Given under the Seal of the Secretary of State for Scotland this twenty-eighth day of November, nineteen hundred and fifty-seven.

(L.S.) *John S. Maclay,*
Secretary of State for Scotland.

EXPLANATORY NOTE

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

This Order dissolves on 4th December, 1957, the Bacon Development Board established under the Bacon Industry Act, 1938, the Pigs Marketing Board established under the Pigs Marketing Scheme, 1933, and the Bacon Marketing Board established under the Bacon Marketing Scheme, 1933.

By virtue of the Order and the provisions of sections 30 and 36 of the Agriculture Act, 1957, the Bacon Industry Acts, 1938 and 1939, the Pigs Marketing Scheme, 1933, the Bacon Marketing Scheme, 1933, and Part II of, and the First Schedule to, the Defence (Agriculture and Fisheries) Regulations, 1939, cease to have effect on the same date.

GUARANTEED PRICES

1957 No. 1125

The Eggs (Guaranteed Prices) Order, 1957

Made - - - -	22*nd May,* 1957
Coming into Operation	30*th June,* 1957

The Minister of Agriculture, Fisheries and Food, 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) in exercise of the powers conferred upon them by sections four and one hundred and eight of the Agriculture Act, 1947(a), and of all other powers them enabling in that behalf, after consultations with such bodies of persons as appear to each of them to represent the interests of producers of eggs and with the approval of the Treasury, hereby jointly make the following Order :—

1. This Order may be cited as the Eggs (Guaranteed Prices) Order, 1957; and shall come into operation on the thirtieth day of June, 1957.

2.—(1) In this Order except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

"the appropriate Minister" means in relation to any part of the United Kingdom the Minister concerned with agriculture therein or the Ministers;

(a) 10 & 11 Geo. 6. c. 48.

"ascertained average selling price" means the average selling price ascertained in accordance with Article 5 of this Order;

"the Board" means the British Egg Marketing Board set up under the Agricultural Marketing Acts, 1931 to 1940(a), and constituted under the British Egg Marketing Scheme, 1956(b);

"duck eggs" means eggs in shell laid by domestic ducks in the United Kingdom;

"eggs" means hen eggs and duck eggs;

"hen eggs" means eggs in shell laid by domestic fowls in the United Kingdom;

"licensed packer" means a person licensed as such, in Great Britain, by or on behalf of the appropriate Minister or, in Northern Ireland, by or on behalf of the Minister of Agriculture, Fisheries and Food or the Ministry of Agriculture for Northern Ireland;

"the Ministers" means the Minister of Agriculture, Fisheries and Food and the Secretaries of State concerned with agriculture in Scotland and Northern Ireland respectively, acting jointly;

"year" means a period of 52 or 53 weeks commencing with the Sunday nearest to the thirty-first day of March in any calendar year.

(2) The Interpretation Act, 1889(c), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

3. This Order shall apply to such eggs as conform to the standards and conditions specified by the Ministers in the light of their conclusions from a review held under Part I of the Agriculture Act, 1947.

4. In respect of each year the Ministers shall with the approval of the Treasury, in the light of their aforesaid conclusions and subject to such terms and conditions as they may specify, determine in respect of hen eggs and duck eggs respectively:

(*a*) a guaranteed price (hereinafter referred to as "the guaranteed price");

(*b*) an estimate of the average selling price (hereinafter referred to as "the estimated average selling price"); and

(*c*) a rate of payment being the amount by which the guaranteed price exceeds the estimated average selling price;

being a price and rate per dozen respectively.

5. At the end of each year the average selling price of hen eggs and duck eggs respectively for that year shall be ascertained by the Ministers in accordance with arrangements agreed with the Board or in default of agreement in accordance with such principles as the Ministers shall decide.

6. Subject to such terms and conditions as he may with the approval of the Treasury specify, the appropriate Minister shall pay to the Board in respect of each dozen hen eggs packed by or on behalf of the Board and each dozen duck eggs purchased by the Board in any year a sum at the appropriate rate determined in accordance with sub-paragraph (*c*) of Article 4 of this Order.

