20. A Committee shall furnish to the Minister such information relating to the performance of its functions as the Minister may from time to time require.

21. Subject to the provisions of section 9 of the Agricultural Marketing Act, 1931, and of these regulations, the procedure of the Committee shall be such as the Chairman or, in his absence, the deputy for the Chairman, may determine.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this thirtieth day of December, 1949.

(L.S.) *T. Williams,*
Minister of Agriculture and Fisheries.

Given under the Seal of the Secretary of State for Scotland this thirtieth day of December, 1949.

(L.S.) *Arthur Woodburn,*
Secretary of State for Scotland.

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

Section 2 of the Agricultural Marketing Act, 1949, adds to the matters which may be referred for examination by a Committee of Investigation under the Agricultural Marketing Acts. These regulations which deal with the procedure of such Committees and supersede the regulations previously in force, include provision for the additional matter.

The Agricultural Marketing (Public Inquiry) Rules, 1949

1949 No. 2094

Made - - - -	*8th November,* 1949
Laid before Parliament	*14th November,* 1949
Coming into Operation	*22nd November,* 1949

In pursuance of subsection (6) of section 1 of the Agricultural Marketing Act, 1931(**a**), and section 18 of the Agricultural Marketing Act, 1949(**b**), and of all other powers enabling them in that behalf, the Minister of Agriculture and Fisheries and the Secretary of State for Scotland and the Secretary of State for the Home Department (being the Secretaries of State concerned with agriculture in Scotland and Northern Ireland respectively) hereby make the following rules:—

1. These rules may be cited as the Agricultural Marketing (Public Inquiry) Rules, 1949, and shall come into operation on the twenty-second day of November, 1949.

(a) 21 & 22 Geo. 5. c. 42. (b) 12, 13 & 14 Geo. 6. c. 38.

2. The Interpretation Act, 1889(**a**), applies to the interpretation of these rules as it applies to the interpretation of an Act of Parliament.

3. The Agricultural Marketing (Public Inquiry) (Scotland) Rules, 1932(**b**), the Agricultural Marketing (Public Inquiry) (England) Rules, 1932(**c**), and the Agricultural Marketing (Public Inquiry) (Great Britain) Rules, 1932(**d**), are hereby revoked.

4. In these rules unless the context otherwise requires—

"the Minister" means—

in relation to an inquiry into objections to a scheme applicable both in England and in Scotland, the Minister of Agriculture and Fisheries and the Secretary of State for Scotland, acting in conjunction;

in relation to an inquiry into objections to a scheme applicable only in England, the Minister of Agriculture and Fisheries;

in relation to an inquiry into objections to a scheme applicable only in Scotland, the Secretary of State for Scotland;

and, in relation to an inquiry into objections to a scheme applicable in Great Britain or any part thereof, and also in Northern Ireland, or any part thereof, the Minister of Agriculture and Fisheries and the Secretary of State for Scotland or either of them as may be appropriate in accordance with the foregoing provisions of this rule acting in conjunction with the Secretary of State concerned with agriculture in Northern Ireland.

"the appointed person" means the person appointed by the Minister to hold an inquiry under paragraph (*a*) of the proviso to subsection (5) of section 1 of the Agricultural Marketing Act, 1931.

"scheme" means a scheme or an amendment of a scheme submitted to the Minister under the Agricultural Marketing Acts, 1931 to 1949.

5. An inquiry into objections to a scheme, other than those which the Minister considers to be frivolous, shall be held at such time and place as may be fixed by the appointed person with the approval of the Minister. Not less than 21 days' notice of the time and place so fixed shall be sent by post by or on behalf of the appointed person to—

(i) the persons who are nominated at the time of the submission of the scheme for the purpose of receiving notice of any modifications of the scheme proposed to be made by the Minister or, in the case of an amendment to a scheme, the board administering that scheme; and

(ii) all persons by whom objections to the scheme have been duly made other than persons whose objections the Minister considers to be frivolous;

and notice shall also be published in such manner as the appointed person thinks best suited for bringing the holding of the inquiry to the knowledge of any other persons who appear to him to be interested:

Provided that the failure to give or publish any such notice shall not invalidate the inquiry or render necessary any adjournment thereof.

