1957 No. 370

The Fatstock (Guarantee Payments) Order, 1957

Made - - - - 12*th February*, 1957
Coming into Operation 25*th March*, 1957

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for the Home Department (being the Secretaries of State concerned with agriculture in Scotland and Northern Ireland respectively) in exercise of the powers conferred upon them by section four and section one hundred and eight of the Agriculture Act, 1947(a), and of all other powers them enabling in that behalf, after consultation with such bodies of persons as appear to them to represent the interests of producers of fatstock and with the approval of the Treasury, hereby jointly make the following Order—

1. This Order may be cited as the Fatstock (Guarantee Payments) Order, 1957; and shall come into operation on the twenty-fifth day of March, nineteen hundred and fifty-seven.

2.—(1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"the appropriate Minister" means in relation to any part of the United Kingdom the Minister concerned with agriculture therein or the Ministers;

"average market price", "average standard price" and "average return to producers" mean such prices or return determined respectively in accordance with Article 6 of this Order;

"certification centre" means a place for the time being approved by the appropriate Minister for the certification for the purposes of this Order of all or any particular class of fatstock or carcases; "deadweight certification centre" means a certification centre at which carcases are certified; and "liveweight certification centre" means a certification centre at which live animals are certified;

"certified", in relation to an animal or carcase, means certified by the proper officer, in such manner, and after compliance by the producer of the animal or carcase with such conditions, as the appropriate Minister may from time to time prescribe, as being eligible for the relevant payment under this Order;

"deadweight", in relation to an animal or the carcase of an animal, means the weight of the animal's carcase ascertained after such preparation of the carcase, and by weighing in such conditions, as may from time to time be prescribed by the appropriate Minister;

"grade", in relation to animals or carcases of any guarantee class, means the classification of those animals or carcases within that class by reference to such standards of quality, weights or other factors as may be specified for that class;

(a) 10 & 11 Geo. 6. c. 48.

" guarantee class " has the meaning assigned by article 3 of this Order ;

" killing-out percentage " means the percentage which the deadweight of an animal's carcase bears to the animal's liveweight ;

" the Ministers " means the Minister of Agriculture, Fisheries and Food and the Secretaries of State concerned with agriculture in Scotland and Northern Ireland respectively, acting jointly ;

" producer ", in relation to any animal or carcase, means the person in whose name that animal or carcase is presented for certification ;

" proper officer " for any of the purposes of this Order means the person for the time being authorised by the appropriate Minister to act for those purposes ;

" score ", in relation to the weight of pigs, means twenty pounds ;

" specified " means for the time being prescribed by the Ministers, with the approval of the Treasury, in the light of their conclusions from a review held under section two of the Agriculture Act, 1947 ;

" week " means a period of seven days commencing with a Monday, except that when the period includes Christmas Day the expression shall, if the appropriate Minister so decides, mean that period and the immediately preceding or succeeding period as the appropriate Minister shall determine ;

" year " means the period commencing on the last Monday in March in any year and ending at midnight on the Sunday immediately preceding the last Monday in March in the succeeding year.

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

Guarantee Classes

3. This Order shall apply to animals and carcases of such classes of fat cattle, fat sheep and fat pigs respectively as may be specified for the purposes of this Order, and any class so specified is in this Order referred to as a " guarantee class ".

Guarantee Payments

4. For the purposes of this Order any standard price, lower or higher stabilising limit, average market price, average standard price or average return to producers specified or determined in accordance with articles 5 and 6 of this Order shall be at a rate—

(*a*) in the case of any cattle, per live hundredweight ;

(*b*) in the case of any sheep, per pound estimated deadweight ;

(*c*) in the case of any pigs, per score deadweight.

5. The following factors shall be specified for each guarantee class in respect of each week of each year, namely—

(*a*) a standard price ; and

(*b*) a stabilising limit above and below each standard price so specified.

(a) 52 & 53 Vict. c. 63.

6. The appropriate Minister shall determine in respect of each week and for each guarantee class an average market price, an average standard price and an average return to producers, calculated in each case in accordance with the relevant part of the Schedule to this Order.

7. If in respect of any week the average market price for any guarantee class is less than the average standard price for that class, the appropriate Minister may, if he thinks fit, and subject to article 10 of this Order, make a payment to the producer in respect of any animal or carcase of that guarantee class certified during that week.

