



Agriculture Act 1967

1967 CHAPTER 22

PART I

LIVESTOCK AND MEAT MARKETING

Calf subsidies

10 Calf subsidy schemes.

- (1) A scheme under the Agriculture (Calf Subsidies) Act 1952 (subsidies in respect of calves born in the United Kingdom) may provide for the time when subsidy becomes payable in respect of a calf, the times by reference to which eligibility for a subsidy, or the rate of subsidy, is to be determined, or any other time relevant for the purposes of the scheme, to be times when the animal has ceased to be a calf, or when the animal whether still a calf or not is dead ; and accordingly—
 - (a) references in that Act to calves shall where the context admits include references to cattle or carcases, and
 - (b) section 1(1)(c) of that Act (under which the scheme must prescribe the limits of age for a calf eligible for subsidy) shall cease to have effect but without prejudice to the power to prescribe such a limit.
- (2) The period to be specified in a scheme under the said Act (which, under section 1(3) of that Act, must not exceed three years) shall either—
 - (a) be one within which the date of birth must fall, or
 - (b) in such cases as the appropriate Minister may determine and in particular in cases where, at the time when eligibility for a subsidy is to be determined, the animal's date of birth cannot be satisfactorily ascertained from an inspection of the animal or carcase, be one within which must fall the date of certification, or the date when subsidy becomes payable, or any other date relevant for the purposes of the scheme;and accordingly in section 1(1)(a) of the said Act the words " within the period specified in the scheme " shall cease to have effect.

Status: This is the original version (as it was originally enacted).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

- (3) If under the last foregoing subsection periods are specified in different ways, the periods need not be concurrent.
- (4) Section 1(5)(b) of the said Act (under which a scheme must not be varied so as to exclude or reduce subsidy in respect of a calf born before the coming into operation of the varying scheme) shall only apply so far as any variation is of the provisions under which subsidy is restricted to animals certified when still calves.
- (5) Without prejudice to the generality of the foregoing provisions of this section, the provisions of a scheme under the said Act may be such as to make it possible for the administration of the scheme to be combined with the administration of arrangements for payments to be made in respect of fatstock under Part I of the Agriculture Act 1957 (guaranteed prices); and such a scheme may frame the description of animals or carcasses in respect of which subsidy is payable by reference to the descriptions of animals or carcasses (whether prescribed by or under an order made under the said Part I) which for the time being govern eligibility for payments under the said Part I.
- (6) In cases where subsidy is not restricted to animals certified when still calves, the appropriate Minister may, if he thinks fit, provide in the scheme that the rate of subsidy shall, instead of being specified in the scheme, be such amount as the appropriate Minister may with the approval of the Treasury determine as being approximately equivalent on the average to the rate of subsidy which would be payable if the case were one where subsidy is restricted to animals certified when still calves.
- (7) A scheme under the said Act may provide for the delegation by the appropriate Minister of any functions conferred on him by the scheme.
- (8) This and the next following section extend to Northern Ireland.

11 Supervision and enforcement of calf subsidy schemes.

- (1) For the purpose of securing that payments under the Agriculture (Calf Subsidies) Act 1952 are made in proper cases only, the appropriate Minister may by order make provision—
 - (a) for requiring that cattle or carcasses shall be marked in such circumstances, in such manner, and by or under the supervision of such persons, as may be prescribed by or under the order,
 - (b) for prohibiting the removal from slaughterhouses or other premises where cattle or carcasses are required to be marked in pursuance of the order of any cattle or carcasses to which the order applies which have not been so marked,
 - (c) for enabling authorised officers of the appropriate Minister or of the Ministry of Agriculture for Northern Ireland, and authorised officers of the Commission where accompanying an authorised officer of the appropriate Minister, to enter on land used for the production, keeping, slaughter, grading or sale of cattle, or for the storage, grading, packing or sale of carcasses, and to inspect any cattle or carcasses found upon land so used,
 - (d) for requiring the production by producers, dealers, persons owning or controlling slaughterhouses, auctioneers and other persons of books, accounts or records relating to the purchase, sale or use of cattle or carcasses,
 - (e) for any other matters for which provision appears to the appropriate Minister to be necessary or expedient for the purposes described in this subsection.

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

- (2) In section 6(1) of the Agriculture Act 1957 (under which imported livestock may be marked, and the importation of livestock controlled, for purposes which include that of securing that payments under Part I of that Act are made in proper cases only) the reference to the purposes there mentioned shall include a reference to the purpose of securing that payments under the Agriculture (Calf Subsidies) Act 1952 are made in proper cases only.
- (3) Section 7 of the Agriculture Act 1957 (which imposes penalties in relation to the provisions of section 5 of that Act, being provisions which correspond to subsection (1) of this section) shall apply in relation to an order under subsection (1) of this section as it applies in relation to an order under the said section 5.
- (4) An order made under subsection (1) of this section—
 - (a) may provide for the delegation by the appropriate Minister of any functions conferred or imposed on him by the order,
 - (b) may be varied or revoked by a subsequent order so made, and
 - (c) shall be made by statutory instrument.
- (5) A statutory instrument containing an order under subsection (1) of this section shall be laid before Parliament after being made, and shall cease to have effect (without prejudice to anything previously done thereunder or to the making of a new order) on the expiration of a period of forty days, calculated in accordance with section 7(1) of the Statutory Instruments Act 1946, beginning with the day on which it is made unless within that period it has been approved by resolution of each House of Parliament.
- (6) As from such date as may be specified in an order in a statutory instrument made by the appropriate Minister, so much of section 1(4)(c) of the Agriculture (Calf Subsidies) Act 1952 as relates to the marking of calves, and sections 2 and 3 of that Act (which are superseded by the provisions of subsections (1) and (2) of this section) shall cease to have effect, and orders under subsection (1) of this section, and under section 6 of the Agriculture Act 1957 as extended by subsection (2) of this section, may contain such supplemental and incidental provisions as appear to the appropriate Minister expedient for effecting the transition from the provisions so repealed.
- (7) An order under this section may be made for England and Wales, for Scotland, for Northern Ireland, or for any two or all of those parts of the United Kingdom jointly.
- (8) In this and the last foregoing section "carcases" means carcases of cattle.