



# Red Meat Industry (Wales) Measure 2010

2010 nawm 3

A Measure of the National Assembly for Wales to make provision about imposing a levy in relation to the red meat industry in Wales, and for connected purposes.

**This Measure, passed by the National Assembly for Wales on 10 March 2010 and approved by Her Majesty in Council on 11 May 2010, enacts the following provisions:—**

## **1 Meaning of the “red meat industry”**

(1) In this Measure, “the red meat industry” means—

- (a) activities comprised in breeding, keeping, processing, marketing and distributing any of the following animals—
  - (i) cattle,
  - (ii) sheep, or
  - (iii) pigs; and
- (b) activities comprised in producing, processing, marketing, manufacturing and distributing products derived to any substantial extent from those animals (apart from milk and milk products, fleece wool and hides); and
- (c) slaughterhouses, auctions and markets used wholly or partly for activities falling within paragraphs (a) or (b).

(2) In this Measure—

“cattle sector” (“*sector gwartheg*”) means the red meat industry so far as it relates to cattle;

“pig sector” (“*sector moch*”) means the red meat industry so far as it relates to pigs;

“sheep sector” (“*sector defaid*”) means the red meat industry so far as it relates to sheep.

(3) The powers conferred on the Welsh Ministers by this Measure may be exercised—

- (a) in relation to the red meat industry as a whole, or
- (b) in relation to only some sectors of the industry;

and may be exercised differently in relation to different sectors of the industry.

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*Changes to legislation: There are currently no known outstanding effects for the Red Meat Industry (Wales) Measure 2010. (See end of Document for details)*

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- (4) Any reference in this Measure to animals includes (where the context requires) a reference to animals that are dead.

**Annotations:**

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**Commencement Information**

**I1** [S. 1](#) in force at 1.4.2012 by [S.I. 2011/2802](#), **art. 2(2)** (with [arts. 3, 4](#))

## 2 Objectives

For the purposes of this Measure, the objectives are—

- (a) increasing efficiency or productivity in the red meat industry;
- (b) improving marketing in the industry;
- (c) improving or developing services that the industry provides or could provide to the community; and
- (d) improving the ways in which the industry contributes to sustainable development.

**Annotations:**

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**Commencement Information**

**I2** [S. 2](#) in force at 1.4.2012 by [S.I. 2011/2802](#), **art. 2(2)** (with [arts. 3, 4](#))

## 3 Functions

- (1) The Welsh Ministers may do anything that they consider appropriate to further the objectives.
- (2) For the purpose of furthering the objectives, the Welsh Ministers may, among other things,—
  - (a) exercise any of the functions listed in Schedule 1 in relation to the red meat industry, and
  - (b) establish a reserve fund.
- (3) The Welsh Ministers may by order amend Schedule 1 by—
  - (a) amending or omitting provisions;
  - (b) adding provisions; or
  - (c) amending or omitting any provisions which have been added.

**Annotations:**

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**Commencement Information**

**I3** [S. 3](#) in force at 1.4.2012 by [S.I. 2011/2802](#), **art. 2(2)** (with [arts. 3, 4](#))

## 4 Imposing a levy: designation of persons liable

- (1) The Welsh Ministers may impose a levy or levies in accordance with this section for the purpose of meeting expenditure incurred, or to be incurred, in—

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*Changes to legislation: There are currently no known outstanding effects for the Red Meat Industry (Wales) Measure 2010. (See end of Document for details)*

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- (a) furthering any of the objectives;
  - (b) carrying out other functions relevant to the red meat industry; and
  - (c) otherwise providing services relevant to the red meat industry.
- (2) Levy paid by persons in respect of activities in the cattle sector, the sheep sector or the pig sector may not be used for the purpose of meeting expenditure incurred, or to be incurred, specifically in relation to a different sector.
- (3) The Welsh Ministers may impose a levy—
  - (a) on slaughterers if (and only if) slaughterers have been designated, by order made by the Welsh Ministers, as liable to levy under this Measure; and
  - (b) on exporters if (and only if) exporters have been designated, by order made by the Welsh Ministers, as liable to levy under this Measure.
- (4) The Welsh Ministers may impose a levy on persons who carry out a primary activity if (and only if) that primary activity has been designated, by order made by the Welsh Ministers, as liable to levy under this Measure.
- (5) The Welsh Ministers may impose a levy on persons who carry out a secondary activity if (and only if) that secondary activity has been designated, by order made by the Welsh Ministers, as liable to levy under this Measure.
- (6) In this section—
  - “primary activity” (“*gweithgaredd cynradd*”) means breeding, keeping, processing, marketing or distributing cattle, sheep or pigs (but does not include slaughtering or exporting cattle, sheep or pigs);
  - “secondary activity” (“*gweithgaredd eilaidd*”) means an activity which—
    - (a) is carried out in connection with the red meat industry;
    - (b) is not slaughtering or exporting cattle, sheep or pigs; and
    - (c) is not a primary activity.

