
STATUTORY INSTRUMENTS

1998 No. 1314

AGRICULTURE

CEREALS MARKETING

The Home-Grown Cereals Authority (Rate of Levy) Order 1998

<i>Made</i>	- - - -	<i>21st May 1998</i>
<i>Laid before Parliament</i>		<i>2nd June 1998</i>
<i>Coming into force</i>	- -	<i>1st July 1998</i>

Whereas the Home-Grown Cereals Authority (hereinafter referred to as “the Authority”), established under Part I of the Cereals Marketing Act 1965(1) (hereinafter referred to as “the Act”), prepared and submitted to the Ministers hereinafter named, pursuant to section 13(1)(a)(2) of the Act, an estimate of the amount required to be raised by levy imposed on persons specified in the Home-Grown Cereals Authority Cereals Levy Scheme 1987(3) and in the Home-Grown Cereals Authority Oilseeds Levy Scheme 1990(4) (hereinafter referred to as “the Schemes”) for the period of twelve months beginning with 1st July 1998 (hereinafter referred to as “the relevant year”) for the purposes of the Authority’s functions under Part I of the Act;

And whereas pursuant to section 13(2) of the Act the Authority duly submitted to the Ministers with such estimate proposals as to the kinds of home-grown cereals(5) in respect of which a levy should be imposed and as to the apportionment of the amount specified in the estimate as between those kinds of home-grown cereals;

And whereas pursuant to section 13(3) of the Act the Ministers have—

- (a) determined that the amount to be raised by levy for the relevant year for such purposes shall be £12,019,075 and have determined that the kinds of home-grown cereals in respect of which the levy is to be imposed for the relevant year shall be wheat (including durum wheat), barley, oats, rye, maize, triticale or any two or more of those cereals grown as one

(1) 1965 c. 14; Part I was amended by sections 4 and 24(4) and (5) of, and Schedules 3 and 4 to, the Agriculture Act 1986 (1986 c. 49).

(2) Section 13 was amended by the Cereals Marketing Act 1965 (Amendment) Regulations 1979 (S.I. 1979/26) and section 24(5) of, and Schedule 4 to, the Agriculture Act 1986.

(3) The Scheme was approved (with modifications) by the Ministers by the Home-Grown Cereals Authority Levy Scheme (Approval) Order 1987 (S.I. 1987/671). It was varied by the Home-Grown Cereals Authority Levy (Variation) Scheme 1990 which was approved (with a modification) by the Home-Grown Cereals Authority Levy (Variation) Scheme (Approval) Order 1990 (S.I. 1990/1316), the Home-Grown Authority Levy (Variation) Scheme 1991 which was approved by the Home-Grown Cereals Authority Levy (Variation) Scheme (Approval) Order 1991 (S.I. 1991/1302) and the Home-Grown Cereals Authority Levy (Variation) Scheme 1996 which was approved (with modifications) by the Home-Grown Cereals Authority Levy (Variation) Scheme (Approval) Order 1996 (S.I. 1996/2843).

(4) Approved by the Home-Grown Cereals Authority Oilseeds Levy Scheme (Approval) Order 1990 (S.I. 1990/1317).

(5) See the definitions of “home-grown cereals” and “kinds” of home-grown cereals in section 24(2) and (3) of the Cereals Marketing Act 1965, as amended by the Cereals Marketing Act (Application to Oilseeds) Order 1989 (S.I. 1989/1200) made under section 6(1) and (4) of the Agriculture Act 1986.

crop, and rapeseed, linseed, soyabean, sunflowerseed or any two or more of those oilseeds grown as one crop; and

- (b) apportioned the amount so determined as between those cereals and those oilseeds so that the amount to be raised by levy in respect of the cereals is £10,797,075 and the amount to be so raised in respect of the oilseeds is £1,222,000 and the rates of levy on each kind of cereal or each kind of oilseed respectively are the same;

Now, therefore, the Minister of Agriculture, Fisheries and Food, the Secretaries of State respectively concerned with agriculture in Scotland and Northern Ireland, and the Secretary of State for Wales, acting jointly in exercise of the powers conferred by sections 13(3), 23(1) and 24(1)(6) of the Act and now vested in them(7), and of all other powers enabling them in that behalf, hereby make the following Order:

Title and commencement

1. This Order may be cited as the Home-Grown Cereals Authority (Rate of Levy) Order 1998 and shall come into force on 1st July 1998.

Interpretation

2. In this Order—

- (a) unless the context otherwise requires, expressions have the same meanings as they have in the Schemes; and
- (b) “the relevant year” means the period of twelve months beginning with 1st July 1998.

Rates of levy

3.—(1) For the relevant year the rates of levy per tonne of cereals delivered, which appear to the Ministers to be sufficient (but not more than sufficient) to meet the amount apportioned to each kind of cereal, shall in each case be—

- (a) 48.5275 pence in respect of dealer levy,
- (b) 44.65 pence in respect of grower levy,
- (c) 9.165 pence in respect of standard rate processor levy, and
- (d) 4.465 pence in respect of reduced rate processor levy.

(2) For the relevant year the rate of levy per tonne of oilseeds delivered, which appears to the Ministers to be sufficient (but not more than sufficient) to meet the amount apportioned to each kind of oilseed, shall in each case be 76.375 pence.

18th May 1998

Donoghue
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

(6) See the definition of “the Ministers” in section 24(1).

(7) In the case of the Secretary of State for Wales, by virtue of S.I. 1969/388 and 1978/272.

18th May 1998

Sewel
Parliamentary Under Secretary of State, Scottish
Office

18th May 1998

Dubs
Parliamentary Under Secretary of State,
Northern Ireland Office

Signed by authority of the Secretary of State for Wales

21st May 1998

Win Griffiths
Parliamentary Under Secretary of State, Welsh
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

For the purposes of financing the Home-Grown Cereals Authority's non-trading functions under Part I of the Cereals Marketing Act 1965 for the year beginning 1st July 1998, this Order specifies the rates of dealer levy, grower levy and processor levies which appear to the Ministers to be sufficient to meet the amount apportioned to certain cereals grown in the United Kingdom namely, wheat (including durum wheat), barley, oats, rye, maize, triticale, or any two or more of such cereals grown as one crop and the rate of levy which appears to them to be sufficient to meet the amount apportioned to certain oilseeds grown in the United Kingdom, namely rapeseed, linseed, soyabean, sunflowerseed, or any two or more of such oilseeds grown as one crop.

In the case of each of these kinds of cereals, the rate of dealer levy is 48.5275 pence per tonne, the rate of grower levy is 44.65 pence per tonne, the standard rate of processor levy is 9.165 pence per tonne and the reduced rate of processor levy is 4.465 pence per tonne and in the case of each of these kinds of oilseeds the rate of levy is 76.375 pence per tonne.

Levy will be imposed in accordance with provisions of the Home-Grown Cereals Authority Cereals Levy Scheme 1987 (as varied) and the Home-Grown Cereals Authority Oilseeds Levy Scheme 1990, Schemes in force under section 16 of the Act.

The Order comes into force on 1st July 1998.

A regulatory appraisal has been prepared and placed in the library of each House of Parliament. Copies can be obtained from Cereals and Set-aside Division, Room 602, Whitehall Place (East Block), London SW1A 2HH.