Retailers.

THE MARKETING OF EGGS (RETAILERS') RULES (NORTHERN IRELAND), 1936, DATED THE ELEVENTH DAY OF SEPTEMBER, 1936, MADE BY THE MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND UNDER SECTION SEVEN OF THE MARKETING OF EGGS ACT (NORTHERN IRELAND), 1924 (14 AND 15 GEO. V., CH. 15).

1936. No. 121.

The Ministry of Agriculture for Northern Ireland in exercise of the powers conferred on it by Section Seven of the Marketing of Eggs Act (Northern Ireland), 1924, and of every other power enabling it in that behalf hereby makes the following Rules, that is to say :—

PART I.

Short Title and Interpretation.

1. These Rules may be cited as the Marketing of Eggs (Retailers') Rules (Northern Ireland), 1936.

2.—(1) In these Rules, unless the context otherwise requires :

" Act of 1936 " means the Marketing of Eggs Act (Northern Ireland), 1936.

" Licensed wholesale dealer of Class A " means the holder of a Class A licence granted under section one of the Marketing of Eggs Act (Northern Ireland), 1924.

" Ministry " means the Ministry of Agriculture for Northern Ireland.

Other expressions have the meanings respectively assigned to them in the Marketing of Eggs Acts (Northern Ireland), 1924 to 1936.

(2) The Interpretation Act, 1889(a), as applied to Northern Ireland by the Interpretation Act, 1921(b), shall apply for the purpose of the Interpretation of these Rules as it applies for the purpose of the interpretation of an Act of Parliament.

(a) 52-3V. c. 63,

(b) 12 Geo. V. c. 4 (N.I.).

PART II.

General.

3. The forms set forth in the Schedule hereto or forms to the like effect shall be used in the cases to which they are respectively expressed to be applicable, and shall for the purposes of the Act of 1936 and of these Rules be deemed to be the prescribed forms.

4. Every applicant for a licence under section six of the Act of 1936 (in these Rules referred to as a "retailer's licence"), shall make application to the Ministry in the prescribed form, and such application shall be accompanied by a fee of ten shillings ;

Provided that in any case in which a person claims that he does not in the ordinary course of business sell by retail a quantity of eggs exceeding thirty dozen per week the application shall be accompanied by a fee of one pound (in these Rules referred to as the "composite fee").

5. Before suspending or revoking a retailer's licence, the Ministry shall serve on the holder a notice stating the grounds on which it is proposed to suspend or revoke the licence, and shall afford him a reasonable opportunity of making such representations to the Ministry in regard thereto as he may think fit.

Arrangement by licensed wholesale dealers of Class A for the payment of retailers' licence fees.

6.—(1) A licensed wholesale dealer of Class A who proposes to make an arrangement to pay to the Ministry the additional sum payable under Sub-section (5) of Section six of the Act of 1936 in respect of eggs sold by him to the holders of retailers' licences, shall complete and transmit to the Ministry a memorandum of arrangement in the prescribed form.

(2) An arrangement made in accordance with this Rule may be terminated by the Ministry, or by the licensed wholesale dealer of Class A on giving fourteen days' notice to the Ministry.

Records.

7.—(1) The holder of a retailer's licence (other than a licence in respect of which the composite fee has been paid) shall keep a record of :—

(*a*) the names and addresses of any licensed wholesale dealers of Class A (if any) from whom he purchased eggs and the quantities purchased from each ;
(*b*) the quantity of eggs (if any) purchased from producers ;
(*c*) the quantity of eggs (if any) produced by his own fowls and sold by retail ;
(*d*) the total quantity of eggs sold by retail ;
(*e*) in the case of the holder of a retailer's licence who is also a licensed wholesale dealer of Class A, the quantity of eggs (if any) sold for use in manufacture.

(2) The holder of a retailer's licence in respect of which the composite fee has been paid shall keep a record of :—

(*a*) the quantity of eggs purchased for re-sale by retail ; and
(*b*) the quantity of eggs sold by retail.

