



Pig Production Development Act (Northern Ireland) 1964

1964 CHAPTER 25

An Act to establish a Pig Production Development Committee and a Pig Production Development Fund; to make provision with respect to services and facilities intended to benefit persons engaged in the production of pigs or to increase, encourage or make more profitable the production of pigs or to secure improvements in the quality of pigs; for the purpose of meeting costs incurred in connection with the provision of services and facilities as aforesaid, to provide for the imposition and payment by certain persons of a levy in respect of pigs sold to the Pigs Marketing Board, in respect of certain pigs sold to other persons and in respect of pigs exported from Northern Ireland; and for purposes connected with those matters. [7th July 1964]

1 Northern Ireland Pig Production Development Committee.

- (1) There shall be established a committee which shall be known as the Northern Ireland Pig Production Development Committee (in this Act referred to as “the Committee”) and the members of the Committee shall be appointed by the Minister of Agriculture (in this Act referred to as “the Minister”) in accordance with the provisions of Part I of the Schedule.
- (2) The Committee shall be a body corporate with perpetual succession and section 19 of the Interpretation Act (Northern Ireland) 1954 shall, subject to the provisions of this Act, apply to the Committee.
- (3) The Committee shall not, without the consent of the Ministry of Agriculture (in this Act referred to as “the Ministry”), exercise any power to acquire land.
- (4) The Committee may, with the consent of the Ministry or in accordance with the terms of any authority given by the Ministry, borrow temporarily from any other person by way of overdraft or otherwise such sums as the Committee may require.
- (5) The proceedings of the Committee shall be conducted in accordance with the provisions of Part II of the Schedule.

Status: Point in time view as at 01/01/2006.

Changes to legislation: There are currently no known outstanding effects for the Pig Production Development Act (Northern Ireland) 1964(repealed). (See end of Document for details)

2 Functions of Committee.

- (1) The functions of the Committee shall be to provide services and facilities intended to benefit persons engaged in the production of pigs or to increase, encourage or make more profitable the production of pigs or to secure improvements in the quality of pigs and, without prejudice to the generality of the foregoing,—
 - (a) to promote or provide schemes for the production and distribution of high quality breeding stock and services and facilities for progeny testing, performance testing and artificial insemination of pigs;
 - (b) to promote or undertake investigations, research and education in connection with the production of pigs generally;
 - (c) to give such financial assistance as the Committee may think fit to other persons to meet expenditure incurred or likely to be incurred by those persons in providing any services or facilities mentioned in this subsection.
- (2) The Committee shall make recommendations to the Ministry as to the amount of the levy to be paid under^[F1] section 5], and in making such recommendations shall have regard to the expenses incurred, or likely to be incurred, in carrying out their functions under subsection (1).

F1	1994 NI 6
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3 Pig Production Development Fund.

- (1) For the purposes of this Act there shall be established and maintained a fund to be called the Pig Production Development Fund (in this Act referred to as “the Development Fund”) which shall be administered by the Ministry on behalf of the Committee.
- (2) The Ministry shall bear all expenses incurred by it in administering the Development Fund.
- (3) There shall be credited to and paid into the Development Fund all moneys received by the Ministry or the Committee under or for the purposes of any provision of this Act or any order made thereunder.
- (4) The Committee shall transmit to the Ministry for payment into the Development Fund all moneys received by the Committee in the exercise of their functions under this Act.
- (5) Where so authorised by the Committee the Ministry shall make payments out of the Development Fund to meet expenditure incurred or to be incurred by the Committee in carrying out any of their functions under this Act or any order made thereunder, but the Ministry may, without the authority of the Committee, make payments out of the Development Fund under section 8(2).

