STATUTORY INSTRUMENTS

1975 No. 721

AGRICULTURE

The Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1975

Laid before Parliament in draft

Made - - - 30*th April* 1975

Coming into Operation 1*st May* 1975

The Minister of Agriculture, Fisheries and Food, the Secretary of State concerned with agriculture in Scotland and the Secretary of State for Wales (hereinafter referred to as "the Ministers"), acting jointly in exercise of the powers conferred on them by section 13 of the Agriculture Act 1967(**a**), as read with the Transfer of Functions (Wales) Order 1969(**b**), and of all other powers enabling them in that behalf, being satisfied that the bringing into force of a Scheme submitted to them by the Meat and Livestock Commission for their confirmation under the said section (which Scheme, hereinafter referred to as "the said Scheme", further varies the principal Scheme confirmed by the Meat and Livestock Commission Levy Scheme (Confirmation) Order 1968(**c**) as varied by the Scheme confirmed by the Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1970(**d**)) is desirable hereby make the following order, a draft whereof has been laid before Parliament and approved by resolution of each House of Parliament.

1. This order may be cited as the Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1975, and shall come into operation on the day immediately following the day on which it is made.

(a) 1967 c. 22.
(b) S.I. 1969/388 (1969 I, p. 1070).
(c) S.I. 1968/1224 (1968 II, p. 3282).
(d) S.I. 1970/1964 (1970 III, p. 6416).

2. The said Scheme, which is set forth in the Schedule to this order, is hereby confirmed and it shall come into force on the day on which this order comes into operation.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th April 1975.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

28th April 1975.

William Ross,
Secretary of State for Scotland.

30th April 1975.

John Morris,
Secretary of State for Wales.

SCHEDULE

MEAT AND LIVESTOCK COMMISSION LEVY (VARIATION) SCHEME 1975

The Meat and Livestock Commission Levy Scheme 1968 (being the Scheme set forth in the Schedule to the Meat and Livestock Commission Levy Scheme (Confirmation) Order 1968—S.I. 1968/1224) as varied by the Meat and Livestock Commission Levy (Variation) Scheme 1970 (being the Scheme set forth in the Schedule to the Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1970—S.I. 1970/1964) is hereby further varied as follows:—

(*a*) by substituting for sub-paragraph (2) of paragraph 4 thereof the following sub-paragraph:—

"(2) The maximum charge leviable in respect of each head of livestock slaughtered shall be in the case of:—

(*a*) Cattle (other than calves not exceeding 150 lb. deadweight)	90p a head
(*b*) Calves not exceeding 150 lb. deadweight ...	12p a head
(*c*) Sheep	8p a head
(*d*) Pigs	30p a head";

(*b*) by substituting for sub-paragraph (2) of paragraph 5 thereof the following sub-paragraph:—

"(2) (*a*) Subject to sub-paragraph (*b*) of this paragraph—

(i) where the slaughterer slaughters livestock which he has purchased, or of which he has agreed to purchase all or part of the carcase after slaughter, he is hereby authorised to recover, as a debt due to him from the person from whom he has purchased the livestock

or has agreed to purchase all or part of the carcase (as the case may be) one half of any sum paid by the slaughterer under this Scheme by reference to that livestock: Provided that where the purchase was at auction the slaughterer is hereby authorised to recover from the Auctioneer instead of from the person from whom he purchased;

(ii) where the slaughterer slaughters livestock on the instructions of another person (not being livestock which the slaughterer has purchased or of which he has agreed to purchase all or part of the carcase after slaughter) the slaughterer is hereby authorised to recover as a debt due to him from that person the whole of any sum paid by the slaughterer under this Scheme by reference to that livestock.

(*b*) Sub-paragraph (*a*) of this paragraph shall only apply where the person from whom the slaughterer is authorised to recover is a person engaged in the production, marketing (including marketing by a person concerned otherwise than as a buyer or seller) or distribution of livestock or livestock products.";

(*c*) by substituting in sub-paragraph (3) of paragraph 5 thereof for the expression "0·75d" the expression "0·43p".

EXPLANATORY NOTE

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

By this Order Ministers confirm a variation scheme submitted to them by the Meat and Livestock Commission. This Scheme, which is set out in the Schedule to the Order, further varies the Commission's original Meat and Livestock Commission Levy Scheme 1968, as varied, by increasing the maximum charges which may be imposed by the Commission for enabling them to meet their expenses.

This Scheme also modifies the provisions of the original Scheme relating to the recovery by a slaughterer of sums paid by him under the Scheme. A slaughterer is authorised by the Scheme to recover half of any sum paid by him under the Scheme in relation to any livestock from the person (being a person who is engaged in the production, marketing or distribution of livestock or livestock products) from whom he has purchased such livestock or agreed to purchase all or part of the carcase of such livestock after slaughter. Where the purchase was at auction, however, the slaughterer is authorised to recover from the auctioneer instead of from such person.

Where the slaughterer has not purchased the livestock or agreed to purchase the whole or any part of the carcase of such livestock which he has slaughtered, he continues to be authorised to recover the whole of any sum paid by him under the Scheme from such person, as is mentioned in the previous paragraph, on whose instructions such livestock was slaughtered.

The maximum amount which may be deducted by slaughterers from payments to the Commission as expenses in respect of recovery of the levy has been increased to 0·43p for each head of livestock slaughtered.

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