

1973. No. 21

[C]

## AGRICULTURE

## Marketing of Eggs

SCHEME, DATED 30TH JANUARY 1973, MADE BY THE SECRETARY OF STATE UNDER SECTION 1 OF THE AGRICULTURE (TEMPORARY ASSISTANCE) ACT (NORTHERN IRELAND) 1954 AS AMENDED BY THE AGRICULTURE (TEMPORARY ASSISTANCE) (AMENDMENT) ACT (NORTHERN IRELAND) 1957.

WHEREAS by section 1(1) of the Agriculture (Temporary Assistance) Act (Northern Ireland) 1954(a) as amended by the Agriculture (Temporary Assistance) (Amendment) Act (Northern Ireland) 1957(b) the Ministry of Agriculture may, in accordance with and subject to Schemes made by the Minister of Agriculture with the approval of the Minister of Finance, make payments to or for the benefit (whether direct or indirect) of farmers producing any produce specified in the Schemes:

AND WHEREAS by section 1(4) of the Agriculture (Temporary Assistance) Act (Northern Ireland) 1954 a Scheme made under the Act may be varied or revoked by a subsequent Scheme made under that Act:

AND WHEREAS by sub-section 1(a) of section 1 of the Northern Ireland (Temporary Provisions) Act 1972(c) it is provided that so long as that section has effect all functions which apart from that Act belong to any Minister of Northern Ireland shall be discharged by the Secretary of State:

NOW, THEREFORE, the Secretary of State in exercise of the powers conferred upon him by section 1 of the Agriculture (Temporary Assistance) Act (Northern Ireland) 1954 as amended by the Agriculture (Temporary Assistance) (Amendment) Act (Northern Ireland) 1957 and by section 1(1) of the Northern Ireland (Temporary Provisions) Act 1972 and of all other powers enabling him in that behalf hereby makes the following Scheme.

*Citation and commencement*

1. This Scheme may be cited as the Marketing of Eggs (Sea Transport Subvention) Scheme (Northern Ireland) 1973 and shall come into operation on the 1st day of February 1973.

*Interpretation*

2. In this Scheme—

“average cost” means the total sea transport cost of all eggs shipped to Great Britain for the shell egg market divided by the total number of cases shipped;

“case” means a case containing 30 dozen eggs;

“eggs” means eggs in shell of Class A quality laid by hens in Northern Ireland;

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(a) 1954. c. 31.

(b) 1957. c. 3.

(c) 1972. c. 22.

“egg shipper” means a person whose premises are registered by the Ministry as a packing station in accordance with European Communities Regulation (EEC) No. 1619/68 of the Council(d) and European Communities Regulation (EEC) No. 95/69 of the Commission(e) as amended or replaced from time to time and also a Northern Ireland wholesaler shipping eggs purchased from such a person;

“Class A quality” as applied to eggs has the meaning assigned to it in European Communities Regulation (EEC) No. 1619/68 of the Council as amended or replaced from time to time;

“Ministry” means the Ministry of Agriculture;

“sea transport subvention” means the payment made to an egg shipper under Article 3.

### *Object*

3. The Ministry may subject to the provisions of this Scheme pay to an egg shipper such sum per case transported by him from Northern Ireland to Great Britain as the Ministry may from time to time determine.

### *Rate of payment*

4.—(1) The amount of the sea transport subvention to be paid to each egg shipper as provided under Article 3 shall be calculated at such rate as the Ministry may determine by reference to the estimated average cost of transporting one case by sea routes approved by the Ministry from Northern Ireland to Great Britain during such period as the Ministry may determine.

(2) Before determining the rate of the sea transport subvention for the purposes of Article 3 and the period referred to in Article 4(1) the Ministry shall consult with such persons or bodies appearing to it to be substantially representative of interests concerned as it thinks fit.

### *Application for payment*

5. An egg shipper who transports eggs to Great Britain for the shell egg market shall make application to the Ministry for payment of the sea transport subvention at intervals of one calendar week in such form and giving such information as the Ministry may require.

### *Records*

6. An egg shipper shall—

(1) keep a record showing in respect of each calendar week the total number of cases of eggs of each quality class and weight grade shipped by him by each sea route between Northern Ireland and Great Britain and the rate per case paid by him for the transport of such eggs by each route and the name and address of the person or persons to whom such eggs were shipped, and the purpose for which they were shipped. He shall also keep a record in respect of each week of the number of cases of each quality and weight grade shipped to places other than Great Britain, the name and address of the person to and the purpose for which they were shipped;

(2) retain copies of shipping manifests in respect of all eggs shipped and statements of account and receipts in respect of expenditure incurred by him in transporting such eggs, and

(d) O.J. No. L258 of 21.10.68 (p. 1).

(e) O.J. No. L13 of 18.1.69 (p. 13).

- (3) if his premises are not registered as an egg packing station by the Ministry, he shall also keep a record of
- (a) the name and address of every packing station so registered from which he purchases eggs and the number of eggs of each quality class and weight grade purchased from each, and
  - (b) the name and address of every other person from whom he purchased eggs and the number of each quality class and weight grade purchased, and
  - (c) the date of each purchase referred to in sub-paragraphs (a) and (b).

7.—(1) The records, statements of account and receipts required to be kept under Article 6 shall be kept for a period of at least two years from the date of shipment to which the record, statement of account or receipt applies.

(2) An egg shipper who applies for payment of the sea transport subvention shall furnish the foregoing records, statements of account and receipts or any particulars or extracts therefrom to the Ministry on demand and shall permit any officer of the Ministry to enter his premises and inspect such records, statements of account and receipts and shall produce them for inspection by such officer and any officer of the Ministry shall be entitled to make copies of any entries therein.

#### *Revocation*

8. The Marketing of Eggs (Sea Transport Subvention) Scheme (Northern Ireland) 1971(f) is hereby revoked.

Dated this 30th day of January 1973.

*W. S. I. Whitelaw,*  
One of Her Majesty's Principal  
Secretaries of State.

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#### EXPLANATORY NOTE

*(This note is not part of the Scheme, but is intended to indicate its general purport.)*

This Scheme replaces with minor amendments (necessary because of entry into the Community) the Marketing of Eggs (Sea Transport Subvention) Scheme (Northern Ireland) 1971. It will enable the Ministry to continue to make payments to shippers of eggs produced in Northern Ireland to assist them in meeting the cost of transporting eggs by sea from Northern Ireland to Great Britain for marketing there.