CHAPTER 62

An Act to make provision for the payment of subsidies in respect of calves and for purposes connected therewith. [30th October 1952.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Schemes for calf subsidies,

1.—(1) The appropriate Minister may by a scheme made with the approval of the Treasury (hereinafter referred to as "a scheme") make provision for the payment of subsidies in respect of calves—

(*a*) born in the United Kingdom within the period specified in the scheme, and

(*b*) certified in accordance with the scheme to be of any such description as may be so specified, and

(*c*) falling, at a time specified in the scheme, within such limits of age as may be so specified,

being subsidies at such rates as may be so specified.

(2) A scheme may be a separate scheme for England and Wales or for Scotland or for Northern Ireland, or may be a joint scheme for the whole of the United Kingdom, for England, Wales and Scotland, for England, Wales and Northern Ireland, or for Scotland and Northern Ireland; and in this Act the expression "the appropriate Minister" means—

(*a*) in relation to a separate scheme for England and Wales or for Northern Ireland, or a joint scheme for England and Wales and Northern Ireland, the Minister of Agriculture and Fisheries,

(*b*) in relation to any other joint scheme, the Minister of Agriculture and Fisheries and the Secretary of State acting jointly, and

(*c*) in relation to a separate scheme for Scotland, the Secretary of State.

(3) The period specified in a scheme shall be a period beginning with such date, either before or after the commencement of this Act but not earlier than the first day of October, nineteen hundred and fifty-one, as may be so specified and ending with a date not later than three years after the beginning of the period or, if the period begins with a date before the commencement of this Act, not later than three years after the commencement of this Act.

(4) A scheme may make provision—

(*a*) as to the person to whom payments may be made under the scheme in respect of any calf,

(*b*) for securing that no payment shall be made except subject to such conditions as may be specified in the scheme and in particular (but without prejudice to the generality of the foregoing provisions of this paragraph) unless application therefor is made at the time and in the manner specified in the scheme,

(*c*) as to the persons by whom and manner in which certification of calves is to be carried out for the purposes of the scheme and, in the case of calves in respect of which application for payment of subsidy has been made, for the marking of them as having been certified as of a description specified in the scheme or, as the case may be, as calves in respect of which such certification has been refused,

(*d*) for such incidental and supplementary matters as appear to the appropriate Minister to be requisite or expedient for the purposes of the scheme.

(5) The power to make a scheme shall include power to vary or revoke the scheme by a subsequent scheme:

Provided that—

(*a*) a scheme shall not be varied by the extension of the period specified therein;

(*b*) a scheme shall not be varied in such a way as to exclude or reduce subsidy in respect of any calf born before the coming into operation of the varying scheme if subsidy could have been paid under the scheme in respect of that calf apart from the variation.

(6) The power to make, vary or revoke a scheme shall be exercisable by statutory instrument, and no such statutory instrument shall be made unless a draft thereof has been laid before Parliament and has been approved by resolution of each House of Parliament.

Provisions as to imported calves.

2.—(1) With a view to ensuring that payments under any scheme are made only in respect of calves born in the United Kingdom, the appropriate Minister may by order provide (subject to such exceptions, if any, as may be specified in the order) for the marking of calves imported or brought into the United Kingdom.

(2) Any order under this section may be varied or revoked by a subsequent order made thereunder.

(3) Subsection (2) of the foregoing section shall apply in relation to orders under this section as it applies in relation to schemes.

(4) The power to make orders under this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Offences.

3.—(1) If any person—

(*a*) with intent to deceive alters or defaces a mark placed on a calf in pursuance of a scheme or of an order under the last foregoing section, or

(*b*) contravenes or fails to comply with an order made under the last foregoing section,

he shall be guilty of an offence and liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

(2) If any person obstructs any person in the marking, in accordance with any scheme or with any order under the last foregoing section, of a calf in respect of which an application for a payment under that scheme has been made or, as the case may be, of a calf required by the order to be marked, he shall be liable on summary conviction to a fine not exceeding five pounds.

(3) In the application to Northern Ireland of this section, the expression " summary conviction " means conviction in accordance with the enactments (including enactments of the Parliament of Northern Ireland) for the time being in force in Northern Ireland relating to summary jurisdiction.

Provisions as to age of calves.

4.—(1) For the purposes of any scheme under section one of this Act or order under section two thereof, the limit of age at which an animal ceases to be a calf shall be such age as may be specified in such a scheme or order.

(2) Any such limit of age as aforesaid, or any limit of age to be specified in accordance with paragraph (*c*) of subsection (1) of section one of this Act, may (if the scheme or order in question so provides) be defined therein wholly or partly by reference to the growth of teeth or any other feature.

Expenses.

5. There shall be defrayed out of moneys provided by Parliament—

(*a*) all payments made under schemes, and

(*b*) any other expenses of the appropriate Minister incurred in pursuance of this Act.

Short title.

6. This Act may be cited as the Agriculture (Calf Subsidies) Act, 1952.