1969 No. 1312

SUGAR

The British Sugar Corporation Limited (Incentive Agreement) (Variation) Order 1969

Made - - -	16*th September* 1969
Laid before Parliament	24*th September* 1969
Coming into Operation	30*th September* 1969

The Minister of Agriculture, Fisheries and Food and the Secretary of State (hereinafter called "the Ministers") acting jointly in exercise of the powers conferred on them by section 19 of the Sugar Act 1956(**a**), and of all other powers enabling them in that behalf, with the approval of the Treasury, hereby make the following order :—

1. This order may be cited as the British Sugar Corporation Limited (Incentive Agreement) (Variation) Order 1969 ; and shall come into operation on 30th September 1969.

2. It is hereby directed that effect shall be given in accordance with section 20 of the Sugar Act 1956 to the Agreement incorporated in the Schedule to this order (being an Agreement under section 19 of that Act further varying an Agreement incorporated in the British Sugar Corporation Limited (Incentive Agreement) (No. 2) Order 1964(**b**), as varied by Agreements incorporated in the British Sugar Corporation Limited (Incentive Agreement) (Variation) Order 1966(**c**), the British Sugar Corporation Limited (Incentive Agreement) (Variation) Order 1967(**d**) and the British Sugar Corporation Limited (Incentive Agreement) (Variation) Order 1968(**e**) respectively.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 11th September 1969.

(L.S.)

Cledwyn Hughes,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 11th September 1969.

(L.S.)

William Ross,
Secretary of State for Scotland.

Approved on 16th September 1969.

B. K. O'Malley,
Walter Harrison,
Two of the Lords Commissioners
of Her Majesty's Treasury.

(**a**) 1956 c. 48.
(**b**) S.I. 1964/561 (1964 I, p. 995).
(**c**) S.I. 1966/1223 (1966 III, p. 3281).
(**d**) S.I. 1967/1405 (1967 III, p. 4071).
(**e**) S.I. 1968/1513 (1968 III, p. 4290).

SCHEDULE

FOURTH SUPPLEMENTAL INCENTIVE AGREEMENT MADE PURSUANT TO SECTION 19 OF THE SUGAR ACT 1956 BETWEEN THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD, THE SECRETARY OF STATE FOR SCOTLAND AND BRITISH SUGAR CORPORATION LIMITED.

This fourth supplemental agreement (hereinafter called "this agreement") is made the 9th day of September 1969 between the Minister of Agriculture, Fisheries and Food and the Secretary of State for Scotland (hereinafter called "the Ministers") of the one part and British Sugar Corporation Limited (hereinafter called "the Corporation") of the other part with the approval of the Treasury and after consultation with the Sugar Board pursuant to Section 19 of the Sugar Act 1956 (hereinafter called "the Act") in order to promote economy and efficiency in the undertaking of the Corporation.

Whereas:—

(1) This agreement is supplemental to an agreement (hereinafter called "the principal agreement") for the making of incentive payments which was made pursuant to Section 19(1) of the Act on 26th March 1964 between the Ministers and the Corporation.

(2) The principal agreement was given effect, pursuant to Section 19(7) of the Act, by incorporation in the British Sugar Corporation Limited (Incentive Agreement) (No. 2) Order 1964 made by the Ministers with the approval of the Treasury and coming into operation on 21st April 1964.

(3) The principal agreement has subsequently been varied from time to time by three agreements (hereinafter called "the supplemental agreements") between the Ministers and the Corporation made pursuant to Section 19(3) of the Act and to which effect was given in each case, pursuant to Section 19(7) of the Act, by incorporation of the relevant agreement in an Order made by the Ministers with the approval of the Treasury. The dates of the supplemental agreements, the Orders relative thereto respectively and the dates on which such Orders came into operation are as follows:—

Date of Agreement	*Order*	*Operative date*
13th September 1966	The British Sugar Corporation Limited (Incentive Agreement) (Variation) Order 1966	30th September 1966
14th September 1967	The British Sugar Corporation Limited (Incentive Agreement) (Variation) Order 1967	30th September 1967
13th September 1968	The British Sugar Corporation Limited (Incentive Agreement) (Variation) Order 1968	30th September 1968

(4) The Ministers and the Corporation are desirous of further varying the principal agreement, as varied by the supplemental agreements, pursuant to Section 19(3) of the Act.

Now therefore it is agreed as follows:—

1. The principal agreement as varied by the supplemental agreements shall be further varied by deleting in paragraph 3 of the Schedule thereto all the words following the words "save that" and substituting therefore the words "for the financial years ended 30th September 1965, 1966, 1967, 1968, 1969 and 1970 the Standard Price shall be reduced by 1s. 6d., 9d., 0.4d., 0.3d., 2.7d., and 1.5d., respectively".

2. The principal agreement as varied by the supplemental agreements shall be further varied by adding after sub-paragraph (*b*) of paragraph 5 of the Schedule to the principal agreement the words

"Provided that if in accordance with sub-paragraph (*a*) or (*b*) the adjustment in paragraph 4 (*c*) above would fall to be made in the financial year ending 30th September 1970 so as to increase the net profit in such financial year the amount of such adjustment shall (if necessary) be reduced so that the resultant increase in net profit does not exceed the amount (if any) by which the net profit (calculated before such adjustment) falls short of the average of the net profits in the two immediately preceding financial years."

3. The principal agreement as varied by the supplemental agreements shall in all other respects be hereby confirmed.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed.

(L.S.) *B. D. Hayes,*
For and on behalf of the Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland.

(L.S.) *J. Cormack,*
For and on behalf of the Secretary of State for Scotland.

The Common Seal of British Sugar Corporation Limited was hereunto affixed in the presence of

(L.S.) *G. B. Thorley,* Chairman.
A. J. F. Brown, Secretary.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order, made under Section 19 of the Sugar Act 1956, gives effect, in accordance with section 20 of that Act, to an agreement (reproduced in the Schedule to the order) concluded between the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the British Sugar Corporation Limited, which further varies the incentive agreement dated 26th March 1964, as varied by supplemental agreements dated 13th September 1966, 14th September 1967 and 13th September 1968 respectively.