

SCHEDULE 1

Article 3

FUNCTIONS OF QUALITY MEAT SCOTLAND

1. Promoting or undertaking scientific research.
- 2.—(1) Promoting or undertaking inquiry—
 - (a) as to materials and equipment; and
 - (b) as to methods of production, management and labour utilisation.(2) Promoting or undertaking inquiry under sub-paragraph (1) includes promoting or undertaking—
 - (a) the discovery and development of—
 - (i) new materials, equipment and methods, and
 - (ii) improvements in those already in use,
 - (b) the assessment of the advantages of different alternatives, and
 - (c) the conduct of experimental establishments and of tests on a commercial scale.
3. Promoting the production and marketing of standard products.
4. Promoting the better definition of trade descriptions and consistency in the use of trade descriptions.
5. Developing, promoting, marketing or operating—
 - (a) standards relating to the quality of products; or
 - (b) systems for the classification of products.
6. Developing, reviewing or operating schemes for the certification of products or of operations connected with production or supply of products.
7. Undertaking the certification of products, the registration of certification trade marks, and the functions of proprietors of such marks.
8. Providing or promoting the provision of—
 - (a) training for persons engaged in or proposing to be engaged in the red meat sector; and
 - (b) their education in subjects relevant to the red meat sector.
- 9.—(1) Promoting—
 - (a) the adoption of measures for securing safer and better working conditions; and
 - (b) the provision and improvement of amenities for persons employed.(2) Promoting or undertaking inquiry as to measures for securing safer and better working conditions.
10. Promoting or undertaking research into the incidence, prevention and cure of industrial diseases.
11. Promoting or undertaking arrangements for encouraging the entry of persons into the red meat sector.
12. Promoting or undertaking research for improving arrangements for marketing and distributing products.
13. Promoting or undertaking research into matters relating to the consumption or use of goods and services supplied by the red meat sector.

14. Promoting arrangements—

- (a) for co-operative organisations;
- (b) for supplying materials and equipment; and
- (c) for marketing and distributing products.

15. Promoting the development of export trade, including promoting or undertaking arrangements for publicity overseas.

16. Promoting or undertaking arrangements for better acquainting the public in Scotland with the goods and services supplied by the red meat sector and methods of using them.

17. Promoting or undertaking the collection and formulation of statistics.

18. Advising on any matters relating to the red meat sector (other than remuneration or conditions of employment) as to which the Scottish Ministers may request Quality Meat Scotland to advise, and undertaking inquiry for the purpose of enabling Quality Meat Scotland to advise on such matters.

19. Undertaking arrangements for making available information obtained, and for advising, on matters with which the board is concerned in the exercise of any of its functions.

20. Engaging in any form of collaboration or co-operation with other persons in performing any of their functions, and entering into such consultations with other authorities and persons as appear to them required to ensure that duplication of activities is avoided so far as practicable.

SCHEDULE 2

Article 4

CONSTITUTION, RELATED MATTERS AND
PROCEEDINGS OF QUALITY MEAT SCOTLAND

Procedure

1.—(1) Quality Meat Scotland may determine its own procedure, and in particular it may—

- (a) determine a quorum;
- (b) appoint committees and sub-committees to advise it in the exercise of any of its functions;
- (c) determine the quorum and procedure of any of its sub-committees.

(2) Any committee appointed under paragraph (1) may include members who are not members of Quality Meat Scotland.

(3) Quality Meat Scotland may pay to committee members any expenses properly incurred by them in carrying out its business, and may pay such remuneration and allowances as may be determined by the Scottish Ministers.

Membership of the board

2.—(1) The board shall consist of not more than 12 board members.

(2) Not less than 50% of board members will be levy payers.

(3) The board members shall be appointed by the Scottish Ministers.

Board members' terms of office and removal from office

3.—(1) The members of Quality Meat Scotland shall hold office for such term not exceeding four years as the Scottish Ministers may decide.

- (2) A member may resign by giving written notice to the Scottish Ministers.
- (3) The Scottish Ministers may remove a member who has—
 - (a) been absent from meetings of Quality Meat Scotland for a period of longer than 6 months without the permission of Quality Meat Scotland;
 - (b) become bankrupt or has made an arrangement with creditors or has had any estate sequestrated in Scotland; or
 - (c) in the opinion of the Scottish Ministers become unable, unfit or unsuitable to carry out the duties required by Quality Meat Scotland.
- (4) A person who ceases to be a member or ceases to be chairman or deputy chairman is eligible for reappointment to that office.
- (5) A person ceases to be chairman or deputy chairman if—
 - (a) they resign that office by giving written notice to the Scottish Ministers;
 - (b) they cease to be a member; or
 - (c) their term of office expires.
- (6) A member of the board must immediately disclose any direct or indirect interest in any contract or other matter proposed or discussed by the board.
- (7) The disclosure must be recorded in the minutes of the board, and that member shall not take part after the disclosure in any deliberation or decision of the board on that contract, but may, nevertheless, be taken into account for the purpose of constituting a quorum of the board.

Board voting etc.

