STATUTORY INSTRUMENTS

1980 No. 211

CUSTOMS AND EXCISE

RELIEFS AND REDUCED DUTIES (CUSTOMS)

The Agricultural Levy Reliefs (Frozen Beef and Veal) Order 1980

Made - - - -	19*th February* 1980
Laid before the House of Commons -	27*th February* 1980
Coming into Operation	28*th February* 1980

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland, the Secretary of State for Northern Ireland (being the Secretaries of State respectively concerned with agriculture in Scotland and Northern Ireland) and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred upon them by section 4 of the Customs and Excise Duties (General Reliefs) Act 1979**(a)**, and of all other powers enabling them in that behalf, hereby make the following order:—

1. This order may be cited as the Agricultural Levy Reliefs (Frozen Beef and Veal) Order 1980, and shall come into operation on 28th February 1980.

2. In this order, unless the context otherwise requires—

"the Board" means the Intervention Board for Agricultural Produce established under section 6 of the European Communities Act 1972;

"entered for home use" means entered for home use within the meaning of the Customs and Excise Act 1952**(b)** and regulation 8 of the Warehousing Regulations 1975**(c)**;

"licence" means an import licence issued by the Board under the provisions of Council Regulation (EEC) No. 805/68 of 27th June 1968**(d)**, on the common organisation of the market in beef and veal, Commission Regulation (EEC) No. 193/75 of 17th January 1975**(e)**, laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products and Commission Regulation (EEC) No. 571/78 of 21st March 1978**(f)** on the system of import and export licences for beef and veal;

(a) 1979 c. 3; section 4 is applied in relation to agricultural levies of the Economic Community by section 6(5) of the European Communities Act 1972 (c. 68), as amended by the Customs and Excise Duties (General Reliefs) Act 1979, section 19(1) and Schedule 2, paragraph 4. By virtue of section 6(8) of the European Communities Act 1972 the reference to Ministers in section 6(5) of that Act is to be construed as if contained in Part I of the Agriculture Act 1957 as read with the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).

(b) 1952 c. 44; there are amendments not relevant to this order.

(c) S.I. 1975/1789.

(d) O.J. No. L148, 28.6.68, p. 24; the relevant amending instrument is Council Regulation (EEC) No. 425/77 of 14th February 1977, O.J. No. L61, 5.3.77, p. 1.

(e) O.J. No. L25, 31.1.75, p. 10; there are amendments not relevant to this order.

(f) O.J. No. L78, 22.3.78, p. 10.

3. Regulation F6 of the principal regulations is amended—

(*a*) by inserting in paragraph (1) after the word "shall" the words ", subject to paragraph (1A),"; and

(*b*) by inserting at the end of paragraph (1) the following paragraph—

"(1A) No reduction shall be made under paragraph (1) for any additional contributions in respect of years added under regulation D10 which are payable on or after 1st April 1980.".

Reduction of pensions

4. Regulation F7 of the principal regulations is amended—

(*a*) by inserting at the end of paragraph (2A) the words "and had provided that service on or after 1st April 1980 was not to be taken into account in calculating the basic reduction under that paragraph.";

(*b*) by inserting after paragraph (3) the following paragraph—

"(3A) In the case of a person to whom regulation F6(1)(*a*) applies who makes any additional contributions in respect of years added under regulation D10 which are payable on or after 1st April 1980, no reduction to the retirement pension is to be made under this regulation in connection with those added years."; and

(*c*) by inserting in paragraph (4) after the words "under Schedule 9" the words "and he ceased to hold the employment in respect of which the pension is payable before 1st April 1980".

Old modification schemes

5. Regulation F9 of the principal regulations is amended—

(*a*) by inserting at the end of paragraph (2) the words ", but no such modifications shall be made in respect of contributions for any period ending on or after 1st April 1980.";

(*b*) by inserting at the beginning of paragraph (3) the words "Subject to paragraph (3A),"; and

(*c*) by inserting after paragraph (3) the following paragraph—

"(3A) The retirement pension of a person to whom paragraph (3) applies who makes any contributions for any period ending on or after 1st April 1980 shall not be modified under that paragraph but shall be reduced by the difference between—

(*a*) the retirement pension to which he would have been entitled if service on or after 1st April 1980 were disregarded in calculating the amount of the pension and the pension had not been subject to modification or reduction under this Part; and

(*b*) the retirement pension to which he would have been entitled if service on or after 1st April 1980 were disregarded in calculating the amount of the pension and the pension had been subject to modification under paragraph (3).".

Reduction of payments for added years

6. Regulation F12 of the principal regulations is amended—

(*a*) by inserting at the beginning of paragraph (1) the words "Subject to paragraph (1A),"; and

(*b*) by inserting at the end of paragraph (1) the following paragraph—

"(1A) No reduction shall be made under paragraph (1) for any additional contributions in respect of years added under regulation D10 which are payable on or after 1st April 1980.".

6. Goods shall be treated as forming part of the quota when they are entered for home use under the authority of a licence endorsed with the statement referred to in article 4(*a*) of this order.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 8th February 1980.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

George Younger,
11th February 1980. Secretary of State for Scotland.

Humphrey Atkins,
15th February 1980. Secretary of State for Northern Ireland.

Nicholas Edwards,
19th February 1980. Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which comes into operation on 28th February 1980 and applies throughout the United Kingdom, requires the Minister of Agriculture, Fisheries and Food to allocate the United Kingdom's share of a quota for the levy-free import of frozen beef and veal under the provisions of Council Regulation (EEC) No. 2956/79.

The Order provides that not more than one third of the United Kingdom's share of the quota shall be allocated to Government Departments and local authorities and that the remainder shall be allocated to importers of frozen beef and veal by reference to the amounts of frozen beef and veal which they have imported from outside the European Economic Community into the United Kingdom during the period 1st November 1976 to 31st October 1979, other than amounts imported free of duty pursuant to the Lomé Convention during that period.