1963 No. 421

INDUSTRIAL ORGANISATION AND DEVELOPMENT

The Meat Industry (Scientific Research Levy) Order 1963

Laid before Parliament in draft

Made - - - - *4th March* 1963

Coming into Operation *1st April* 1963

Whereas it appears to the Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly (hereinafter referred to as "the Ministers") that it is expedient that funds should be made available for the purpose of scientific research in connection with the meat industry:

And whereas it appears to the Ministers that the Agricultural Research Council is a body capable of carrying out that purpose satisfactorily:

And whereas the Ministers have satisfied themselves that the incidence of charges as between different classes of undertakings in the industry will be in accordance with a fair principle:

And whereas the Ministers have consulted the organisations appearing to them to be representative of substantial numbers of persons carrying on business in the meat industry and the organisations representative of persons employed in that industry appearing to them to be appropriate:

And whereas a draft of this order has been approved by a resolution of each House of the Parliament of the United Kingdom and by a resolution of each House of the Parliament of Northern Ireland:

Now, therefore, the Ministers in exercise of the powers conferred upon them by section 9 of the Industrial Organisation and Development Act 1947(a) as extended to Northern Ireland by the Northern Ireland (Industrial Organisation and Development) Order 1962(b) made under section 15 of that Act and of all other powers enabling them in that behalf hereby jointly make the following order:—

Citation and Commencement

1. This order may be cited as the Meat Industry (Scientific Research Levy) Order 1963 and shall come into operation on the 1st April 1963.

Interpretation

2.—(1) In this order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them, namely:—

"certification centre" means a place for the time being approved by the Minister for the certification for the purposes of the Fatstock (Guarantee Payments) Order of all or any particular class of fatstock;

(a) 10 & 11 Geo. 6. c. 40. (b) S.I. 1962/2602 (1962 III, p. 3503).

"certified" in relation to any fatstock, means certified as being eligible for any relevant payment under the Fatstock (Guarantee Payments) Order by the proper officer in pursuance of that order in such manner and after compliance by the producer of that fatstock with such conditions as may from time to time be prescribed by or on behalf of the Minister;

"fatstock" means in Great Britain fat cattle and fat sheep, and in Northern Ireland fat cattle, fat sheep and fat pigs; and in each case includes the carcases of such animals;

"the Fatstock (Guarantee Payments) Order" means the Fatstock (Guarantee Payments) Order 1960(a) or any order amending or replacing it;

"the Minister" means in relation to any part of the United Kingdom the Minister concerned with agriculture in that part or that Minister and either or both of the other Ministers acting jointly;

"the Pigs Marketing Board (Northern Ireland)" means the Pigs Marketing Board (Northern Ireland) set up under the Agricultural Marketing Act (Northern Ireland) 1933(b), and constituted under the Pigs Marketing Scheme (Northern Ireland) Approval Order 1933(c);

"producer" in relation to any fatstock means the person in whose name the fatstock is presented for certification.

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

Extent of the Industry

3. For the purposes of this order all activities in the United Kingdom comprising the production, marketing, processing, and distribution of fatstock shall be treated as constituting the meat industry.

Amount of Levy

4. There shall be payable in respect of all fatstock certified at a certification centre and in respect of which a guarantee payment is payable under the Fatstock (Guarantee Payments) Order a charge of 6d. for every fat cattle beast, ½d. for every fat sheep and, in Northern Ireland, 1d. for every fat pig.

Payment of Levy

5.—(1) Where any fatstock, other than any fat pig in Northern Ireland purchased by the Pigs Marketing Board (Northern Ireland), is certified on the basis that it will be sold in the producer's own butchery business, the whole of the charge in respect of any such fatstock shall forthwith be payable to the Minister by the producer.

(2) In any other case the charge, other than the charge for any fat pig in Northern Ireland purchased by the Pigs Marketing Board (Northern Ireland), shall be payable by the parties to the sale of any such fatstock which immediately precedes the certification and the charge shall be payable to the Minister in the shares, at the time, and in the manner specified, that is to say:—

(*a*) The party to the sale who is not the producer shall at the time of the sale pay half the charge in respect of any such fatstock, representing his share of such charge, to the producer as agent for the Minister:

(a) S.I. 1960/428 (1960 I, p. 95).
(b) 23 & 24 Geo. 5. c. 22 (N.I.).
(c) S.R. & O. (N.I.) 1933, No. 93 (p. 14).
(d) 52 & 53 Vict. c. 63.

Provided that where any such fatstock is sold by auction on behalf of the producer the buyer shall pay his share to the auctioneer at the time of the sale and the auctioneer shall forthwith pay the same to the producer as agent for the Minister.

(*b*) The share payable by the producer shall be the balance of the said charge.

(3) Any charge due under Article 4 of this order for any fat pig in Northern Ireland purchased by the Pigs Marketing Board (Northern Ireland) shall be paid to the Minister by the said Board.

Recovery of Levy

6.—(1) Any charge payable under Article 5 hereof for any fatstock shall, without prejudice to any other method of recovery, be recoverable by deduction by the Minister from the guarantee payment payable under the provisions of the Fatstock (Guarantee Payments) Order in respect of such fatstock:

Provided that the charge for any fat pig in Northern Ireland purchased by the Pigs Marketing Board (Northern Ireland) shall be recoverable by the Minister from the said Board.

(2) The amount of any charge due under this order shall be recoverable by the Minister as a debt.

Meat Industry (Levy) Deposit Account

7. All monies received or recovered by the Minister in respect of any charge payable under this order shall be paid by him into the Meat Industry (Levy) Deposit Account, being an account opened by Her Majesty's Paymaster General on behalf of the Ministers, and shall be issued thereout to the Agricultural Research Council to be applied towards expenses incurred by the said Council in respect of scientific research in connection with the meat industry.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on the 1st March 1963.

(L.S.) *Christopher Soames,*
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on the 4th March 1963.

(L.S.) *Michael Noble,*
Secretary of State for Scotland.

EXPLANATORY NOTE

(*This Note is not part of the order, but is intended to indicate its general purport.*)

This order, which is made under the Industrial Organisation and Development Act 1947, imposes levies to finance scientific research in connection with the meat industry to be carried out by the Agricultural Research Council.