1969 No. 401

AGRICULTURE

GUARANTEED PRICES AND ASSURED MARKETS

The Eggs (Guaranteed Prices) Order 1969

Made - - -	17*th March* 1969
Laid before Parliament	26*th March* 1969
Coming into Operation	30*th March* 1969

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with agriculture in Scotland and Northern Ireland acting jointly in exercise of the powers conferred upon them by sections 1 and 35(3) of the Agriculture Act 1957(**a**) and of all other powers enabling them in that behalf, with the consent of the Treasury and after consultation with such bodies of persons as appear to the said Ministers to represent the interests of the producers of eggs, hereby make the following order:—

Citation and commencement

1. This order may be cited as the Eggs (Guaranteed Prices) Order 1969; and shall come into operation on 30th March 1969.

Interpretation

2.—(1) In this order, unless the context otherwise requires—

"average selling price" means the average selling price ascertained in accordance with article 5 hereof;

"the Board" means the British Egg Marketing Board constituted by the British Egg Marketing Scheme 1956(**b**) which has effect as if made under the Agricultural Marketing Act 1958(**c**);

"determined" means determined from time to time by the Minister, subject to such terms and conditions as he may specify, with the approval of the Treasury and in the light of the conclusions of the Ministers from a review held under section 2 of the Agriculture Act 1947(**d**);

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

"guaranteed price", "indicator price" and "standard quantity" mean respectively the prices and quantity determined pursuant to article 4 hereof;

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

(**a**) 1957 c.57.
(**b**) S.I. 1956/2082 (1956 I, p.66).
(**c**) 1958 c.47.
(**d**) 1947 c.48.

"packed" means packed on behalf of the Board by any person appointed by the Board to purchase, grade and pack hen eggs on their behalf or packed by the Board in the course of exercising those functions themselves;

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

"the Minister", in relation to any part of the United Kingdom, means either that one of the Ministers who is concerned with agriculture in that part, or that Minister and either or both of the others acting jointly;

"year" means a period of 52 or 53 weeks commencing with the Sunday nearest to 31st March in any calendar year.

(2) The Interpretation Act 1889(a) shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament, and as if this order and the orders hereby revoked were Acts of Parliament.

Guarantee standards

3. This order shall apply to such hen eggs and duck eggs respectively as conform to the standards and conditions specified by the Ministers from time to time in the light of their conclusions from a review held under section 2 of the Agriculture Act 1947.

Guarantee prices and payments

4.—(1) In respect of each year there shall be determined for hen eggs and duck eggs respectively—

(*a*) a guaranteed price;

(*b*) an indicator price, being an estimate by the Minister of the average price to be received by the Board on the sale of hen eggs or duck eggs, as the case may be, on the basis that production thereof is sufficient but not excessive having regard to the national demand therefor and, in the case of hen eggs, to normal imports into the United Kingdom during the year of hen eggs produced outside;

being in each case a price per dozen:

Provided that, in the case of hen eggs, the Minister may in the light of the conclusions of the Ministers from a review held under section 2 of the Agriculture Act 1947 make such reduction in the indicator price as appears to the Minister, with the approval of the Treasury, to be appropriate having regard to any increase above a normal level of imports into the United Kingdom, during any part of the year, of hen eggs produced outside and to the prices received by the Board during the same period and throughout the year.

(2) In respect of each year a standard quantity shall be determined for hen eggs.

5. After 28th March 1970 an average selling price of hen eggs and duck eggs respectively for the year ending on that day shall be ascertained by the Minister in accordance with arrangements agreed with the Board or in default of agreement in accordance with such principles as the Minister shall decide.

6. Subject to the provisions of article 8 hereof and to such terms and conditions as he may with the approval of the Treasury prescribe, the Minister may pay to the Board in respect of each dozen hen eggs packed or each dozen duck eggs purchased by the Board, as the case may be, in any year the difference between the guaranteed price and the indicator price.

(a) 1889 c. 63.

7.—(1) If for the year ending on 28th March 1970 the average selling price of hen eggs or duck eggs respectively is higher than the indicator price thereof, then, subject to the provisions of article 8 hereof, the Board shall pay to the Minister two thirds of the difference in respect of each dozen hen eggs packed or each dozen duck eggs purchased by the Board, as the case may be, in that year:

Provided that in the case of hen eggs or duck eggs, as the case may be, the total amount payable by the Board to the Minister under this paragraph shall not exceed the total amount which may be paid by the Minister to the Board in respect of those eggs under article 6 hereof in respect of the same year.

(2) If for the aforesaid year the indicator price of hen eggs or duck eggs, as the case may be, is higher than the average selling price thereof, then, subject to the provisions of article 8 hereof, the Minister may pay to the Board one tenth of the difference in respect of each dozen hen eggs packed or each dozen duck eggs purchased by the Board, as the case may be, in that year.

8. As respects any year in which the number of hen eggs packed exceeds the standard quantity for that year, any reference in articles 6 and 7 hereof to the difference between the guaranteed price and the indicator price and the difference between the average selling price and the indicator price respectively shall in each case, insofar as each of the said provisions relates to hen eggs, be taken to be a reference to the respective difference divided by the proportion which the number of hen eggs packed in that year bears to the standard quantity.

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

Keeping of records

10. The Board shall maintain such books of account, records and documents as the Minister may from time to time direct and shall ensure that such books of account, records and documents are available for inspection at all reasonable times by any duly authorised officer, servant or agent of the Minister or of the Comptroller and Auditor General.

Revocation

11. The Eggs (Guaranteed Prices) Order 1963(a), the Eggs (Guaranteed Prices) (Amendment) Order 1964(b) and the Eggs (Guaranteed Prices) (Amendment) Order 1966(c) are hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 13th March 1969.

(L.S.) *Cledwyn Hughes,*
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 14th March 1969.

(L.S.) *William Ross,*
Secretary of State for Scotland.

(a) S.I. 1963/569 (1963 I, p.655). (b) S.I. 1964/462 (1964 I, p.743).
(c) S.I. 1966/479 (1966 I, p.987).

Given under the hand of the Secretary of State for the Home Department on 12th March 1969.

James Callaghan,
Secretary of State for the Home Department.

We consent
17th March 1969.

Joseph Harper,
J. McCann,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order, which comes into operation on 30th March 1969, supersedes the Eggs (Guaranteed Prices) Order 1963, as amended, and provides for changes in the arrangements for guaranteed prices for hen eggs and duck eggs following the determinations of the Ministers after a review held under section 2 of the Agriculture Act 1947.

The principal changes are:—

(*a*) in the case of hen eggs, provision is made for the determination each year of a standard quantity which is used for the calculation of guarantee payments in certain circumstances;

(*b*) supplementary provisions which apply if the Board's average selling price of hen eggs or duck eggs is higher or lower than the indicator price thereof are to cease after the end of the year 1969/70, and for that year the proportion of the difference to be borne by the Minister if the Board's average selling price is lower than the indicator price is fixed at one tenth.