6. The inquiry shall be held in public and the persons submitting the scheme, any person who has duly made an objection to the scheme, other than an objection which the Minister considers to be frivolous, and, by leave of the appointed person, any other person who appears to him to be interested, may appear at the inquiry either in person or by counsel, solicitor, agent or representative.

(**a**) 52 & 53 Vict. c. 63.
(**b**) S.R. & O. 1932 (No. 134) p. 22.
(**c**) S.R. & O. 1932 (No. 397) p. 17.
(**d**) S.R. & O. 1932 (No. 600) p. 19.

7. The appointed person may adjourn the inquiry from time to time as he thinks fit and may hold adjourned sittings at such times and places as may appear to him to be suitable having regard to the circumstances of the case and in particular to the convenience of the persons appearing at the inquiry.

8. The appointed person shall have power to administer oaths and to take the affirmation of witnesses appearing before him and any witness shall, if the appointed person thinks fit, be examined on oath or affirmation.

9. If it appears to the appointed person that two or more objections are so similar in substance that it is unnecessary to consider them separately, he may select any one of the objectors making those objections, who appears before him, to present the case on behalf of all of them and to call evidence in support thereof:

Provided that, notwithstanding any such selection, any objector may, by leave of the appointed person, be heard subsequently upon the objection made by him and call evidence in support thereof.

10. The appointed person may, at any stage of the inquiry and upon such terms as he thinks fit, allow the amendment of any objection made to the scheme:

Provided that the appointed person shall not require any person to pay any costs of any other person.

11. Subject to the provisions of these rules, the procedure at the inquiry shall be such as the appointed person may determine.

12. The Minister shall pay to the appointed person such fee and such amount for expenses as the Minister, with the approval of the Treasury, may determine.

13. The persons submitting a scheme and the persons objecting to a scheme, and any other persons appearing at the inquiry, shall bear their own costs:

Provided that, if the appointed person reports to the Minister that the conduct of any such person at or in relation to the inquiry has been unreasonable, the Minister may, by order, direct payment by such person of the whole or part of the costs of any other such person.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this eighth day of November, 1949.

(L.S.) *T. Williams,*
Minister of Agriculture and Fisheries.

Given under the Seal of the Secretary of State for Scotland this eighth day of November, 1949.

(L.S.) *Arthur Woodburn,*
Secretary of State for Scotland.

Given under the Seal of the Secretary of State for the Home Department this eighth day of November, 1949.

(L.S.) *J. Chuter Ede,*
Secretary of State for the Home Department.

EXPLANATORY NOTE

(This note is not part of the rules, but is intended to indicate their general purport.)

Under the Agricultural Marketing Act, 1949, marketing schemes may now apply in Northern Ireland, and rules are necessary for the procedure of inquiries relating to such schemes. Hitherto there have been separate rules for Great Britain, for England and for Scotland. The opportunity is now taken to combine these and adapt them to cover cases where the scheme applies in Northern Ireland.

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(3) AGRICULTURAL PRODUCE

The Marking of Preserved Eggs (England and Wales) Suspension Order, 1949

1949 No. 1950

Made - - - -	19*th October*, 1949
Coming into Operation	21*st October*, 1949

In exercise of the powers conferred upon him by Section 3 of the Agricultural Produce (Grading and Marking) Act, 1928(a), the Minister of Agriculture and Fisheries hereby makes the following Order:—

1. This Order which may be cited as The Marking of Preserved Eggs (England and Wales) Suspension Order, 1949, shall come into operation on the twenty-first day of October, 1949, and shall apply to England and Wales.

2. Any eggs which at the date of coming into operation of this Order, have been subjected to a process of preservation by being dipped in, sprayed with, or otherwise treated with oils, shall be exempted from the operation of the provisions of Section 3 of the Agricultural Produce (Grading and Marking) Act, 1928, requiring preserved eggs to be marked.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this nineteenth day of October, 1949.

(L.S.)

T. Williams,
Minister of Agriculture and Fisheries.

EXPLANATORY NOTE

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

Unless exempted all preserved eggs sold or exposed for sale are required to be marked with the word " Preserved ". Eggs already preserved by a process of treating with oils cannot be marked and this Order exempts from marking eggs treated with oils before the coming into operation of this Order.

(a) 18 & 19 Geo. 5. c. 19.