
STATUTORY INSTRUMENTS

1987 No. 166

The Agriculture and Fisheries (Financial Assistance) (Northern Ireland) Order 1986

PART II

GUARANTEED PRICES AND ASSURED MARKETS FOR POTATOES

Provision for stability of particular guarantees

4.—(1) The guaranteed price determined for a guarantee period in pursuance of an order under Article 3 shall not be less than 96 per cent. (calculated to the nearest figure or fraction which the Department considers appropriate) of the corresponding price determined for the last previous guarantee period in pursuance of that order or of any previous order under Article 3.

(2) In comparing for the purposes of this Article the guaranteed prices determined in respect of potatoes for any two guarantee periods there shall be made such adjustment, if any, as the Department, after consultation with producers, may determine to be appropriate in consequence of changes in the arrangements in force under Article 3 in respect of those periods respectively.

(3) In relation to an order which provides for the determination of different guaranteed prices in respect of different descriptions or quantities of potatoes to which the order applies, any reference in this Article to the guaranteed price determined in pursuance of the order shall be construed as a reference—

- (a) where those different prices are derived from the conversion of a single guaranteed price determined in pursuance of the order, to that single guaranteed price;
- (b) in any other case, to the weighted average (calculated upon such principles as may be determined by the Department after consultation with producers) of those different prices; but in relation to an order under Article 3 which applies primarily but not exclusively to potatoes within a standard quantity prescribed by or under the order, the Department may direct that this Article shall have effect as if that order did not apply to any potatoes in excess of that quantity.

(4) Any reference in this Article to the guaranteed price determined for a guarantee period shall be construed as a reference to the price so determined irrespective of any variation effected in pursuance of Article 3(4).

(5) Without prejudice to the foregoing provisions of this Article, the power of the Department to vary a determination made in pursuance of an order under Article 3 or to vary during a guarantee period an order made under that Article, shall not be exercised in a manner which, in its opinion, would reduce the amounts payable to the producers of potatoes unless the reduction is made in pursuance of the conclusions of the Department from the annual review last held before the commencement of that period.

(6) The Department may from time to time take into consideration in consultation with producers the percentage specified in paragraph (1) and may by order substitute for that percentage such other percentage as it considers appropriate: but an order under this paragraph shall not apply in relation to any determination made within 12 months after the date on which the order is made.