STATUTORY INSTRUMENTS

1990 No. 1590

AGRICULTURE

The Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1990

Made - - - - *31st July 1990*

Coming into force *1st August 1990*

Approved by both Houses of Parliament

Whereas the Meat and Livestock Commission (hereinafter called "the Commissin") established by the Agriculture Act 1967(a), after consultation in accordance with section 13(1A) of that Act with such persons as appear to them to represent the interests concerned, have submitted to the Ministers hereinafter named, a Scheme which varies the Scheme confirmed by the Meat and Livestock Commission Levy Scheme (Confirmation) Order 1987(b) for the imposition of charges for enabling the Commission to meet their expenses;

Now, therefore, the Minister of Agriculture, Fisheries and Food, the Secretary of State concerned with agriculture in Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 13 and 25(1) of that Act and now vested in them(c), and of all other powers enabling them in that behalf, being satisfied that the bringing into force of the Scheme is desirable hereby make the following Order, a draft whereof has been laid before and approved by resolution of each House of Parliament:–

Title and commencement

1. This Order may be cited as the Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1990 and shall come into force on the day after the day on which it is made.

Confirmation of the Scheme

2. The Scheme hereby confirmed with modifications is set out in the Schedule to this Order and shall come into force on the day that this Order comes into force.

Revocation

3. The Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1988(d) is hereby revoked.

(a) 1967 c.22; section 13 was amended by the Agriculture Act 1970 (c.40), section 106(6) and the Agriculture Act 1986 (c.49), section 7. (b) S.I. 1987/1303, amended by S.I. 1988/838. (c) In the case of the Secretary of State for Wales by virtue of S.I. 1969/388 and 1978/272. (d) S.I. 1988/838.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th July 1990.

L.S.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

24th July 1990

Sanderson of Bowden
Minister of State, Scottish Office

31st July 1990

David Hunt
Secretary of State for Wales

SCHEDULE

Article 2

MEAT AND LIVESTOCK LEVY (VARIATION) SCHEME 1990

1. The Meat and Livestock Commission Levy Scheme, which is set out in the Schedule to the Meat and Livestock Commission Levy Scheme (Confirmnation) Order 1987 as varied by the Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1988, is hereby further varied in accordance with the following provisions of this Scheme.

2. In paragraph 4(2) there shall be substituted the following maximum charges which may be leviable under the Scheme:–

	General Expenses	*Species Promotion Expenses*
(a) Cattle (other than calves not exceeding 68 kg deadweight)	190p	280p
(b) Calves not exceeding 68 kg deadweight	12p	–p
(c) Sheep	34p	40p
(d) Pigs	48p	40p

3. In paragraphs 4(3) and 4(4) for the expression "sub-paragraphs (1) and (2)" there shall be substituted the expression "sub-paragraphs (1), (2) and (5)".

4. After paragraphs 4(4) there shall be inserted the following sub-paragraph –

"(5) The Commission shall not levy any charge under this Scheme in respect of any livestock which they are satisfied was brought into the United Kingdom from another member State within, in the case of cattle, the period of three months, or, in the case of sheep or pigs, the period of two months, before the date on which it was slaughtered or exported.".

EXPLANATORY NOTE

(This note is not part of the Order)

By this Order the Ministers confirm the Meat and Livestock Commission Levy (Variation) Scheme 1990 which replaces the variation Scheme confirmed by the Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1988 (S.I. 1988/838) and further varies the Meat and Livestock Commission Levy Scheme 1987 confirmed by the Meat and Livestock Commission Levy Scheme (Confirmation) Order 1987 (S.I. 1987/1303) ("the Scheme").

Under the Scheme charges are imposed on slaughterers and exporters (including producers who export livestock) to ensure effective collection. However, the Commission is authorised to determine that slaughterers may recover from producers from whom they have purchased animals one half of the charges payable in respect of General Expenses and all charges payable in respect of Species Promotion Expenses. Producers thereby contribute to the financing of the Commission via the recovery by slaughterers of levy paid by them.

The maximum charges payable in respect of General Expenses have been increased by the variation Scheme confirmed by this Order –

(a) for cattle (other than calves not exceeding 68 kg deadweight), from 160p a head to 190p a head;

(b) for sheep, from 27p a head to 34p a head; and

(c) for pigs, from 40p a head to 48p a head.

There is no change to the maximum charge in respect of General Expenses for calves not exceeding 68 kg deadweight (12p a head).

The maximum charges payable in respect of Species Promotion Expenses have been increased –

(a) for cattle (other than calves not exceeding 68 kg deadweight), from 140p a head to 280p a head; and

(b) for sheep, from 20p a head to 40p a head.

There remains no charge in respect of Species Promotion Expenses for calves not exceeding 68 kg deadweight, and there is no change to the charge in respect of Species Promotion Expenses for pigs which remains at 40p per head.

To take account of the obligations of the United Kingdom under Articles 92 to 94 of the EEC Treaty (Aids granted by States), Ministers modified the variation Scheme as submitted to them so as to exempt from levy cattle brought into the United Kingdom from another member State of the European Economic Community three months, and sheep and pigs so brought two months, before slaughter.