S. 4 rep. by 1994 NI 6

5 Power to impose levy on pigs sold to, or exported by, persons other than the Board.

- ^[F2](1) For the purpose of enabling the Committee to meet expenses incurred or likely to be incurred by them in connection with the carrying out of their functions under this Act, the Department on the recommendation of the Committee may, by order made subject to negative resolution, impose a levy—

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- (a) upon every holder of a licence under section 1 of the Slaughter-houses Act (Northern Ireland) 1953 in respect of each pig slaughtered in the slaughter-house to which the licence relates, not being a pig imported into Northern Ireland for immediate slaughter; and
 - (b) upon every person exporting pigs from Northern Ireland in respect of each pig so exported by him.
- (2) The amount of a levy imposed by an order made under subsection (1) shall be [^{F3} of such amount as the Department, on the recommendation of the Committee]^{F4} under section 2(2)], may, by order, determine] and shall be payable to the Committee or, if the order so provides, to the Ministry on behalf of the Committee.
- (3) An order made under subsection (1) may—
- (a) for the purpose of enabling the liability of persons to pay a levy imposed under the order to be determined, require every^{F4} holder of a licence under section 1 of the Slaughter-houses Act (Northern Ireland) 1953 and every person] exporting pigs from Northern Ireland to keep and produce to the Ministry such records and make such returns to the Ministry as may be specified in the order;
 - (b) make provision as to the time and place at which and the manner in which payment of the levy imposed under the order shall be made, including provision for the payment of the levy by other persons on behalf of persons upon whom the levy is imposed;
 - (c) make provision for the recovery of the levy imposed under the order and for the payment out of the Development Fund of any expenses incurred in recovering the levy;
 - (d) provide for the payment of such fees as may be determined by the Committee to any person authorised to collect on behalf of the Ministry or the Committee any levy imposed under the order;
 - (e) make such other provision as may be necessary or expedient for the purposes of carrying the provisions of the order into effect.
- (4) Information contained in records or returns produced or made to the Ministry in pursuance of a requirement in an order made under subsection (1) shall not, without the consent in writing of the person by whom the information was furnished, be disclosed except—
- (a) in connection with the execution of this Act or any order made thereunder; or
 - (b) for the purposes of any proceedings pursuant thereto or of any report of such proceedings; or
 - (c) in the form of a summary of similar returns or information furnished by or obtained from a number of persons, being a summary so framed as not to enable particulars relating to the business of an individual person to be ascertained therefrom.]

F2	1994 NI6
F3	1977 NI 12
F4	1994 NI 6

Status: Point in time view as at 01/01/2006.

Changes to legislation: There are currently no known outstanding effects for the Pig Production Development Act (Northern Ireland) 1964(repealed). (See end of Document for details)

6 Offences.

- (1) Any person who acts in contravention of any provision of an order made under section 5 shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding^[F5] level 5 on the standard scale].
- (2) Any person who being required by an order made under section 5 to produce any record or make any return produces or makes any record or return which to his knowledge is false in a material particular, shall be guilty of an offence and shall, without prejudice to the provisions of [^{F6} Article 10 of the Perjury (Northern Ireland) Order 1979], be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding^[F5] level 5 on the standard scale] or to both such imprisonment and such fine.
- (3) Any person who knowingly discloses any information in contravention of section 5(4) shall be guilty of an offence and shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding^[F5] level 5 on the standard scale] or to both such imprisonment and such fine.

F5	1984 NI 3
F6	1979 NI 19

7 Expenses of Committee.

- (1) Notwithstanding anything in section 19 of the Interpretation Act (Northern Ireland) 1954 or in any other provision of this Act the Committee shall not have power to employ staff.
- (2) The Committee shall authorise the Ministry to make payments out of the Development Fund to meet expenses for secretarial and any other services rendered to the Committee.

8 Expenses of members of Committee.

- (1) No salary shall be paid to any member of the Committee but there may be paid to any member allowances for travelling and other out-of-pocket expenses incurred by him in connection with the business of the Committee at such rates as the Committee, with the approval of the Ministry, may determine.
- (2) Allowances payable under this section shall be paid by the Ministry out of the Development Fund.

