

SCHEDULE

Article 2

MEAT AND LIVESTOCK COMMISSION LEVY (VARIATION) SCHEME 1998

1. The Meat and Livestock Commission Levy Scheme, which is set out in the Schedule to the Meat and Livestock Commission Levy Scheme (Confirmation) Order 1987 (as varied by the Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1988, the Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1990 and the Meat and Livestock Commission Levy (Variation) Scheme (Confirmation) Order 1993) is now further varied in accordance with the following provisions of this Scheme.

2. In sub-paragraph (2) of paragraph 4 there shall be substituted the following maximum charges which are leviable under the Scheme:

	<i>General Expenses</i>	<i>Species Promotion Expenses</i>
(a) (a) Cattle (other than calves not exceeding 68 kg deadweight)	350p	350p
(b) (b) Calves not exceeding 68 kg deadweight	100p	—
(c) (c) Sheep	40p	40p
(d) (d) Pigs	55p	80p

3. For sub-paragraph (ii) of paragraph 5(2)(a) there shall be substituted the following sub-paragraph:

“(ii) where the slaughterer slaughters livestock (not being livestock which the slaughterer has purchased or of which he has agreed to purchase all or part of the carcass after slaughter) on the instructions of another person, the Commission may determine that there shall be recoverable on demand as a debt due to that slaughterer from that person the whole of any sum payable by the said slaughterer under this Scheme by reference to that livestock.”

4. At the end of sub-paragraph (iii) of paragraph 5(2)(a), for the full stop there shall be substituted “; and”, and after that sub-paragraph there shall be inserted the following sub-paragraph:

“(iv) where an auctioneer auctions livestock which is then slaughtered or exported by any purchaser who is entitled to claim from the auctioneer any sum attributable either to general expenses or to species promotion expenses or to both, the Commission may determine that any such sum which is claimed by the purchaser from the auctioneer shall be recoverable on demand as a debt due to the auctioneer from the person for whom he auctioned the livestock.”

5. After sub-paragraph (5) of paragraph 5 there shall be inserted the following sub-paragraphs:

“(6) Where a slaughterer or an exporter has not made payment of a charge due to the Commission under this Scheme within 21 days of a written request for the charge concerned being made then, in order to enable the Commission to meet their expenses of administering the Scheme, interest will become payable (after as well as before judgment) on the amount of the unpaid charge from the date of the written request, will be charged at the rate of one per cent above the London Interbank Offer Rate offered for a three month deposit in Sterling and will accrue daily until the charge is paid.

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- (7) Any sum recovered as a debt by a slaughterer or exporter pursuant to paragraph 5(2) (a) shall be deemed to be received by him in trust for the Commission.”
6. For sub-paragraph (c) of paragraph 7 there shall be substituted the following sub-paragraph:
- “(c) to produce for examination on demand by a person authorised for that purpose by the Commission any such record and any other books or documents in the possession or under the control of the slaughterer or exporter; and”.
7. After paragraph 7 there shall be inserted the following paragraph—
- “**7A.** A person authorised to act in the exercise of the power conferred by paragraph 7(c) shall carry a warrant of his authority so to act and shall produce the same on demand.”.