STATUTORY INSTRUMENTS

1971 No. 902

AGRICULTURE

CEREALS MARKETING

The Home-Grown Cereals Authority (Rates of Levy) Order 1971

Made - - - -	*27th May* 1971
Laid before Parliament	*8th June* 1971
Coming into Operation	*1st July* 1971

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 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 July 1971 (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 £2,496,000 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 and barley:

And whereas the Ministers have apportioned the amount so determined as between those kinds of home-grown cereals:

And whereas by virtue of section 14 of the Act the levy in respect of the relevant year will be imposed as mentioned in section 15(1) of 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 of 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 (Rates of Levy) Order 1971, and shall come into operation on 1st July 1971.

Interpretation

2.—(1) In this order—

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

(**a**) 1965 c. 14. (**b**) S.I. 1969/388 (1969 I, p. 1070). (**c**) 1957 c. 57.

"cereals (protection of guarantees) order" means an order made under section 5 of the Agriculture Act 1957 for the purpose of supporting any arrangements in force by virtue of a cereals (guarantee payments) order;

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

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

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

(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.

Rates 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—

(*a*) home-grown wheat, shall be £0.29 per acre;

(*b*) home-grown barley, shall be £0.31 per acre;

and the rate of levy shall apply in respect of the acreage of land used for the growing of such wheat or barley as determined in accordance with the following provisions of this order.

Home-grown wheat and barley subject to levy

4. The acreage of land on which the levy in respect of home-grown wheat or barley is to be imposed shall be the acreage of land (any area of less than one-quarter of an acre to be ignored) used for the growing of home-grown wheat or barley for harvesting as grain or which will be available for harvesting as grain during the relevant year being land in relation to which deficiency payments would, apart from section 15 of the Act, be paid to or in respect of the registered growers of such wheat and barley.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 24th May 1971.

(L.S.) *J. M. L. Prior,*
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 26th May 1971.

(L.S.) *Gordon Campbell,*
Secretary of State for Scotland.

Given under the hand of the Secretary of State for the Home Department on 26th May 1971.

R. Maudling,
Secretary of State for the Home Department.

Given under my hand on 27th May 1971.

Peter Thomas,
Secretary of State for Wales.

(a) 1889 c. 63.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order specifies, in respect of home-grown wheat and home-grown barley, the rates of levy to be raised in respect of the year beginning with 1st July 1971 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. These functions include the implementation of bonus payment schemes for growers of wheat and barley.

The order also includes provisions as to the acreage of land used for growing wheat and barley, 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.