STATUTORY INSTRUMENTS

1974 No. 54

FOOD AND DRUGS

The Butter Subsidy Regulations 1974

Made - - -	11*th January* 1974
Laid before Parliament	18*th January* 1974
Coming into Operation	11*th February* 1974

The Secretary of State for Social Services and the Minister of Agriculture, Fisheries and Food, 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, in exercise of the powers conferred on them by the said section 2(2), hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Butter Subsidy Regulations 1974 and shall come into operation on 11th February 1974.

(2) In these regulations, unless the context otherwise requires, "butter token" means a token issued in accordance with these regulations or valid in Great Britain by virtue of regulation 3(5) below, and "supplier" means a person who sells butter.

(3) The Interpretation Act 1889(**c**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Persons entitled to butter tokens

2. Subject to the provisions of regulation 3 below, a person shall be entitled to butter tokens for any month during the year 1974 in which he is or was—

(*a*) for the purposes of the Family Income Supplements Act 1970(**d**), a member of a family for which a family income supplement is paid under that Act; or

(*b*) paid a supplementary pension or a supplementary allowance under the Supplementary Benefit Act 1966(**e**) and he is either—

(i) a person whose pension or allowance is paid by means of an order which is one of a series of orders for the payment of sums on account of benefit, which is, or has been, contained in a book of such orders, or

(ii) such other person as the Secretary of State may decide; or

(*c*) any other person whose requirements are taken into account in the calculation of the supplementary pension or supplementary allowance payable to a person mentioned in sub-paragraph (*b*) above.

(a) S.I. 1972/1811 (1972 III, p. 5216).
(b) 1972 c. 68.
(c) 1889 c. 63.
(d) 1970 c. 55.
(e) 1966 c. 20 (enacted as the Ministry of Social Security Act 1966)

Issue and validity of butter tokens

3.—(1) Where a person is entitled to butter tokens, the Secretary of State shall issue to, or in respect of, him 2 butter tokens for each month for which he is so entitled; and the Secretary of State may issue a butter token in advance where it appears to him appropriate to do so.

(2) Each butter token shall be valid for the purchase, in accordance with the provisions of these regulations, of one half pound of butter at a price $4\frac{1}{2}$ pence below the price at which it would otherwise have been sold.

(3) Butter tokens shall only be issued under paragraph (1) above on application for them being made by the person to whom the family income supplement, supplementary pension or supplementary allowance, as the case may be, is payable and any such application shall be made on a form provided for this purpose by the Secretary of State; but the Secretary of State may dispense with any or all of the requirements of this paragraph in such cases or classes of cases as he may decide.

(4) Each butter token shall be valid only for such period as may be stated on it.

(5) A token issued by a department of the Government of Northern Ireland for purposes corresponding to those of these regulations shall be valid in Great Britain as if it were a butter token issued by the Secretary of State under these regulations.

Use of butter tokens

4.—(1) Only the person to, or in respect of, whom a butter token is issued, or someone acting on his behalf, shall be entitled to use it.

(2) A person entitled to use a butter token shall not use it except by surrendering it to a supplier who sells him one half pound of butter at a price $4\frac{1}{2}$ pence below that at which he would have sold it but for his acceptance of the token.

Payment by Secretary of State to suppliers

5.—(1) Where a supplier has accepted a valid butter token in accordance with the provisions of regulation 4(2) above and has complied with the following provisions of this regulation he shall be entitled to payment by the Secretary of State of $4\frac{1}{2}$ pence in respect of that token.

(2) A supplier shall, in accordance with any general or special directions of the Secretary of State, submit to him any token which he has accepted under regulation 4(2) above.

Miscellaneous provisions relating to butter tokens

6.—(1) Every butter token shall remain the property of the Secretary of State.

(2) Any person ceasing to be entitled to a butter token, or who is in possession of a butter token on behalf of a person so ceasing, shall return it forthwith to an office of the Department of Health and Social Security.

(3) The Secretary of State may, in his discretion, replace any butter token which has been lost; and where the person to whom a replacement butter token has been issued subsequently finds the token which had been lost, he shall not be entitled to use it and shall deliver it forthwith to an office of the Department of Health and Social Security.

(4) Where a person entitled to butter tokens dies, any person who has or obtains possession of any token issued in respect of the deceased shall deliver it forthwith to an office of the Department of Health and Social Security.

Recovery by Secretary of State in cases of misuse of butter tokens

7. Where a butter token is used, whether fraudulently or otherwise, by a person not entitled to use it, the Secretary of State may recover the value of it from that person or from any other person who has dealt with the token contrary to the provisions of these regulations.

Keith Joseph,
Secretary of State for Social Services.

11th January 1974.

In witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 11th January 1974.

(L.S.)

Joseph Godber,
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

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

These Regulations make the necessary arrangements to take advantage of the right conferred on Member States of the European Economic Community to allow certain persons to buy butter at a subsidised price (the subsidy being recouped from Community funds). (Commission Decision 73/10/EEC, OJ No. L40, 13.2.1973, p.15 as corrected by OJ No. L78, 27.3.1973, p.26, and as amended by OJ No. L77, 26.3.1973, p.46 and Commission Decision of 19.12.1973.)

The Regulations repeat for 1974 the arrangements contained in the Butter Subsidy Regulations 1973 (S.I. 1973/1012) with adjustment of the rate of subsidy to accord with the Community's new authorisation. They provide for the issue by the Secretary of State of butter tokens to enable certain persons to purchase 2 one-half pounds of butter a month at a price of $4\frac{1}{2}$ pence a half pound below that at which it would otherwise have been sold (hitherto the rate was 5 pence a half pound). The persons are those who at any time during the month receive Family Income Supplement or Supplementary Benefit paid by order book and certain other persons in receipt of Supplementary Benefit, and in each case the dependants of such persons.

Provision is made for the Secretary of State to reimburse the supplier for tokens which he accepts in accordance with the Regulations, and for incidental matters.

SI 1974/54
ISBN 0-11-040054-2