4. Each member, including the chair, has one vote. In the case of an equality of votes at any meeting of Quality Meat Scotland, the person who is chairman at that meeting shall have a second or casting vote.

Board remuneration and allowances

5.—(1) Quality Meat Scotland may pay to its members any expenses properly incurred by them in carrying out its business, and such remuneration and allowances as may be determined by the Scottish Ministers.

- (2) If—
 - (a) a person ceases to be a member; and
 - (b) it appears to the Scottish Ministers that there are special circumstances which made it appropriate for the person to receive compensation,

the Scottish Ministers may require the board to pay the person such amount as the Scottish Ministers may determine.

(3) The board may pay to committee members any expenses properly incurred by them in carrying out its business, and such remuneration and allowances as may be determined by the appropriate authority.

Employees

6. Quality Meat Scotland may appoint such employees as it determines, and subject to the agreement of the Scottish Ministers, may pay to them such remuneration, pensions and other allowances as it determines.

Reserve funds etc.

7.—(1) Quality Meat Scotland may establish and maintain a reserve fund for the purposes of its functions.

(2) Quality Meat Scotland may borrow money and grant securities over any of its property.

Incidental powers

8. Quality Meat Scotland may—

- (a) enter into agreements;
- (b) acquire or dispose of property;
- (c) raise funds by voluntary contributions; and
- (d) accept gifts.

SCHEDULE 3

Articles 6 and 7

Levies

Cattle, sheep and pigs

Levy on cattle, sheep and pigs

1.—(1) An occupier of a slaughterhouse must pay levy on all cattle, sheep and pigs slaughtered.

(2) Any person who exports live cattle, sheep or pigs must pay levy.

Basis for calculation of levy

2. The levy is based on the number of animals slaughtered or exported.

Composition of levy

3. The levy consists of two parts; the producer levy and the slaughter or export levy.

Deduction of producer levy

4. When a slaughterer or exporter buys an animal for slaughter or export the producer levy must be deducted from the price paid, and held in trust for Quality Meat Scotland.

Slaughter by non-owners

5. If a slaughterer slaughters an animal without buying it, the owner must be charged both the producer levy and the slaughter levy, which are to be held in trust for Quality Meat Scotland.

Failure to hold levy in trust

6. It is an offence knowingly to fail to place the levies specified in 4 or 5 into an individual bank account where they are identified as being held in trust for Quality Meat Scotland.

Maximum rate of producer levy

7. The maximum rate of producer levy is in accordance with the following table—

<i>Producer levy</i>	<i>Maximum rate of levy per head</i>
Cattle (except calves)	£5.25
Calf(a)	£0.50
Sheep	£0.60
Pigs	

- (a) for these purposes a calf is an animal under six months old (in the case of an exported animal) or an animal with a dressed slaughter weight of less than 68kg.

Maximum rate of slaughterer or exporter levy

8. The maximum rate of slaughterer or exporter levy is in accordance with the following table—

<i>Slaughterer or exporter levy</i>	<i>Maximum rate of levy per head</i>
Cattle (except calves)	£1.75
Calf(a)	£0.50
Sheep	£0.20
Pigs	£0.275

- (a) for these purposes a calf is an animal under six months old (in the case of an exported animal) or an animal with a dressed slaughter weight of less than 68kg.

Exceptions and reductions

9.—(1) Levy is not payable for animals imported from another member State and slaughtered within 3 months in the case of cattle and 2 months in the case of pigs or sheep.

(2) Levy is not payable if an animal is subject to compulsory slaughter or the entire carcass is declared unfit for human consumption by the official veterinarian.

(3) Quality Meat Scotland may make provision for a reduction of the slaughter levy and export levy to cover the administrative costs of the slaughterer or exporter in administering the levy.

Returns by slaughterhouse occupiers

10.—(1) An occupier of a slaughterhouse must notify Quality Meat Scotland by the end of each Wednesday, of the number of animals subject to levy slaughtered in the previous week up to the end of Sunday, broken down into types of animal.

(2) If an occupier estimates that the total number of animals that will be slaughtered will be fewer than 25 each week, he may apply to Quality Meat Scotland to be registered as a small operator; and if Quality Meat Scotland agrees to so register him, he must notify Quality Meat Scotland on or before the 15th day of each month of the number of animals subject to levy slaughtered in the previous month broken down into types of animal.

- (3) Failure to comply with this paragraph is an offence.

Payment of levy by slaughterhouse occupiers

11.—(1) An occupier of a slaughterhouse must pay Quality Meat Scotland the levy due for animals slaughtered on a monthly basis.

(2) Levy payments must be received by cleared funds within 30 days from the end of each month.

Payment of the by exporters

12.—(1) An exporter must notify Quality Meat Scotland, within 30 days of the end of the month, of the number of animals exported in that month, and failure to do so is an offence.

(2) Levy payments must be received by cleared funds within 30 days from the end of each month.

Enforcement

13.—(1) A person appointed by Quality Meat Scotland may, on producing a duly authenticated document showing authority if required, enter any slaughterhouse at any reasonable hour to check any records to ensure that the correct levy has been paid.

(2) It is an offence to obstruct any person acting under this paragraph or to fail to produce records on demand.