STATUTORY INSTRUMENTS

# 1981 No. 954

## AGRICULTURE

### CEREALS MARKETING

# The Home-Grown Cereals Authority (Rate of Levy) Order 1981

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| *Made* - - - - | *3rd July* 1981 |
| *Laid before Parliament* | *10th July* 1981 |
| *Coming into Operation* | *1st August* 1981 |

Whereas the Home-Grown Cereals Authority (hereinafter referred to as " the Authority "), established by section 1 of 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 1981 (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 pursuant to section 13(3) of the Act:—

(*a*) determined that the amount to be raised by levy for the relevant year for such purposes shall be £260,000 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:

(*b*) 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:

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(a) 1965 c.14 ; section 16 was amended by the Agriculture (Miscellaneous Provisions) Act 1972 (c.62), section 16, by extending the persons liable to levy to processors of and dealers in home-grown cereals. Section 24 was amended by the Cereals Marketing Act 1965 (Amendment) Regulations 1977 (S.I. 1977/181), by substituting a revised definition of " year " so as to mean a period of twelve months beginning with the 1st August in any calendar year. Sections 13, 15 and 16 were amended by the Cereals Marketing Act 1965 (Amendment) Regulations 1979 (S.I. 1979/26), by substituting for the word " acreage " where it appears the word " area ". Sections 13, 15, 16 and 24 have to be read with the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).

And whereas the Authority have in accordance with section 14 of the Act:—

(*a*) resolved that the levy in respect of the relevant year will be imposed in pursuance of the Home-Grown Cereals Authority Levy Scheme, a scheme approved by the Ministers by order (a) and in force under section 16 of the Act:

(*b*) passed a resolution to that effect and published notice of that resolution in the London, Edinburgh and Belfast Gazettes:

Now, therefore, the Minister of Agriculture, Fisheries and Food, the Secretaries of State respectively concerned with agriculture in Scotland and Northern Ireland, and the Secretary of State for Wales, acting jointly in exercise of the powers conferred by section 13 of the Act and now vested in them, 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 1981 and shall come into operation on 1st August 1981.

*Interpretation*

**2.** 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;

"the scheme" means the Home-Grown Cereals Authority Levy Scheme.

*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.

(a) S.I. 1974/2083.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th June 1981.

(L.S.)

*Peter Walker,*
Minister of Agriculture, Fisheries and Food.

29th June 1981.

*George Younger,*
Secretary of State for Scotland.

3rd July 1981.

*Humphrey Atkins,*
Secretary of State for Northern Ireland.

1st July 1981.

*Nicholas Edwards,*
Secretary of State for Wales.

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## EXPLANATORY NOTE

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

This Order, which comes into operation on 1st August 1981, 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 1981 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 imposed in accordance with the provisions of the Home-Grown Cereals Authority Levy Scheme, a scheme in force under section 16 of the Act.

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