

SCHEDULES

SCHEDULE 1

Section 1.

PROVISIONS AS TO HOME-GROWN CEREALS AUTHORITY

- 1 The Authority shall be a body corporate with perpetual succession and a common seal.
- 2 (1) It shall be within the capacity of the Authority as a statutory corporation to do such things and to enter into such transactions as are incidental or conducive to the performance of any of their functions.
(2) Without prejudice to the generality of the preceding sub-paragraph, where in the performance of any of their functions the Authority render any services to any person they may make such charges in respect of those services as may be agreed between the Authority and that person.
- 3 For the purposes of the Restrictive Trade Practices Act 1956, the definition of "trade association" in section 6(8) of that Act shall be construed as not including the Authority.
- 4 The validity of any proceedings of the Authority shall not be affected by any vacancy among the members of the Authority or by any defect in the appointment of any of the members of the Authority.
- 5 (1) Subject to the following provisions of this paragraph, a member of the Authority, and the chairman and deputy chairman, shall hold and vacate office as such in accordance with the terms of his appointment.
(2) If the chairman or deputy chairman ceases to be a member of the Authority, he shall also cease to be chairman or deputy chairman.
(3) A member of the Authority may at any time, by notice in writing addressed to the secretary of the Authority, resign his membership, and the chairman or deputy chairman may, by the like notice, resign his office as such.
- 6 (1) A member of the Authority shall, if he is in any way directly or indirectly interested in a contract made or proposed to be made by the Authority, disclose the nature of his interest at a meeting of the Authority as soon as possible after the relevant circumstances have come to his knowledge.
(2) Any disclosure made by a member under the preceding sub-paragraph shall be recorded in the minutes of the Authority, and that member shall not take part after the disclosure in any deliberation or decision of the Authority with respect to that contract, but may, nevertheless, be taken into account for the purpose of constituting a quorum of the Authority.
- 7 In the case of an equality of votes at any meeting of the Authority, the person who is chairman at that meeting shall have a second or casting vote.

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- 8 Subject to paragraphs 6 and 7 of this Schedule, the Authority may determine their own quorum and procedure and the quorum and procedure of any committee of the Authority.
- 9 (1) The Authority may appoint a secretary and such other officers and such servants as the Authority may determine.
- (2) The Authority shall—
- (a) pay to their officers and servants such remuneration and such travelling or other allowances as they may determine, and
- (b) as to any officers or servants in whose case the Authority may determine to do so, pay to or in respect of them such pensions and gratuities, or provide and maintain for them such pension schemes (whether contributory or not), as the Authority may with the approval of the Ministers determine.
- 10 (1) The Authority may appoint such advisory committees as they think fit, to consider such matters with which the Authority are concerned as the Authority may determine and to report on those matters to the Authority ; and any such committee may include persons who are not members of the Authority.
- (2) The Authority may pay to members of any such committee, who are not members of the Authority, such allowances as the Ministers may, with the approval of the Treasury, determine.
- 11 The application of the seal of the Authority shall be authenticated by the signatures of two members of the Authority and of the secretary of the Authority or some other person authorised by the Authority to do so in his place.
- 12 In Part II of Schedule 1 to the House of Commons Disqualification Act 1957 (bodies of which all members are disqualified under that Act), there shall (at the appropriate point in alphabetical order) be inserted the following entry:—
- “The Home-Crown Cereals Authority”;
- and the like amendment shall be made in the Part substituted for the said Part II by Schedule 3 to that Act in its application to the Senate and House of Commons of Northern Ireland.

SCHEDULE 2

Section 9.

DETERMINATION OF PRICE FOR PURPOSES OF SECTION 9

- 1 (1) The provisions of this Schedule shall have effect for the purpose of determining at any time the price which, in relation to the prescribed quality of home-grown cereals of any kind, is required by section 9 of this Act to be determined in accordance with those provisions.
- (2) In this Schedule " the regulations" means the regulations made under section 9 of this Act and " the prescribed quality" means the quality prescribed by those regulations.
- 2 For the purposes of this Schedule the basic price for the prescribed quality of home-grown cereals of any kind shall be ascertained as follows, and any reference in this Schedule to " the basic price " shall be construed accordingly:—
- (a) if one minimum import price level for all imports of cereals of that kind has been prescribed by an order under section 1(2) of the Agriculture and Horticulture Act 1964 which is for the time being in force, that minimum