**Annotations:**

**Commencement Information**

- I4** S. 4(1)(2)ss. 4(4)-(6) in force at 1.4.2012 by S.I. 2011/2802, art. 2(2) (with arts. 3, 4)
- I5** S. 4(3) in force at 28.11.2011 by S.I. 2011/2802, art. 2(1) (with arts. 3, 4)

## **5 Levies imposed on slaughterers or exporters — calculating the levy and payment**

- (1) A levy imposed on slaughterers or exporters for any period is calculated by reference to the number of chargeable cattle, sheep or pigs.
- (2) In Schedule 2—
  - (a) Part 1 makes further provision about how levies must be calculated, and
  - (b) Part 2 provides for the date by which levies must be paid.
- (3) In respect of levies imposed on slaughterers or exporters, the Welsh Ministers may make regulations about procedures relating to—
  - (a) the imposition of levies (including notification to persons liable to pay a levy of the amount which they are required to pay), and
  - (b) payment and collection of levies.

*Changes to legislation: There are currently no known outstanding effects for the Red Meat Industry (Wales) Measure 2010. (See end of Document for details)*

- (4) The Welsh Ministers may, by order, amend Schedule 2 by—
- amending or omitting provisions;
  - adding provisions; or
  - amending or omitting any provisions which have been added.
- (5) In this Measure “chargeable cattle, sheep or pigs” (*“gwartheg, defaid neu foch y gellir codi ardoll amdanynt”*), in respect of any period for which levy is imposed—
- in relation to a slaughterer, means cattle, sheep or pigs slaughtered by the slaughterer in that period; and
  - in relation to an exporter, means cattle, sheep or pigs exported by the exporter in that period.

#### Annotations:

#### Commencement Information

- I6** Ss. 5(1)-(3)(5) in force at 1.4.2012 by S.I. 2011/2802, **art. 2(2)** (with arts. 3, 4)
- I7** S. 5(4) in force at 28.11.2011 by S.I. 2011/2802, **art. 2(1)** (with arts. 3, 4)

## 6 Power to make provision about levies imposed in respect of persons carrying out a designated primary activity or a designated secondary activity

- (1) A levy imposed on persons carrying out a designated primary activity or a designated secondary activity for any period is calculated by reference to the number of chargeable cattle, sheep or pigs.
- (2) The Welsh Ministers may, by order, make further provision about levies imposed on persons carrying out a designated primary activity or a designated secondary activity, including, but not limited to, provision about—
- rates and components of a levy, and how levies are calculated;
  - how levies are to be held and paid;
  - offences for non-compliance;
  - exceptions from levy payment in certain circumstances;
  - procedures relating to the imposition (including notification to persons liable to pay a levy of the amount which they are required to pay) and payment and collection of levies.
- (3) An order under subsection (2) may make any amendments to this Measure as appear necessary or expedient to the Welsh Ministers in connection with any provisions made under subsection (2).
- (4) In this Measure “chargeable cattle, sheep or pigs” (*“gwartheg, defaid neu foch y gellir codi ardoll amdanynt”*), in relation to a person carrying out a designated primary or secondary activity and in respect of any period for which levy is imposed, means cattle, sheep or pigs in respect of which that activity is carried out in that period.

#### Annotations:

#### Commencement Information

- I8** S. 6 in force at 1.4.2012 by S.I. 2011/2802, **art. 2(2)** (with arts. 3, 4)

## 7 Delegation and subsidiaries

- (1) The Welsh Ministers may, to any extent and subject to any conditions as they think appropriate, delegate any of their functions under this Measure (other than excepted functions) to any person.
- (2) The Welsh Ministers may acquire or establish subsidiaries to carry out any of their functions under this Measure (other than excepted functions).
- (3) An excepted function is any function relating to—
  - (a) making regulations or orders;
  - (b) giving directions.
- (4) A delegation under subsection (1) may be varied or revoked at any time.
- (5) Any agreement or arrangement made under this section by the Welsh Ministers for delegating a function, or for arranging that a subsidiary will carry out a function, does not prevent the Welsh Ministers from exercising the function, if they consider that it is necessary or expedient for them to do so.

### Annotations:

#### Commencement Information

**I9** [S. 7](#) in force at 1.4.2012 by [S.I. 2011/2802](#), [art. 2\(2\)](#) (with [arts. 3, 4](#))

## 8 Returns and estimates

- (1) The Welsh Ministers may give directions requiring persons who are liable to pay a levy in respect of any period to submit a return relating to that period.
- (2) The return must contain—
  - (a) the number of chargeable cattle, sheep or pigs in respect of the period to which the return relates, and
  - (b) such other details as may be directed by the Welsh Ministers.
- (3) The return must be submitted by such date, and in such manner and form, as may be specified in a direction given by the Welsh Ministers.
- (4) If any person liable to submit a return—
  - (a) fails to submit the return by the date directed,
  - (b) fails to include in the return an estimate of the number of chargeable cattle, sheep or pigs, or
  - (c) includes in the return an estimate which in the opinion of the Welsh Ministers is unreasonably low,the Welsh Ministers may estimate the number of animals that ought have been noted in the return.
- (5) If the Welsh Ministers estimate the amount in accordance with subsection (4), they must notify the person liable to pay the levy in writing of that estimate.
- (6) If, having been notified of the estimate, the person liable to pay the levy fails to submit a return containing an estimate within 28 days of receiving the notification, that person must pay a levy on the number of animals estimated.