

1989 No. 1823

**AGRICULTURE**

**The Cereals Co-responsibility Levy (Amendment) (No. 2)  
Regulations 1989**

<i>Made - - - -</i>	<i>5th October 1989</i>
<i>Laid before Parliament</i>	<i>9th October 1989</i>
<i>Coming into force</i>	<i>30th October 1989</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) 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 (Amendment) (No. 2) Regulations 1989 and shall come into force on 30th October 1989.

**Amendment of the Cereals Co-responsibility Levy Regulations 1988**

2. The Cereals Co-responsibility Levy Regulations 1988(c) are hereby further amended in accordance with the following provisions of these Regulations.

3. In regulation 2(1) (interpretation) for the definition of “the Commission Regulation” there shall be substituted the following definition—

““the Commission Regulation” means Commission Regulation (EEC) No. 1432/88 laying down detailed rules for applying the co-responsibility levy in the cereals sector(d), as amended by Commission Regulation (EEC) No. 2324/88(e), Commission Regulation (EEC) No. 3858/88(f) and Commission Regulation (EEC) No. 2712/89(g);”.

4. For regulation 10 (recovery of cereals co-responsibility levy) there shall be substituted the following regulation—

“10.—(1) Interest payable in accordance with Article 4(4) of the Commission Regulation in respect of any delay in a payment of cereals co-responsibility levy shall be calculated at the rate of one percentage point above the sterling three month London interbank offered rate on—

- (a) the day on which that payment became due; or
- (b) where that day falls on a weekend or a public holiday, the next working day.

(2) Cereals co-responsibility levy and any interest thereon due from any person shall be recoverable by the Board as a civil debt.”.

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(a) S.I. 1972/1811.

(b) 1972 c.68.

(c) S.I. 1988/1001, as amended by S.I. 1989/576.

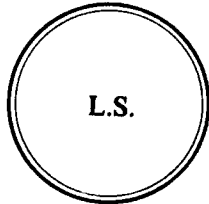
(d) OJ No. L131, 27.5.88, p.37.

(e) OJ No. L202, 27.7.88, p.39.

(f) OJ No. L343, 13.12.88, p.21.

(g) OJ No. L262, 8.9.89, p.22.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 4th October 1989.



*John Selwyn Gummer*  
Minister of Agriculture, Fisheries and Food

5th October 1989

*Sanderson of Bowden*  
Minister of State, Scottish Office

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### EXPLANATORY NOTE

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

These Regulations amend the Cereals Co-responsibility Levy Regulations 1988 ("the principal Regulations") which provide for the administration, collection and enforcement of co-responsibility levy imposed in respect of specified cereals by Article 4 of Council Regulation (EEC) 2727/75 (OJ No. L281, 1.11.75, p.1), as amended in particular by Council Regulation (EEC) 1097/88 (OJ No. L110, 29.4.88, p.7). These Regulations amend the principal Regulations in consequence of amendments to the detailed rules for the application of the levy laid down by Commission Regulation (EEC) 1432/88 (OJ No. L131, 27.5.88, p.37) set out in Commission Regulation (EEC) 2712/89 (OJ No. L262, 8.9.89, p.22).

Commission Regulation 2712/89 provides, inter alia, that interest shall be charged on late payments of cereals co-responsibility levy. Member States must fix the rate of interest to be charged but may not set the rate below a certain level. In the United Kingdom the rate of interest may not be lower than one percentage point above the London interbank offered rate for three months.

In implementation of that provision these Regulations—

- (a) amend the definition of "the Commission Regulation" so as to refer to its amendment by Commission Regulation 2712/89 (regulation 3);
- (b) amend regulation 10 so as to specify a rate of interest for the United Kingdom and to provide for its recovery by the Intervention Board for Agricultural Produce (regulation 4).

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