STATUTORY INSTRUMENTS

1974 No. 1240

PRICES

The Food Subsidies (Exports) Order 1974

Made - - -	23*rd July* 1974
Laid before Parliament	23*rd July* 1974
Coming into Operation	6*th August* 1974

The Secretary of State, in exercise of powers conferred by section 1 (7) and (8) of the Prices Act 1974(**a**) and of all other powers enabling her in that behalf hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Food Subsidies (Exports) Order 1974 and shall come into operation on 6th August 1974.

(2) In this Order—

"the Act" means the Prices Act 1974;

"subsidy payment" means any payment under a scheme at any time in operation under section 1 of the Act (which makes provision for the payment of food subsidies) or an allowance given by a milk marketing board in respect of the sale of milk for human consumption in liquid form.

(3) The Interpretation Act 1889(**b**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Recovery of subsidy on food exported

2. Where a subsidy payment has been made by the Secretary of State and it appears to him that the food in respect of which the subsidy payment was made or any goods containing such food have been exported from the United Kingdom, the Secretary of State may require the person (whether the person receiving the subsidy payment or another) who exported the food or goods to pay to him or as he may direct a sum not exceeding the payment; and the person to whom the requirement is made shall on demand pay that sum to, or as directed by, the Secretary of State.

3. A person who, except in the capacity only of a carrier, exports in the course of a business carried on by him food (being food, other than butter, of a description in respect of which a subsidy payment has been or can be made) or goods (being goods of a description which ordinarily contain such food) shall, in respect of all transactions relating to such food or such goods exported by him—

(**a**) 1974 c. 24. (**b**) 1889 c. 63.

(*a*) maintain records showing—

(i) their description and quantity and, where known to him, the name and address of their manufacturer;

(ii) the name and address of the person from whom he received them and the date of receipt;

(iii) the name and address of the person to whom he disposed of them and the date of disposal.

(*b*) retain for at least two years after the date of export, documents (including any notice received by him of conditions prescribed by an order under paragraph 2 of the Schedule to the Act) relating to them; and

(*c*) give the notice required by article 4.

4.—(1) In the circumstances specified in paragraph (2) below, a person shall give to the Secretary of State or, where the Secretary of State has informed him that he has made arrangements under section 1 (9) of the Act with any government department (including a Northern Ireland department), with the Intervention Board for Agricultural Produce, or with any other authority or body for the discharge by it or its officers of functions relating to the administration of this Order, to that department, Board, authority or body, notice of particulars of the matters of which he is under article 3 (*a*) required to keep records.

(2) The circumstances referred to in paragraph (1) above are

(*a*) that the amount of the consideration for the acquisition by that person of the food or goods in question exceeds in any month—

(i) £20 in the case of milk; or

(ii) £50 in the case of any other food or goods; or

(*b*) that the food or goods in question were the property of another.

(3) A notice under this article shall be in writing and shall be given within 14 days after the end of the month in which the transactions to which it relates are effected.

Shirley Williams,
Secretary of State
for Prices and Consumer Protection.

23rd July 1974.

EXPLANATORY NOTE

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

This Order makes provision for the recovery by the Secretary of State of a payment which is made under section 1 of the Prices Act for restricting the price of food in the United Kingdom, in a case where the food is exported.

SI 1974/1240
ISBN 0-11-041240-0

