



# Agriculture Act 1986

## 1986 CHAPTER 49

### *Agricultural marketing*

#### **5 Levies under Cereals Marketing Act 1965**

- (1) Section 14 (alternative methods of raising levy) and section 15 (levy recovered wholly or mainly by deduction) of the Cereals Marketing Act 1965 shall cease to have effect.
- (2) For subsection (1) of section 16 of that Act (preparation and submission of schemes for imposing levies) there shall be substituted—
  - “(1) The Authority may at any time prepare and submit to the Ministers a scheme for imposing a levy on persons specified in the scheme who are growers or processors of, or dealers in, home-grown cereals of a kind so specified or who in the course of their business act as intermediaries in the selling and buying of such cereals.
  - (1A) Before submitting a scheme under subsection (1) above, the Authority shall in such manner as they consider appropriate consult such persons or organisations as appear to them to represent the interests concerned.”.
- (3) In subsection (2) of that section (by virtue of which such schemes may provide for the registration of such growers, dealers and processors and require them to furnish information and keep records) for the words " any persons who are growers of, or dealers in, home-grown cereals or who process home-grown cereals " there shall be substituted the words " any such persons as are mentioned in subsection (1) above ".
- (4) After that subsection there shall be inserted—
  - “(2A) A scheme under this section—
    - (a) may authorise such of the persons on whom the levy is imposed as may be specified in the scheme to recover all or part of the levy payable by them from such other persons (being persons mentioned in subsection (1) above) as may be so specified and may provide for direct collection from those other persons; and

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*Status: This is the original version (as it was originally enacted).*

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- (b) may authorise the deduction from the levy payable by persons with such a right of recovery, or the repayment to them, of—
    - (i) such amounts as may be determined in accordance with the scheme in respect of expenses incurred by them in exercising that right, and
    - (ii) any sums which are in accordance with the scheme to be treated as irrecoverable.”.
- (5) For section 20(2) of that Act (disclosure of information to Home-Grown Cereals Authority) there shall be substituted—
  - “(2) Any information obtained by the Intervention Board for Agricultural Produce may be disclosed to the Authority for the purpose of assisting them in collecting any levy imposed under this Act; and any such disclosure shall not be treated as a breach of contract, trust or confidence.”.
- (6) In section 24 of that Act (interpretation)—
  - (a) in subsection (4)(a) (under which orders under section 13 may include provision as to the circumstances in which cereals shall be treated as delivered) after the words " specified in " there shall be inserted the words " the order ";
  - (b) in subsection (5) (which defines a dealer in home-grown cereals as a person trading as a wholesale buyer and seller of such cereals and a processor of home-grown cereals as a person who applies an industrial process to such cereals with a view to selling the processed cereals in the course of his business) for the words " wholesale buyer and seller " there shall be substituted the words " wholesale buyer or seller " and the words " with a view to selling the processed cereals " shall be omitted.
- (7) In Schedule 3 to that Act (supplementary provisions concerning levies), for paragraphs 4 to 6 there shall be substituted—
  - “4 For the purposes of sections 13 to 17 of this Act and of this Schedule a crop which consists of two or more kinds of home-grown cereals shall be treated as if it were a separate kind of home-grown cereals.”.