STATUTORY INSTRUMENTS

1978 No. 883

AGRICULTURE

CEREALS MARKETING

The Home-Grown Cereals Authority (Rate of Levy) Order 1978

Made - - - -	19*th June* 1978
Laid before Parliament	28*th June* 1978
Coming into Operation	1*st August* 1978

Whereas the Home-Grown Cereals Authority (hereinafter referred to as "the Authority"), established by the Cereals Marketing Act 1965(**a**) (hereinafter referred to as "the Act"), prepared and submitted to the Ministers hereinafter named, pursuant to section 13(1)(*a*) of the Act, an estimate of the amount required to be raised by levy for the period of twelve months beginning with 1st August 1978 (hereinafter referred to as "the relevant year") for the purposes of the Authority's functions under Part I of the Act:

And whereas pursuant to section 13(2) of the Act the Authority duly submitted to the Ministers with such estimate proposals as to the kinds of home-grown cereals in respect of which a levy should be imposed and as to the apportionment of the amount specified in the estimate as between those kinds of home-grown cereals:

And whereas the Ministers have determined that the amount to be raised by levy for the relevant year for such purposes shall be £235,000 and have determined that the kinds of home-grown cereals in respect of which the levy is to be imposed for that year shall be wheat, barley and oats:

And whereas the Ministers have apportioned the amount so determined as between those kinds of home-grown cereals so as to provide that the rate of levy on each kind of cereal is of an equal amount per tonne:

And whereas by virtue of section 14 of the Act the levy in respect of the relevant year will be imposed in pursuance of a scheme under section 16 of the Act:

Now, therefore, the Minister of Agriculture, Fisheries and Food, the Secretaries of State respectively concerned with agriculture in Scotland, Northern Ireland and Wales, acting jointly in exercise of the powers conferred upon them by section 13 of the Act, as read with the Transfer of Functions (Wales) (No. 1) Order 1978(**b**), and of all other powers enabling them in that behalf, hereby make the following order:—

Citation and commencement

1. This order may be cited as the Home-Grown Cereals Authority (Rate of Levy) Order 1978 and shall come into operation on 1st August 1978.

(**a**) 1965 c. 14.

(**b**) S.I. 1978/272.

Interpretation

2.—(1) In this order—

"home-grown cereals" means cereals grown in the United Kingdom and being either wheat, barley, oats or rye, and "home-grown wheat", "home-grown barley" and "home-grown oats" shall be construed accordingly;

"scheme" means a scheme under section 16 of the Act.

(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.

Rate of levy

3. The rate of levy for the relevant year which appears to the Ministers to be sufficient (but not more than sufficient) to meet the amount apportioned to home-grown wheat, home-grown barley and home-grown oats shall in each case be two new pence per tonne and shall apply in accordance with the following provisions of this order.

Home-grown wheat, barley and oats subject to levy

4. The rate of levy shall apply in respect of the quantity of home-grown wheat, home-grown barley or home-grown oats delivered to the persons or classes of persons specified in the scheme who are dealers in or processors of home-grown cereals of a kind specified in the scheme.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 12th June 1978.

John Silkin,
(L.S.) Minister of Agriculture, Fisheries and Food.

Bruce Millan,
Secretary of State for Scotland.
14th June 1978.

Roy Mason,
Secretary of State for Northern Ireland.
16th June 1978.

John Morris,
Secretary of State for Wales.
19th June 1978.

(**a**) 1889 c. 63.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which comes into operation on 1st August 1978, specifies in respect of home-grown wheat, home-grown barley and home-grown oats the rate of levy to be raised in respect of the year beginning with 1st August 1978 to meet the amounts apportioned by the Ministers to these kinds of home-grown cereals to finance the Home-Grown Cereals Authority in the performance of their non-trading functions under Part I of the Cereals Marketing Act 1965.

The Order also includes provisions as to the quantity of such wheat, barley and oats in respect of which levy is to be imposed.

The levy will be recovered in accordance with the provisions of a scheme under section 16 of the Act.

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