9 Investment of surplus funds.

- (1) The Ministry may, if so recommended by the Committee, invest on their behalf any part of the Development Fund which is not for the time being required for any other purpose in any securities in which trustees are entitled by law and in the absence of a direction contained in their trust instrument to invest trust moneys.
- (2) The Ministry, if so authorised by the Committee, may from time to time vary or transpose all moneys invested under this section into other investments authorised under this section, and may at any time, for the purpose of such variation or transposition, or in order to utilise for the purposes of this Act the invested portion

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of the Development Fund, sell and convert into money all or any investments made under this section.

- (3) All dividends and interest received on investments made under this section shall be paid into the Development Fund.

10 Accounts, audit and reports.

- (1) The Ministry shall keep an annual account showing the income and expenditure of the Development Fund and shall prepare a balance sheet as at the date to which the annual account is made up and shall cause the account and balance sheet to be audited by^[F7] a person who is eligible for appointment as a company auditor under Article 28 of the Companies (Northern Ireland) Order 1990.]
- (2) The Committee shall prepare an annual report, and a copy of the report and of the account and balance sheet certified by the auditor appointed under subsection (1) shall be supplied, either free of charge or on payment of such sum not exceeding ^[F8] £1] as may be fixed by the Committee, to any person who makes application therefor to the Committee.

F7 SR 1993/67

F8 1977 NI 12

11 Provision for winding up of the Committee and the distribution of assets.

- (1) On the Committee ceasing to exist or to carry out their functions under this Act or on the recommendation of the Committee, the Ministry may by order made subject to affirmative resolution provide for the winding up of the Committee and, in accordance with the provisions of the order, for the transfer to the Board or for the distribution to, or for the benefit of, persons engaged in the production of pigs of any moneys standing to the credit of the Development Fund and of any other assets then held by or on behalf of the Committee.
- (2) An order made under subsection (1) may for the purpose of the winding up of the Committee apply^[F9] Part VI of the Insolvency (Northern Ireland) Order 1989] (provisions for the winding up of unregistered companies) subject to such modifications as may be specified in the order.

F9 1989 NI 19

12 Interpretation.

In this Act—

“the Board”^[F10] means the Pigs Marketing Board];

“the Committee” has the meaning assigned to it by section 1(1);

“the Development Fund” has the meaning assigned to it by section 3(1);

“the Minister” has the meaning assigned to it by section 1(1);

“the Ministry” has the meaning assigned to it by section 1(3).

F10 1994 NI 6

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13 Short title.

This Act may be cited as the Pig Production Development Act (Northern Ireland) 1964.

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SCHEDULE

PART I

CONSTITUTION OF THE COMMITTEE

MEMBERS OF THE COMMITTEE

- 1 (1) The Committee shall consist of the following members appointed by the Minister—
- (a) two persons nominated by the Ulster Farmers' Union;
 - (b) two persons nominated by the Board;
 - (c) one person nominated by the National Pig Breeders' Association (Irish Members Advisory Committee);
 - (d) one person nominated by the Northern Ireland Landrace Pig Breeders' Association;
 - (e) two persons nominated by the Ministry.
- (2) Where any of the bodies (other than the Ministry) mentioned in sub-paragraph (1) ceases to exist or fails, within three months after the occurrence of any vacancy, to nominate a person for appointment to the Committee, the Minister may appoint to fill that vacancy a person who in his opinion is capable of representing the interests which were or are represented by that body.

CASUAL VACANCIES

- 2 If a casual vacancy occurs in the membership of the Committee the Minister shall appoint a person nominated by the body by whom the person whom he replaces was nominated.

TERM OF OFFICE OF MEMBERS

- 3 (1) Subject to the following provisions of this paragraph, the term of office of members of the Committee shall be three years.
- (2) A person appointed to fill a casual vacancy shall hold office only for the remainder of the term for which the member whom he replaces was appointed.
- (3) A member nominated by the Ministry shall hold office until another person nominated by the Ministry is appointed in his place, or, if an established officer on the staff of the Ministry, until he ceases to be an official of the Ministry, whichever event first occurs.

