Order, unless the context otherwise requires, any reference to a function of, or exercisable by, a Minister or Ministers shall, in the case of a function which is exercisable by the Minister or Ministers jointly with another person or is otherwise shared by the Minister or Ministers with another person, be construed as a reference to the share of the Minister or Ministers in that function.

(6) In this Order any description in article 2(3) or (4)(c) or article 3(4), (6), (9)(c) or (10)(c) of a function to be transferred does not, so far as it refers to a function of, or exercisable by, the Secretary of State, include a reference to a function of, or exercisable by, a named Secretary of State (however described); and article 6(6), (7) and (8) do not apply in relation to a transfer to a named Secretary of State and the other references in article 6(7) and (8) to the Secretary of State also do not include references to a named Secretary of State.

(7) In this Order “instrument”, without prejudice to the generality of that expression, includes in particular Royal Charters, Orders in Council, Letters Patent, judgments, decrees, orders, rules, regulations, schemes, bye-laws, awards, contracts and other agreements, memoranda and articles of association, warrants, certificates and other documents.

(8) In this Order—

“the transferor” means—

(1) [S.I. 1969/388](#).

(2) [S.I. 1978/272](#) (“the 1978 Order”).

- (a) in relation to anything transferred by article 2(3), (4)(c) or (d) or (5) or article 3(4), (5), (6), (7), (8), (9)(c), (10)(c) or (11), the Minister of Agriculture, Fisheries and Food and the Minister or Ministers concerned, or any of them;
 - (b) in relation to anything transferred by article 2(4)(b), 3(9)(b) or (10)(b) or 4(2), the Minister concerned; and
 - (c) in any other case, the Minister of Agriculture, Fisheries and Food; and
- “the transferee” means—
- (a) in relation to anything transferred by article 2(5) or 3(4) or (11)(a) or (c), the Secretary of State for Environment, Food and Rural Affairs and the Minister or Ministers concerned, or (as the case may be) the Secretary of State for Environment, Food and Rural Affairs or the Minister or Ministers concerned;
 - (b) in relation to anything transferred by article 3(3), each Secretary of State having responsibility for any matters connected with the regulation of veterinary products;
 - (c) in relation to anything transferred by article 4(2), the Secretary of State to whom the transferred function is entrusted on the coming into force of this Order; and
 - (d) in any other case, the Secretary of State or (as the case may be) the Secretary of State for Environment, Food and Rural Affairs.