(3) The holder of a retailer's licence who is also a licensed wholesale dealer of Class A shall obtain from each person to whom eggs are sold for use in manufacture a certificate that the quantities of eggs so sold have been purchased for the purpose aforesaid.

Fees and Returns.

8. The additional sum payable in respect of a retailer's licence under paragraph (*a*) of sub-section (5) of section six of the Act of 1936 shall be payable quarterly, and shall be calculated in respect of any quarter at the rate of one farthing for each dozen of eggs sold by retail during that quarter.

9. The holder of a retailer's licence (other than a licence in respect of which the composite fee has been paid) shall, unless he purchases all eggs sold by him by retail from one or more licensed wholesale dealers who have made arrangements with the Ministry in accordance with these Rules, furnish to the Ministry not more than fourteen days after the conclusion of each of the quarters ending respectively on 31st January, 30th April, 31st July, and 31st October, a return in the prescribed form of his sales of eggs during the preceding quarter, and shall at the same time transmit to the Ministry any additional sum payable by him in pursuance of sub-section (5) of section six of the Act of 1936 and of these Rules in respect of eggs sold by him during such quarter.

In Witness whereof the Official Seal of the Ministry of Agriculture for Northern Ireland is hereunto affixed this Eleventh day of September, Nineteen hundred and thirty-six, in the presence of

(Signed), *J. Taylor*,
Assistant Secretary.

SCHEDULE.

FORM No. 1.

Form of Application for a Retailer's Licence.

1. I/We.....
hereby apply for a retailer's licence under Section Six of the Marketing of Eggs Act (Northern Ireland), 1936.

2. The premises used by me/us for the purpose of the business for which the licence is required are situated at.....
.....
County (or County Borough) of.....

*3. I am
†We are each } not less than twenty-one years of age.

4. I/We enclose herewith a‡.....
for ten shillings, being the fee prescribed for a retailer's licence.

5. I/We shall obtain my/our supplies of eggs from—
§Producers.
§Licensed wholesale dealers of Class A, namely :—
(1).....
.....
.....
(2).....
.....
.....

6. I/We hereby undertake, in the event of a licence being granted to me/us, to comply with such conditions in relation to the sale of eggs by retail as the Ministry of Agriculture may from time to time prescribe.

Signature of Applicant.....
Full Postal Address.....
.....
.....
Date.....

The Secretary,
Ministry of Agriculture,
Stormont,
Belfast.

*This sentence should be deleted where the applicant is a limited company.

†These words should be deleted except where the applicant is a firm or a partnership.

‡State whether cheque, money order or postal order.

§Delete if not required.

FORM No. 2.

Form of Application for a Retailer's Licence (Composite Fee).

1. I/We.....
hereby apply for a retailer's licence under Section Six of the Marketing of Eggs Act (Northern Ireland), 1936.

2. The premises used by me/us for the purpose of the business for which the licence is required are situated at.....
.....
County (or County Borough) of.....

*3. I am
†We are each } not less than twenty-one years of age.

*This sentence should be deleted where the applicant is a limited company.

†These words should be deleted except where the applicant is a firm or a partnership.

4. I/We sell in the ordinary course of business not more than ‡..... dozen of eggs per week.

‡State average weekly sales.

5. I/We enclose herewith §..... for one pound, being the fee prescribed for a retailer's licence where in the ordinary course of business the quantity of eggs sold by retail does not exceed thirty dozen per week.

§State whether cheque, money order or postal order.

6. I/We undertake, in the event of a licence being granted to me/us, to comply with such conditions in relation to the sale of eggs by retail as the Ministry of Agriculture may from time to time prescribe.

Signature of Applicant.....
Full Postal Address.....
.....
Date.....

To The Secretary,
Ministry of Agriculture,
Stormont,
Belfast.

