

**AGRICULTURE BILL**  
**AMENDMENT TO BE MOVED AT REPORT STAGE**

Clause 28, page 23, line 13

Leave out subsection (7)

Effect

This amendment would remove the powers to confer and delegate functions and to exercise discretion as set out in subsection (7).

Reason

It is recognised by the *Carltona* doctrine<sup>1</sup> that the system of departmental organisation and administration is based on the constitutional notion that the decision of a government official is constitutionally that of his Minister. A Minister alone is responsible to Parliament.

In the circumstances, the powers conferred by subsection (7) are unnecessary. If the Government considers these powers are required for a particular purpose, an explanation of should be provided, and the particular circumstances should be set out in the Act to ensure that the powers are necessary and appropriate.

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<sup>1</sup> *Carltona Ltd v Commissioners of Works* [1943] 2 All ER 560 (CA)