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Sub-para.(4) rep. by SLR 1976

DISQUALIFICATION AND RESIGNATION

- 4 (1) Where a member of the Committee is absent from six consecutive meetings of the Committee, the Committee may by resolution declare that member to be disqualified for membership of the Committee and thereupon his office as member of the Committee shall become vacant.
- (2) On a member of the Committee—
- (a) becoming bankrupt or making a composition with his creditors;
 - (b) being convicted of an indictable offence;
 - (c) being detained in any place for more than seven days under any enactment relating to persons of unsound mind and for the time being in force in any part of the United Kingdom;
- that member shall thereupon be disqualified for membership of the Committee and his office as member of the Committee shall become vacant.
- (3) A member of the Committee may at any time resign from the Committee by letter or notice in writing addressed or given to the Minister.
- (4) Where any member of the Committee ceases to be a member of the body by which he was nominated, that body may withdraw his nomination and notify the Minister in writing of the withdrawal, and thereupon that member shall be deemed to have resigned from the Committee.

ELIGIBILITY OF OUTGOING MEMBERS

- 5 A member of the Committee whose term of office expires by effluxion of time or who has resigned or who is deemed to have resigned shall be eligible for re-nomination and re-appointment.

PART II

PROCEEDINGS OF THE COMMITTEE

CHAIRMAN

- 1 (1) At the first meeting of the Committee and thereafter at the first meeting next held after the 1st April in each year the Committee shall elect one of their members to be chairman.

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- (2) The chairman so elected shall continue in that office until a new chairman is elected in accordance with sub-paragraph (1).
- (3) An outgoing chairman shall, if he continues to be a member of the Committee, be eligible for re-election.
- (4) At a meeting of the Committee—
 - (a) the chairman shall, if present, be chairman of the meeting;
 - (b) if and so long as the chairman is not present or if the office of chairman is vacant, the members of the Committee who are present shall choose one of their number to be chairman of the meeting.

MEETINGS

- 2 (1) The quorum for a meeting of the Committee shall be four.
- (2) Every question at a meeting of the Committee shall be determined by a majority of the votes of the members present and voting on the question, and in the case of an equal division of votes, the chairman of the meeting shall have a second or casting vote.

POWER TO ACT NOTWITHSTANDING VACANCY

- 3 The Committee shall have power to act notwithstanding any vacancy in their numbers.

ATTESTATION OF COMMON SEAL

- 4 The common seal of the Committee shall, when applied to a document, be attested by the signatures of any two members of the Committee authorised by the Committee to act for that purpose.

EXECUTION OF CONTRACTS AND INSTRUMENTS NOT UNDER SEAL

- 5 Any contract or instrument which, if entered into or executed by an individual, would not require to be^{F11} executed as a deed] may be entered into or executed on behalf of the Committee by any person generally or specially authorised by the Committee to act for that purpose.

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DISCLOSURE OF INTERESTS

- 6 (1) A member of the Committee shall, if he is in any way directly or indirectly interested in any contract made or proposed to be made by the Committee which involves or is likely to involve any payment out of the Development Fund, disclose the nature of his interest at a meeting of the Committee as soon as possible after the relevant circumstances have come to his knowledge.
- (2) Any disclosure made by a member under sub-paragraph (1) shall be recorded in the minutes of the Committee and, if the other members of the Committee present at the meeting so decide, that member shall not take part after the disclosure in any deliberation or decision of the Committee with respect to that contract.
- (3) Where under sub-paragraph (2) a member is prohibited from taking part in any deliberation or disclosure, that member shall be disregarded for the purpose of constituting a quorum of the Committee for any such deliberation or decision.

DEFECT IN APPOINTMENT

- 7 No defect in the appointment of any person acting as a member of the Committee shall vitiate any proceedings of the Committee in which he has taken part.

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