STATUTORY INSTRUMENTS

1961 No. 1071

AGRICULTURE

GUARANTEED PRICES AND ASSURED MARKETS

The Cereals (Protection of Guarantees) (Amendment) Order, 1961

Made - - - -	*5th June*, 1961
Laid before Parliament	*8th June*, 1961
Coming into Operation	*1st July*, 1961

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with agriculture in Scotland and Northern Ireland, acting jointly, in exercise of the powers conferred upon them by section five and subsection (3) of section thirty-five of the Agriculture Act, 1957(a), and of all other powers enabling them in that behalf, hereby make the following order:—

1.—(1) This order may be cited as the Cereals (Protection of Guarantees) (Amendment) Order, 1961; and shall come into operation on the 1st day of July, 1961.

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

2. The Cereals (Protection of Guarantees) Order, 1958(c), shall be amended as follows:—

(*a*) by inserting in paragraph (1) of article 2 thereof immediately after the definition of the Minister the following definition:—

"'registered buyer' means a buyer of barley registered pursuant to paragraph (2) of article 4 of this order;";

(*b*) by substituting in sub-paragraph (*b*) of paragraph (1) of article 3 thereof for the words "wheat or rye" wherever they appear the words "wheat, rye or barley";

(*c*) by substituting for sub-paragraph (*b*) (iv) of paragraph (1) of article 3 thereof the following sub-paragraph:—

"(iv) in relation to wheat or rye, the price or prices paid in each case;";

(*d*) by substituting for article 4 thereof the following article:—

"4.—(1) Every person who, for re-sale or in the course of a trade or business other than farming, buys wheat, barley or rye from a registered grower thereof shall—

(*a*) keep or cause to be kept in respect of each cereal year and shall produce on demand by an authorised officer of the Minister an

(a) 5 & 6 Eliz. 2. c. 57. (b) 52 & 53 Vict. c. 63. (c) S.I. 1958/956 (1958 I, p. 78).

accurate record of each such purchase by him, such record to include the following particulars—

(i) the date of each purchase;

(ii) the name and address of each person from whom he buys any such wheat, barley or rye;

(iii) the quantity of such wheat, barley or rye so purchased;

(iv) the date or dates on which any such wheat, barley or rye so purchased was despatched on delivery pursuant to the purchase;

(v) in the case of wheat or rye, the price or prices paid;

(*b*) if so required by a notice in writing served on him by the Minister, furnish to such person, in such form, at such time or times and in respect of such period or periods as may be specified in the said notice such information relating to the purchase, sale or use by him of wheat, barley or rye as the Minister may require and shall produce on demand by any authorised officer of the Minister such books, accounts and records as may be necessary to verify the information so furnished;

(*c*) retain any record required to be kept by this article for two years from the end of the cereal year in which the transaction to which that record relates took place.

(2) Every person who, for re-sale or in the course of a trade or business other than farming, buys barley from a registered grower thereof, shall be registered by or on behalf of the Minister as a registered buyer for the purposes of this order before buying as aforesaid.".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this first day of June, nineteen hundred and sixty-one.

(L.S.)

Christopher Soames,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland this first day of June, nineteen hundred and sixty-one.

(L.S.)

John S. Maclay,
Secretary of State for Scotland.

Given under the hand of the Secretary of State for the Home Department this fifth day of June, nineteen hundred and sixty-one.

R. A. Butler,
Secretary of State for the Home Department.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This amending order makes provision, in support of arrangements in force by virtue of the Cereals (Deficiency Payments) Order, 1955, as amended, for the agricultural Ministers to register buyers of home-grown barley and to secure from them and from registered growers the information on growers' deliveries of barley (after sale) which will make it possible to adjust deficiency payments on barley in conformity with that order.

It also requires buyers of home-grown wheat or rye to keep prescribed records of their purchases from growers.