8.—(1) Subject to the provisions of this Article, the rate of any payment under Article 7 of this Order shall be—

(*a*) in the case of live cattle, the difference to the nearest sixpence per live hundredweight between the appropriate average market price and average standard price;

(*b*) in the case of carcases of cattle of any guarantee class, the rate for live cattle of that class converted to pence per pound deadweight on the basis that sixpence per live hundredweight is equivalent to 0·1 pence per pound deadweight;

(*c*) in the case of sheep, the difference to the nearest farthing per pound estimated or, as the case may be, actual deadweight between the appropriate average market price and average standard price;

(*d*) in the case of carcases of pigs, the difference to the nearest penny per score deadweight between the appropriate average market price and average standard price;

(*e*) in the case of live pigs of any guarantee class, the rate for carcases of pigs of that class converted to the nearest penny to pence per score liveweight on the basis of such killing-out percentage as the appropriate Minister may from time to time prescribe as the average killing-out percentage of pigs of that class.

(2) In relation to animals imported, or removed from the Isle of Man or the Channel Islands into the United Kingdom, or the carcases of animals so imported or removed, the standard price for any guarantee class shall be treated as reduced by such amount as may be specified for that class and payments in respect of any such animals or carcases shall be subject to such terms and conditions as may from time to time be prescribed in that behalf by the appropriate Minister.

(3) For the purposes of sub-paragraphs (*d*) and (*e*) of paragraph (1) of this Article the rate for the carcases of pigs of any guarantee class shall be increased or reduced for any week by one penny per score deadweight for every penny per hundredweight by which the average price of the basic ration of feeding stuffs during such period as may be specified, as determined by the Ministers, exceeded or, as the case may be, was less than the price specified for that basic ration.

(4) If in respect of any week the average return to producers for any guarantee class is respectively below or above the appropriate lower or higher stabilising limit specified under Article 5 of this Order the rate of any payment shall, as the case may be, be increased or, insofar as the rate of payment allows, reduced by—

(*a*) in the case of live cattle, live sheep, carcases of sheep and carcases of pigs, the addition or subtraction of the difference between the said average return and such lower or higher limit as the case may be;

(*b*) in the case of carcases of cattle of any guarantee class, the amount of the difference for live cattle of that class converted to pence per pound on the basis that sixpence per live hundredweight is equivalent to 0·1 pence per pound deadweight;

(*c*) in the case of live pigs of any guarantee class, the amount of the difference for carcases of pigs of that class converted to the nearest penny to pence per score liveweight on the basis of such killing-out percentage as the appropriate Minister may from time to time prescribe for that purpose.

(5) The rate of payment under paragraph (1) of this Article for any guarantee class may be an average rate of payment for that class and payments may be varied by the appropriate Minister in respect of such grades within such class and on such terms as may be specified.

Quality premiums

9. In the case of any animal or carcase of any guarantee class and grade specified for the purposes of this Article, and subject to any other conditions which may be specified, the appropriate Minister may, if he thinks fit, make a payment to the producer by way of quality premium at such rate as may be specified for that class and grade.

General provisions as to certification and payments

10.—(1) No animal or carcase shall be certified unless the proper officer is satisfied that it is of the appropriate guarantee class and of the appropriate grade, if any.

(2) No live animal shall be certified unless—

(*a*) it has been sold by auction at the liveweight certification centre at which it is presented for certification and the proper officer is satisfied that it has not been purchased by or on behalf of the vendor; or

(*b*) the proper officer is satisfied that it has been sold by private treaty; or

(*c*) the proper officer is satisfied that it is to be slaughtered for sale in the producer's own butchery business.

(3) No carcase shall be certified unless the proper officer is satisfied either—

(*a*) that it has been sold; or

(*b*) that it will be sold in the producer's own butchery business and is not intended for consumption in the producer's household.

(4) No carcase shall be certified if the whole of that carcase has been condemned by virtue of any enactment as unfit for human consumption, and if a carcase has been certified, but before certification a part thereof was so condemned, no payment shall be made under this Order in respect of that part.

(5) Certification shall not be granted under this Order of any animal or carcase which, or any carcase of an animal which, has in the opinion of the proper officer previously been certified under this Order or the Fatstock (Guarantee Payments) Order, 1955(a).

(6) No payment shall be made under this Order in respect of—

(*a*) any excess weight of an animal or carcase of any guarantee class or grade above such weight as may be specified for that class or grade; or

(a) S.I. 1955/462 (1955 I, p. 93).

(*b*) any live animal certified in accordance with sub-paragraph (*c*) of paragraph (2) of this Article unless the proper officer receives, within such time as the appropriate Minister may from time to time prescribe, a declaration from the producer that the animal has been slaughtered for sale in his own butchery business.

(7) For the purposes of certification and payments under this Order, where two or more animals are sold in a single lot, the price and weight of each of those animals shall be taken to be the average price or, as the case may be, the average weight of the animals comprised in that lot.

Power to make same or different provisions for different regions

11.—(1) Standard prices specified in accordance with Article 5 of this Order may be specified either—

(*a*) in the form of prices for the whole of the United Kingdom; or

(*b*) for the purposes of certifications in different regions in the form of different prices for those different regions;

and stabilising limits may be specified accordingly.

