STATUTORY INSTRUMENTS

1967 No. 767

AGRICULTURE

CEREALS MARKETING

The Home-Grown Cereals Authority (Rates of Supplementary Levy) Order 1967

Made - - -	16*th May* 1967
Laid before Parliament	24*th May* 1967
Coming into Operation	1*st June* 1967

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 1966 (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 proposals as to the kinds of home-grown cereals in respect of which a supplementary levy should be raised and as to the apportionment of the amount specified in the supplementary estimate as between those kinds of home-grown cereals:

And whereas the Ministers have determined that the additional amount to be raised by levy for the relevant year for such purposes shall be £420,000 and have determined that the kinds of home-grown cereals in respect of which a supplementary levy is to be raised for that year shall be wheat and barley:

And whereas the Ministers have apportioned the additional 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 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 and the Secretaries of State respectively concerned with agriculture in Scotland and Northern Ireland, acting jointly in exercise of the powers conferred upon them by section 13(5) of, and paragraph 2 of Schedule 3 to, the Act and of all other powers enabling them in that behalf, hereby make the following order:—

(a) 1965 c. 14.

Citation and commencement

1. This order may be cited as the Home-Grown Cereals Authority (Rates of Supplementary Levy) Order 1967; and shall come into operation on 1st June 1967.

Interpretation

2.—(1) In this order—

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

"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 buyer" means a person for the time being registered as a buyer of barley for the purposes of any cereals (protection of guarantees) order;

"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(**b**) shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Rates of supplementary levy

3. The rate of supplementary 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 0·5d. per cwt.;

(*b*) home-grown barley, shall be 0·6d. per cwt.;

and the rate of levy shall apply respectively in respect of the quantity of home-grown wheat delivered and the quantity of home-grown barley delivered as determined in accordance with the following provisions of this order.

Home-grown wheat subject to levy

4. The quantity of home-grown wheat on which the relevant 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 15 of the Act, be paid to or in respect of the registered growers thereof.

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

Home-grown barley subject to levy

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

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

(*b*) in respect of which deductions or additions would be made in accordance with a cereals (guarantee payments) order from or to deficiency payments which would, apart from section 15 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, Fisheries and Food is hereunto affixed on 10th May 1967.

(L.S.) *Frederick Peart,*
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 11th May 1967.

(L.S.) *William Ross,*
Secretary of State for Scotland.

Given under the hand of the Secretary of State for the Home Department on 16th May 1967.

Roy Jenkins,
Secretary of State for the Home Department.

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 supplementary levy to be raised in respect of the year beginning with 1st July 1966 to meet the additional 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 amounts are additional to those for which provision was made in the Home-Grown Cereals Authority (Rates of Levy) Order 1966 (S.I. 1966/614: 1966 II, p. 1386).

The order includes provisions as to the quantity of wheat or 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.