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STATUTORY INSTRUMENTS

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**1988 No. 1267**

**AGRICULTURE**

**The Cereals Co-responsibility Levy  
(Certified Seed Exemption) Regulations 1988**

<i>Made</i>	- - - -	<i>20th July 1988</i>
<i>Laid before Parliament</i>		<i>22nd July 1988</i>
<i>Coming into force</i>	- -	<i>1st August 1988</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Economic Community, acting jointly in exercise of the powers conferred on them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following Regulations:—

**Title and commencement**

1. These Regulations may be cited as the Cereals Co-responsibility Levy (Certified Seed Exemption) Regulations 1988 and shall come into force on 1st August 1988.

**Interpretation**

2.—(1) In these Regulations, unless the context otherwise requires —

“cereals” means cereals referred to in Article 1(a) and (b) of the Council Regulation produced in the Community;

“cereals co-responsibility levy” means levy imposed by Articles 4 and 4b of the Council Regulation;

“cereals marketing year” means the marketing year specified in Article 2 of the Council Regulation;

“Commission Regulation” means Commission Regulation (EEC) No. 1432/88 laying down detailed rules for applying the co-responsibility levy in the cereals sector<sup>(3)</sup>;

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(1) S.I.1972/1811.

(2) 1972 c. 68.

(3) OJ No. L131, 27.5.88, p.37.

“Council Regulation” means Council Regulation (EEC) No. 2727/75 on the common organisation of the market in cereals<sup>(4)</sup> as amended<sup>(5)</sup>.

(2) Other expressions used in these Regulations have, in so far as the context admits, the same meanings as in the Council Regulation and the Commission Regulation.

### **Exemptions for certified seed**

3.—(1) 84 per cent of cereals purchased by and delivered to a seed merchant under multiplication contracts shall be exempt from cereals co-responsibility levy where the proportion of cereals so purchased and delivered which is certified and sold as seed is 75 per cent or more of the total quantity of cereals delivered during the marketing year to that seed merchant under the terms of multiplication contracts.

(2) Where the proportion of cereals purchased by and delivered to a seed merchant under multiplication contracts which is certified and sold as seed is less than 75 per cent of the total quantity of cereals delivered during the marketing year to that seed merchant only that amount of cereal seed certified and sold as such shall be exempt from cereals co-responsibility levy.

In witness whereof the Official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 20th July 1988.

L.S.

*John MacGregor*  
Minister of Agriculture, Fisheries and Food

19th July 1988

*Sanderson of Bowden*  
Minister of State, Scottish Office

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(4) OJ No. L281, 1.11.75, p.1.

(5) The relevant amending instruments are Council Regulations 1579/86 (OJ No. L139, 24.5.86, p.29 and 1097/88 (OJ No. L110, 29.4.88, p.7 and Commission Regulation 3989/87 (OJ No. L377, 31.12.87, p.1).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations exempt, pursuant to the provisions of Articles 1 and 9(1) of Commission Regulation (EEC) 1432/88 (OJ No. L131, 27.5.88, p.37), from the co-responsibility levy imposed by Articles 4 and 4b of Council Regulation (EEC) 2727/75 (OJ No. L281, 1.11.75, p.1) 84 per cent of the cereal seed delivered to a seed merchant under multiplication contracts provided that at least 75 per cent of the seed purchased by that merchant is certified as seed and sold as such.