STATUTORY INSTRUMENTS

1975 No. 142

INDUSTRIAL ORGANISATION AND DEVELOPMENT

The Apple and Pear Development Council (Amendment) Order 1975

Laid before Parliament in draft

Made - - - - *7th February* 1975

Coming into Operation *1st April* 1975

The Minister of Agriculture, Fisheries and Food in exercise of the powers conferred on him by section 8(1) of the Industrial Organisation and Development Act 1947**(a)** and of all other powers enabling him in that behalf, after consultation with the Apple and Pear Development Council (established under the said Act by the Apple and Pear Development Council Order 1966**(b)**), with the organisations appearing to him to be representative of substantial numbers of persons carrying on business in the industry and with the organisations representative of persons employed in the industry appearing to the Minister to be appropriate, hereby makes the following order a draft whereof has been laid before Parliament and approved by a resolution of each House of Parliament:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the Apple and Pear Development Council (Amendment) Order 1975, and shall come into operation on 1st April 1975.

(2) The Interpretation Act 1889**(c)** shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Amendment of principal order

2. The Apple and Pear Development Council Order 1966, as amended **(d)**, and as read in accordance with section 10 of the Decimal Currency Act 1969**(e)**, shall be further amended—

(*a*) with effect from 1st April 1975 by substituting in article 10(1) thereof for the words "an annual charge at a rate not exceeding three pounds" the words "an annual charge at a rate not exceeding six pounds";

(*b*) with effect from 1st April 1976, as follows—

(i) by substituting in article 2 thereof for the definition of "grower" the following definition:—

(a) 1947 c. 40. **(b)** S.I. 1966/1579 (1966 III, p. 4883).
(c) 1889 c. 63.
(d) S.I. 1970/830, 1971/511 (1970 II, p. 2684; 1971 I, p. 1507). **(e)** 1969 c. 19.

" 'grower' means a person who carries on business in the industry and occupies land in England and Wales of two hectares or more planted with 50 or more apple or pear trees;";

(ii) by substituting for paragraphs (1) and (2) of article 10 thereof (as further amended by sub-paragraph (*a*) above) the following paragraphs:—

"(1) For the purposes of enabling them to meet administrative and other expenses incurred or to be incurred in the exercise of their functions the Council may, with the approval of the Minister, impose an annual charge at a rate not exceeding fourteen pounds fifty new pence on every grower in respect of each hectare of land occupied by him for the purpose of business in the industry and planted with apple or pear trees:

Provided that where the average density of planting on the land so occupied by any grower is less than 125 trees per hectare such charge shall be payable by that grower, if he so elects, in respect of every 50 trees the charge being calculated at the rate of two-fifths of the charge per hectare.

(2) For the purpose of computing the amount payable under paragraph (1) of this article headlands shall be included but fractions of less than each complete one-tenth of a hectare or any remainder after the number of trees have been divided by 50 shall be ignored.";

(iii) by substituting in the heading to article 12 thereof for the word "acreage" the words "orchard area".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 7th February 1975.

(L.S.) *Frederick Peart,*
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order which comes into operation on 1st April 1975 further amends the Apple and Pear Development Council Order 1966, as amended, by raising from £3 to £6 per acre the maximum rate of annual charge which may be imposed by the Apple and Pear Development Council on growers. Further amendments with effect from 1st April 1976 are also made changing existing references to imperial units of measurement to appropriate metric units and relating the annual charge accordingly.

SI 1975/ 142
ISBN 0-11-050142-X