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- import price level shall be the basic price for the prescribed quality of home-grown cereals of that kind ;
- (b) if two or more minimum import price levels have been so prescribed for different qualities of cereals of that kind, that one of those minimum import price levels which is prescribed by the regulations shall be the basic price for the prescribed quality of home-grown cereals of that kind.
- 3 Where the basic price for the prescribed quality of homegrown cereals of any kind has been ascertained and that price relates to a quality of cereals of that kind which is different from the prescribed quality, the regulations may require that price to be adjusted in such way as appears to the Ministers to be appropriate for taking account of that difference in quality.
- 4 (1) The basic price for the prescribed quality of home-grown cereals of any kind (or, where that price has been adjusted under paragraph 3 of this Schedule, that price as so adjusted) shall (where the regulations so require) be adjusted, or further adjusted, as the case may be, in such way as may be prescribed by the regulations for the purposes of this paragraph.
- (2) Where—
- (a) the basic price has been determined by reference to delivery at a particular kind of place, or in particular circumstances, and
- (b) so much of the regulations as relates to the way in which the average market price is to be determined for the purposes of section 9 of this Act requires that price to be determined by reference to delivery at a different kind of place, or in different circumstances,
- any such adjustment shall be such as appears to the Ministers to be appropriate for taking account of those differences in place or circumstances of delivery.
- 5 The price required to be determined for the prescribed quality of home-grown cereals of any kind, as mentioned in paragraph 1(1) of this Schedule, shall be the basic price for that quality of home-grown cereals of that kind, as adjusted in accordance with paragraph 3 or paragraph 4 of this Schedule, or in accordance with both those paragraphs, as the case may be.
- 6 For the purposes of this Schedule an order under section 1(2) of the Agriculture and Horticulture Act 1964 shall be taken to be in force at any time, notwithstanding that the order provides that the date as from which the minimum import price levels specified in the order are to apply is itself to be determined by a subsequent order.

SCHEDULE 3

Section 13.

SUPPLEMENTARY PROVISIONS AS TO LEVIES

- 1 If at any time during a year it appears to the Authority that the amount determined by the Ministers under section 13(3) of this Act as the amount to be raised by levy for that year for the purposes of the Authority's functions under Part I or, as the case may be, Part II of this Act will fall short of the amount required to be so raised for that year, the Authority may prepare and submit to the Ministers an estimate (in this Schedule referred to as a " supplementary estimate ") of the amount of the deficiency together with proposals as to—
- (a) the kinds of home-grown cereals in respect of which a supplementary levy should be raised, and

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- (b) the apportionment of the amount specified in the supplementary estimate as between those kinds of home-grown cereals.
- 2 As soon as practicable after the submission to the Ministers of one or more supplementary estimates for any year, the Ministers shall—
- (a) determine what additional amount (if any) is to be raised by levy for that year for the purposes of the Authority's functions under Part I or, as the case may be, Part II of this Act, and the kinds of home-grown cereals in respect of which a supplementary levy is to be raised for that year, and
 - (b) apportion any amount so determined as between those kinds of home-grown cereals, and
 - (c) make an order for that year specifying, in respect of each of those kinds of home-grown cereals, such rate of supplementary levy as appears to the Ministers to be sufficient (but not more than sufficient) to meet any amount apportioned to that kind of home-grown cereals under this paragraph.
- 3 Where an order is made for any year under the last preceding paragraph, the provisions of sections 15 and 16 of this Act shall have effect in relation to that year as if any reference in those provisions to the rate specified in relation to a kind of home-grown cereals in an order under section 13 of this Act were a reference to the aggregate of that rate and of the rate of supplementary levy specified in relation to that kind of home-grown cereals in the order under the last preceding paragraph.
- 4 Where under section 13(3) of this Act, or under paragraph 2 of this Schedule, the Ministers determine that an amount is to be raised by levy for the purposes of the Authority's functions both under Part I and under Part II of this Act, any order specifying the rates of the levy shall indicate how much of each rate specified in the order is attributable to functions of the Authority under Part I of this Act and how much of each such rate is attributable to their functions under Part II of this Act.
- 5 For the purposes of sections 13 to 17 of this Act and of this Schedule any sums paid by the Authority (whether by way of remuneration or otherwise) to or in respect of officers or servants of the Authority employed wholly or mainly in connection with any functions of the Authority under Part II of this Act shall be taken to be expenditure incurred in the performance of those functions and not in the performance of functions under Part I of this Act.
- 6 A crop which—
- (a) consists of two or more kinds of home-grown cereals (whether it includes oats or not), and
 - (b) is a crop in respect of which a deficiency payment is made as if it consisted of oats,
- shall for the purposes of sections 13 to 17 of this Act and of this Schedule be treated as if it consisted of oats.