STATUTORY INSTRUMENTS

1970 No. 759

AGRICULTURE

CEREALS MARKETING

The Home-Grown Cereals Authority (Rate of Supplementary Levy) Order 1970

Made - - -	18*th May* 1970
Laid before Parliament	21*st May* 1970
Coming into Operation	1*st June* 1970

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"), have prepared and submitted to the Ministers hereinafter named, pursuant to paragraph 1 of Schedule 3 to the Act, a supplementary estimate for the period of twelve months beginning with 1st July 1969 (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 the said paragraph the Authority duly submitted to the Ministers with such supplementary estimate a proposal that the kind of home-grown cereals in respect of which a supplementary levy should be raised shall be wheat:

And whereas the Ministers have determined that the additional amount to be raised by levy for the relevant year for such purposes shall be £81,000 and have determined that the kind of home-grown cereals in respect of which a supplementary levy is to be raised for that year shall be wheat:

And whereas by virtue of section 14 of the Act the levy in respect of the relevant year is imposed as mentioned in section 15(1) of the Act, as it has effect by virtue of paragraph 3 of Schedule 3 to the Act:

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 upon them by section 13(5) of, and paragraph 2 of Schedule 3 to, the Act, as read with the Transfer of Functions (Wales) Order 1969(**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 Supplementary Levy) Order 1970, and shall come into operation on 1st June 1970.

(**a**) 1965 c. 14. (**b**) S.I. 1969/388 (1969 I, p. 1070).

Interpretation

2.—(1) In this order—

"cereals (guarantee payments) order" means an order under section 1 o the Agriculture Act 1957(**a**) which provides for payments to growers o home-grown cereals ;

"deficiency payment" means a payment made in pursuance of any cereal (guarantee payments) order ;

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

"registered grower" means a person for the time being registered as grower for the purposes of any cereals (guarantee payments) order.

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

Rate of supplementary levy

3. The rate of supplementary levy for the relevant year, which appears t the Ministers to be sufficient (but not more than sufficient) to meet the amoun to be raised in respect of home-grown wheat, shall be 0·3d. per cwt. and th rate of levy shall apply in respect of the quantity of home-grown whea delivered as determined in accordance with the provisions of article 4 of thi order.

Home-grown wheat subject to levy

4. The quantity of home-grown wheat on which the levy is to be imposed shall be that quantity (any quantity of less than 1 cwt. to be ignored)—

(*a*) which is delivered by registered growers during the relevant year to or in accordance with the instructions of, purchasers thereof ; and

(*b*) in respect of which deficiency payments would, apart from section 1 of the Act, be paid to or in respect of the registered growers thereof

In Witness whereof the Official Seal of the Minister of Agriculture, Fisher ies and Food is hereunto affixed on 7th May 1970.

(L.S.)

Cledwyn Hughes,
Minister of Agriculture, Fisheries and Food

Given under the Seal of the Secretary of State for Scotland on 8th Ma 1970.

(L.S.)

William Ross,
Secretary of State for Scotland.

(a) 1957 c. 57. **(b)** 1889 c. 63.

Given under the hand of the Secretary of State for the Home Department on 15th May 1970.

James Callaghan,
Secretary of State for the Home Department.

Given under my hand on 18th May 1970.

George Thomas,
Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order specifies the rate of supplementary levy to be raised in respect of home-grown wheat for the year beginning with 1st July 1969 to meet the additional amount determined by the Ministers to finance the Home-Grown Cereals Authority in the performance of their non-trading functions under Part I of the Cereals Marketing Act 1965. This amount is additional to those for which provision was made in the Home-Grown Cereals Authority (Rates of Levy) Order 1969 (S.I. 1969/752).

The order includes provisions as to the quantity of wheat in respect of which the levy is to be imposed.

The levy will be recovered as mentioned in section 15 of the Act, which provides for recovery by deduction from cereals deficiency payments.

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