(2) The appropriate Minister may determine the average market price, the average standard price and the average return to producers either—

(*a*) by reference to sales in all parts of the United Kingdom; or

(*b*) for the purposes of payments under Article 7 of this Order in respect of animals or carcases certified in a particular region by reference only to sales in that region;

as may to him appear proper.

(3) In this Article, the expression "region" means any one or any two of the following three areas, that is to say, England and Wales, Scotland, and Northern Ireland.

12. The Fatstock (Guarantee Payments) Order, 1955(**a**) and the Fatstock (Guarantee Payments) (Amendment No. 2) Order, 1956(**b**) are hereby revoked, but without prejudice to any right acquired or any liability incurred before the date of the said revocation.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this seventh day of February, nineteen hundred and fifty-seven.

(L.S.)

D. Heathcoat Amory,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland this eighth day of February, nineteen hundred and fifty-seven.

(L.S.)

John S. Maclay,
Secretary of State for Scotland.

(a) S.I. 1955/462 (1955 I, p. 93).
(b) S.I. 1956/1704 (1956 I, p. 128).

Given under the hand of the Secretary of State for the Home Department this eleventh day of February, nineteen hundred and fifty-seven.

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

Approved this twelfth day of February, nineteen hundred and fifty-seven.

Martin Redmayne,
Edward Wakefield,
Two of the Lords' Commissioners of Her Majesty's Treasury.

THE SCHEDULE

PART I

Calculation of average market price

For the purpose of Article 6 of this Order the average market price for any guarantee class in respect of any week shall be calculated in the preceding week in such manner as appears to the appropriate Minister proper by reference to—

(*a*) the market prices received in respect of animals and carcases of that class certified during the four weeks preceding the week in which the calculation is made and his estimate of prices likely to be received in the four weeks commencing with the week in which the calculation is made;

(*b*) the weights of the animals and carcases of that guarantee class certified and estimated to be certified during the period of eight weeks referred to in paragraph (*a*) hereof;

(*c*) any payments or estimated payments by way of quality premiums which shall be treated for the purposes of the calculations as having formed part of the market prices;

(*d*) any other matter which the appropriate Minister may consider relevant.

PART II

Calculation of average standard price

For the purpose of Article 6 of this Order the average standard price for any guarantee class in respect of any week shall be calculated in such manner as appears to the appropriate Minister proper by reference to—

(*a*) the specified standard prices for the same eight weeks as are used in paragraph (*a*) of Part I of this Schedule for the purpose of calculating the average market price in respect of that week;

(*b*) the weights of the animals and carcases of that guarantee class certified or estimated to be certified during the said period of eight weeks.

PART III

Calculation of average return to producers

For the purpose of Article 6 of this Order the average return to producers for any guarantee class in respect of any week shall be calculated in such manner as appears to the appropriate Minister proper by reference to—

(*a*) the prices received in respect of animals and carcases of that guarantee class certified during the week in question;

(*b*) the appropriate rate of guarantee determined under Article 8 of this Order;

(*c*) any payments by way of quality premiums;

(*d*) any other matter which the appropriate Minister may consider relevant;

such average return being a price—

(i) in the case of any class of cattle, to the nearest sixpence per live hundredweight;

(ii) in the case of any class of sheep, to the nearest farthing per pound deadweight;

(iii) in the case of any class of pigs, to the nearest penny per score deadweight.

EXPLANATORY NOTE

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

This Order replaces the Fatstock (Guarantee Payments) Order, 1955, as amended, made under section four of the Agriculture Act, 1947, and institutes, from twenty-fifth March, 1957, new procedures for the calculation of fatstock guarantee payments.

The principal changes are—

(*a*) the rates of guarantee payment are to be calculated for each week separately in relation to weekly instead of annual standard prices;

(*b*) the average market prices used for comparison with the standard prices for the purpose of guarantee payments are to be calculated by reference to four weeks' actual and four weeks' estimated prices instead of actual prices over a 52 week period.

The Order has been approved by resolution of each House of Parliament in pursuance of section seven of the Act.

GRANTS, GOODS AND SERVICES

1957 No. 1542

The Agricultural Goods and Services Scheme (England and Wales) (Amendment) Order, 1957

Made - - - -	28*th August*, 1957
Laid before Parliament	3*rd September*, 1957
Coming into Operation	4*th September*, 1957

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred upon him by sections 103 and 108 (3) of the Agriculture Act, 1947(**a**), and of all other powers enabling him in that behalf, with the approval of the Treasury, hereby orders as follows:—

Citation, commencement and revocation

1. This Order may be cited as the Agricultural Goods and Services Scheme (England and Wales) (Amendment) Order, 1957, and shall come into operation on the 4th day of September, 1957.

(**a**) 10 & 11 Geo. 6. c. 48.