(a) 21 & 22 Geo. 5. c. 42; 23 & 24 Geo. 5. c. 31; 24 & 25 Geo. 5. c. 1; 12, 13 & 14 Geo. 6. c. 38.

(b) S.I. 1956/2082 (1956 I, p. 66). (c) 52 & 53 Vict. c. 63.

7.—(1) If in any year the estimated average selling price of hen eggs or duck eggs respectively is higher than the ascertained average selling price thereof by more than twopence per dozen, the appropriate Minister shall pay to the Board nine-tenths of so much of the difference as exceeds twopence in respect of each dozen hen eggs packed by or on behalf of the Board or each dozen duck eggs purchased by the Board, as the case may be, in that year.

(2) If in any year the ascertained average selling price of hen eggs or duck eggs respectively is higher than the estimated average selling price thereof by more than twopence per dozen, the Board shall pay to the appropriate Minister one-half of so much of the difference as exceeds twopence in respect of each dozen hen eggs packed by or on behalf of the Board or each dozen duck eggs purchased by the Board, as the case may be, in that year.

(3) For the purpose of the preceding paragraphs of this Article the number of hen eggs packed by or on behalf of the Board or duck eggs purchased by the Board, as the case may be, in the year ending with the 29th March, 1958, shall be deemed to be increased—

(*a*) in the case of hen eggs, by the number of dozen hen eggs packed by licensed packers in that part of the year ending with the 29th June, 1957; and

(*b*) in the case of duck eggs, by the number of dozen duck eggs—

(i) purchased in Great Britain by NEDAL (1954) Limited;

(ii) packed in Northern Ireland by licensed packers in respect of which payments have been made by or on behalf of the Minister of Agriculture, Fisheries and Food;

in that part of the year referred to in sub-paragraph (*a*) above.

8. Subject to such terms and conditions as he may with the approval of the Treasury specify, the appropriate Minister may make available by way of advance to the Board such sums as he may from time to time think fit.

9. The Board shall keep such books, records or accounts as the appropriate Minister may from time to time direct and such books, records or accounts shall be available for inspection at all reasonable times by any duly authorised officer, servant or agent of the appropriate Minister or of the Comptroller and Auditor General.

10.—(1) The Eggs (Guaranteed Prices) Order, 1956(a), is hereby revoked, but without prejudice to any right acquired or any liability incurred before the date of the said revocation.

(2) If the Ministers are satisfied that the expenditure (expressed as a rate per dozen hen or duck eggs) assessed by them to have been incurred by Ministers in implementing the support price arrangements provided for by the said Order during the period from 31st March, 1957, to 29th June, 1957, inclusive, (hereinafter referred to as the "incurred expenditure") is lower or higher than the rate of payment determined in accordance with sub-paragraph (*c*) of Article 4 of this Order, such an amount as the

(a) S.I. 1956/364 (1956 I, p. 123).

Ministers shall determine with the approval of the Treasury to be appropriate to achieve a parity shall—

(*a*) if the incurred expenditure is the lower, be paid by the Ministers to the Board; or

(*b*) if the incurred expenditure is the higher be paid or dealt with by the Board in accordance with such arrangements as the Ministers shall specify.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this twenty-first day of May, nineteen hundred and fifty-seven.

(L.S.)

D. Heathcoat Amory,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland this twenty-first day of May, nineteen hundred and fifty-seven.

(L.S.)

John S. Maclay,
Secretary of State for Scotland.

Given under the hand of the Secretary of State for the Home Department this twenty-second day of May, nineteen hundred and fifty-seven.

R. A. Butler,
Secretary of State for the Home Department.

Approved this twenty-second day of May, nineteen hundred and fifty-seven.

Peter Legh,
Anthony Barber,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

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

This Order replaces, on 30th June, 1957, the Eggs (Guaranteed Prices) Order, 1956 (S.I. 1956/364), and makes arrangements under section 4 of the Agriculture Act, 1947, for the provision, from that date, through the British Egg Marketing Board of guaranteed prices and an assured market for hen eggs and duck eggs.

This Order has been approved by resolutions of each House of Parliament in pursuance of section seven of the Act.