

DRAFT STATUTORY INSTRUMENTS

2003 No.

REGULATORY REFORM, ENGLAND AND WALES

The Regulatory Reform (Sugar Beet Research and Education) Order 2003

Made

2003

Coming into force in accordance with article 1

Whereas:

- (a) the Minister of Agriculture, Fisheries and Food consulted-
 - (i) such organisations as appeared to him to be representative of interests substantially affected by his proposals which are implemented by this Order;
 - (ii) the National Assembly for Wales; and
 - (iii) such other persons as he considered appropriate;
- (b) following that consultation the Secretary of State for Environment, Food and Rural Affairs (“the Secretary of State”), in whom the functions of that Minister are now vested^(a), considered it appropriate to proceed with the making of this Order;
- (c) a document containing the Secretary of State's proposals was laid before Parliament as required by section 6 of the Regulatory Reform Act 2001^(b) (“the 2001 Act”) and the period for Parliamentary consideration under section 8 of that Act expired;
- (d) no representations were received during that period;
- (e) the Secretary of State had regard to the Thirteenth Report of the Regulatory Reform Committee^(c) and the Twenty-seventh Report of the Delegated Powers and Regulatory Reform Committee^(d);
- (f) a draft of this Order was laid before Parliament with a statement giving details of the reports of each House of Parliament and recording the fact that no representations were made during the period set out in section 8 of the 2001 Act;
- (g) the draft was approved by resolution of each House of Parliament;

^(a) Functions exercisable by the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by virtue of articles 2 and 3 of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

^(b) 2001 c.6.

^(c) Thirteenth Report on 22nd October 2002, HC 1247, ISBN 0 215 00591 0. The Regulatory Reform Committee confirmed this report in a formal Resolution to the House of Commons on 26th November 2002.

^(d) Twenty-seventh Report on 16th October 2002, HL 172, ISBN 0 104 81210 9.

- (h) this Order removes a function of the National Assembly for Wales, and the Assembly has agreed that it be made; and
- (i) the Secretary of State is of the opinion that this Order does not remove any necessary protection or prevent any person from continuing to exercise any right or freedom which he might reasonably expect to continue to exercise;

Now therefore the Secretary of State, in exercise of the powers conferred by section 1 of the 2001 Act, hereby makes the following Order:

Title, commencement and extent

1.-(1) This Order may be cited as the Regulatory Reform (Sugar Beet Research and Education) Order 2003 and shall come into force on the day following the day on which it is made.

(2) This Order shall extend to England and Wales only.

Interpretation

2. In this Order, “the 1984 Act” means the Food Act 1984^(a).

Repeal of section 68 of the 1984 Act

3. Section 68 of the 1984 Act (research and education) is hereby repealed.

Amendment consequential on article 3 above

4. In section 69 of the 1984 Act (crop price), in subsection (3), after “section 69A” there shall be inserted “-“home-grown beet” means sugar beet grown in Great Britain; and”.

Repeal consequent on article 3 above

5. Paragraph 13 of Schedule 2 to the Food Safety Act 1990^(b) is hereby repealed.

Parliamentary Under Secretary,
2003 Department for Environment, Food and Rural Affairs

^(a) 1984 c.30. Section 68 was amended by the Food Safety Act 1990 (c.16), section 52(b), Schedule 2, paragraphs 12 and 13.

^(b) 1990 c.16.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on the day following the day on which it is made, is made by the Secretary of State for Environment, Food and Rural Affairs, with the agreement of the National Assembly for Wales, under section 1 of the Regulatory Reform Act 2001. Article 3 removes burdens on processors of, and those bodies substantially representative of growers of, home-grown sugar beet by repealing, in so far as it extends to England and Wales, section 68 of the Food Act 1984 (“the 1984 Act”). That section obliges *inter alia* the Secretary of State and the National Assembly for Wales (“the Ministers”), after consulting such processors and representative bodies, to prepare an annual programme for the carrying out of research and education in matters affecting the growing of home-grown beet. The sugar beet industry is currently required by means of an agreement with the Ministers to provide the latter with that programme. Section 68 also confers on the Ministers the power to provide, by means of an order, for the collection of contributions from processors and growers in order to carry it into effect.

Article 4 makes a consequential amendment to section 69 of the 1984 Act by re-enacting the definition of “home-grown beet” otherwise lost by the repeal of section 68, and article 5 makes a consequential repeal to the Food Safety Act 1990.