STATUTORY INSTRUMENTS

1979 No. 1175

AGRICULTURE

The Butter Subsidy (Protection of Community Arrangements) (Amendment) Regulations 1979

Made - - - -	*17th September* 1979
Laid before Parliament	*26th September* 1979
Coming into Operation	*27th September* 1979

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated **(a)** for the purposes of section 2(2) of the European Communities Act 1972**(b)** in relation to the common agricultural policy of the European Economic Community, acting jointly in exercise of the powers conferred on them by the said section 2(2), hereby make the following regulations:

Citation and commencement

1. These regulations may be cited as the Butter Subsidy (Protection of Community Arrangements) (Amendment) Regulations 1979 and shall come into operation on 27th September 1979.

Amendment of Butter Subsidy (Protection of Community Arrangements) Regulations 1979

2. For the definition of "subsidy payment" in regulation 1(2) of the Butter Subsidy (Protection of Community Arrangements) Regulations 1979**(c)** (in these regulations referred to as "the principal regulations") there shall be substituted the following:—

" 'subsidy payment' means a sum paid in pursuance of either of the following provisions:

Council Regulation (EEC) No. 2574/78 **(d)** on the granting of aid for the consumption of butter in the United Kingdom;

Council Regulation (EEC) No. 1269/79 **(e)** on the marketing of reduced-price butter for direct consumption.".

3. The following regulation shall be substituted for regulation 3 of the principal regulations:—

"3. Where a subsidy payment has been made in respect of any butter and has not been refunded, or there is a subsisting claim for such a payment, and a person either exports the butter or, without the authority of the Board granted in accordance with regulation 2(2) above, uses it for manufacture or causes or permits it to be so used, he shall be liable to pay to the Board on demand an amount equal to the subsidy payment.".

(a) S.I. 1972/1811.
(b) 1972 c. 68.
(c) S.I. 1979/586.
(d) O.J. No. L309, 1.11.78, p.4.
(e) O.J. No. L161, 29.6.79, p. 8.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 14th September 1979.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

17th September 1979

George Younger,
Secretary of State for Scotland.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Butter Subsidy (Protection of Community Arrangements) Regulations 1979 ("the principal regulations") by—

(*a*) substituting, in regulation 1(2) of the principal regulations a new definition of "subsidy payment" incorporating references to the current Community provisions governing butter subsidy;

(*b*) replacing regulation 3 of the principal regulations (which enabled subsidy to be recovered where subsidised butter had been exported or, contrary to regulation 2 of the principal regulations, used for manufacture) by a regulation enabling subsidy to be recovered where subsidised butter has been exported or, without the authority of the Intervention Board for Agricultural Produce granted in accordance with regulation 2(2) of the principal regulations, has been used for manufacture.

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