

1970. No. 311

[C]

AGRICULTURAL MARKETING

Pigs

ORDER, DATED 12TH NOVEMBER 1970, MADE BY THE MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND UNDER SECTION 2(4) OF THE AGRICULTURAL MARKETING ACT (NORTHERN IRELAND) 1964.

The Ministry of Agriculture, after such consultation as is required and in exercise of the powers conferred by Section 2(4) of the Agricultural Marketing Act (Northern Ireland) 1964(a), hereby makes the following Order:—

Citation

1. This Order may be cited as the Pigs Marketing Scheme (Amendment) Order (Northern Ireland) 1970.

Amendment of Scheme

2. The Pigs Marketing Scheme (Northern Ireland) 1933(b) is hereby amended as follows:—

(1) Article 17(2) shall be deleted.

(2) After Article 22(1)(k) there shall be inserted:—

“(l) A person may not at any one election be a candidate for election as both a county member and a regional member or as a member for more than one county. A member of the Board whose term of office does not expire before the first day of July in the year in which an election is held may not be a candidate for any vacancy in that election unless before the closing date for nominations he delivers to the Board his written resignation therefrom in accordance with Article 5(1)(a) to take effect before the said first day of July and does not withdraw such resignation.”

(3) Article 27(3) shall be deleted and the following substituted:—

“(3) The Board shall cause to be prepared as respects the fund—

(a) an income and expenditure account for the period 1st January 1970 to 2nd January 1971 and thereafter for periods of 52 weeks or 53 weeks ending on the Saturday immediately following the 28th December in each year; and

(b) a balance sheet as at the end of each of the periods referred to in sub-paragraph (a).”

(4) After Article 29(4) there shall be inserted:—

“(5) Subject and without prejudice to paragraphs (1) and (2) a producer shall not sell pigs through the agency of any persons except the persons (if any) who are authorised by the Board in writing to act as agents for the sale of such pigs.

(6) No person other than the Board may act as an agent for the sale of pigs unless authorised by the Board in writing to act as such an agent.

(a) 1964. c. 13 (N.I.).

(b) S.R. & O. (N.I.) 1933, No. 93.

(7) Any person who proposes to act as an agent for the sale of pigs on premises used or occupied by whom pigs are found, or any person who is acting or has acted as an agent for the sale of pigs, shall—

- (a) state to any person authorised in writing by the Board (including, with the approval of the Ministry, an officer of the Ministry) when requested by him, the name and address of the person on whose behalf pigs are proposed to be sold or, where pigs have been sold, the names and addresses of the seller and the buyer;
 - (b) make and keep for not less than three months from the date of sale a record of any sales of pigs conducted by him or on his behalf, such record to contain the following information relating to sales on behalf of each seller:
 - (i) date of sale;
 - (ii) name and address of the seller and the total number of pigs sold on his behalf;
 - (iii) lot number, or numbers, allocated to the seller's pigs for the purpose of sale and the number of pigs in each lot;
 - (iv) where sales are by weight, the weight of each pig or the total lot weight;
 - (v) sale price per pig in each lot;
 - (vi) name and address of the buyer of each lot;
 - (c) produce to a person so authorised, when requested by him, and permit him to inspect and to copy the whole or part of any record made and kept under sub-paragraph (b) in relation to pigs or any other books or documents relating to dealings with pigs.”
- (5) In Article 34, paragraphs (2) and (3) shall be deleted and the following substituted:—
- “(2) Any person authorised in writing by the Board (including, with the approval of the Ministry, any officer of the Ministry) may:
- (a) enter and remain on, at all reasonable times, any land or premises on which he has reason to believe there are pigs, taking with him such other persons and such equipment as appear to him necessary;
 - (b) inspect any pigs which are found there and weigh or count them and for that purpose to use any such equipment or any weighing equipment which is on the land or premises;
 - (c) apply or cause to be applied to any bacon pig found there a mark identifying it as such.”
- (6) Article 35 shall be revoked and Articles 36 to 39 shall be re-numbered 35 to 38.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 12th day of November 1970.

(L.S.)

J. Parke,
Assistant Secretary.

EXPLANATORY NOTE

(This Note is not part of the Order but is intended to indicate its general purport.)

This Order removes the provision that, for the purposes of Part IV and Article 37 of the Scheme, two or more persons jointly carrying on a farm business or a corporation aggregate shall necessarily be regarded as constituting together a single registered producer. It also provides that:

- (a) a person may not offer himself as a candidate for more than one vacancy on the Pigs Marketing Board at any election, and that a sitting member may not offer himself as a candidate for a vacancy without first resigning from the seat held by him;
- (b) the Board may have its annual income and expenditure accounts and balance sheets prepared for accounting periods of 52 or 53 weeks rather than for strict calendar years;
- (c) a producer shall not sell pigs through the agency of any person not approved by the Board in writing to act as an agent for such sales;
- (d) no person other than the Board may act as an agent for the sale of pigs unless authorised by the Board in writing;
- (e) any person who proposes to act, is acting or has acted, as an agent for the sale of pigs must make and keep a record of such sales, and to disclose, on request by an officer authorised in writing by the Board, information relating to the sales;
- (f) any person authorised in writing by the Board may enter and remain on, at all reasonable times, any land or premises on which he has reason to believe there are pigs, to weigh or otherwise measure or count the pigs and to apply or cause to be applied to any bacon pig a mark identifying it as such.

The provision requiring the Board to impose monetary penalties on registered producers who contravene the Scheme has also been removed.