FORM NO. 3.

Form of Retailer's Licence.

No.....

The Ministry of Agriculture for Northern Ireland hereby licenses.....
.....
to sell eggs by retail, the only premises which may be used for the purpose of the business of the licence-holder as a retailer of eggs being situated at.....
.....
.....

This licence which, unless previously revoked or suspended will remain in force until the 31st October, 193....., is not transferable and is granted subject to the compliance of the licence holder(s) with such conditions in relation to the sale of eggs by retail as the Ministry of Agriculture may from time to time prescribe.

Date.....

.....
Secretary.

FORM NO. 4.

Memorandum of Arrangement.

1. I/We,*..... being †(a) licensed wholesale dealer(s)† of Class A hereby arrange, in accordance with the provisions of the Marketing of Eggs (Retailers') Rules (Northern Ireland), 1936, to pay to the Ministry of Agriculture the additional sum payable under sub-section (5) of section six of the Marketing of Eggs Act (Northern Ireland), 1936, in respect of eggs sold by me/us to any holder of a retailer's licence granted under the provisions of paragraph (*a*) of the said sub-section ; I/We further undertake to furnish to the Ministry of Agriculture not more than fourteen days after the conclusion of each of the quarters ending respectively on the 31st January, 30th April, 31st July and 31st October, a return in the form prescribed for the purpose, of eggs sold by me/us during the preceding quarter to any such holder of a retailer's licence as aforesaid and at the same time to transmit to the Ministry any additional sum payable in respect of such eggs under sub-section (5) of section six of the Marketing of Eggs Act (Northern Ireland), 1936.

*State name and full address of licensed wholesale dealer of Class A.

†Delete any letters or words which are inapplicable

Signature of licensed wholesale dealer.....

To The Secretary,
Ministry of Agriculture,
Stormont,
Belfast.

FORM No. 5.

Form of Retailer's Return for the Quarter ended on the.....

		dozen.	
1. Quantity of eggs purchased from producers ..			
2. Quantity of eggs purchased from the undermentioned licensed wholesale dealers of Class A.	Licence Number.		
i		i	
ii		ii	
3. Quantity of eggs purchased from other sources (e.g., eggs imported directly)			
4. Total quantity of eggs sold by retail			
5. Quantity of eggs purchased from licensed wholesale dealers of Class A who have paid retailers' licence fees in respect of such eggs			
6. Eggs sold by retail other than eggs in respect of which retailers' licence fees have been paid by a licensed wholesale dealer of Class A ..			

I/We hereby declare that the above return is correct and that, accordingly, the sum of £ : : (.....pounds .....shillings .....pence) is payable to the Ministry in respect of retailers' licence fees calculated at the prescribed rate per dozen eggs sold by retail other than eggs in respect of which retailers' licence fees have been paid by a licensed wholesale dealer of Class A.

Signature of Licence-Holder.....

Date.....

FORM No. 6.

Form of Quarterly Return to be made by a Licensed Wholesale Dealer of Class A in respect of Sales to a Retailer.

Quarter ended.....

Return of eggs sold to the undermentioned retailer :—	Retailer's Licence No.	Quantity in dozens.
.....		
.....		

I/We hereby declare that the above return is correct and that, accordingly, the sum of £ : : (.....pounds, ...shillings, ...pence) is payable to the Ministry in respect of retailers' licence fees calculated at the prescribed rate per dozen eggs in accordance with the arrangement made by me/us with the Ministry of Agriculture. The sum specified is transmitted herewith.

Signature of licensed wholesale dealer of Class A.....

Date.....

THE MARKETING OF EGGS (RETAILERS') (AMENDMENT) RULES (NORTHERN IRELAND), 1936, DATED THE 28TH DAY OF NOVEMBER, 1936, MADE BY THE MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND UNDER SECTION SEVEN OF THE MARKETING OF EGGS ACT (NORTHERN IRELAND), 1924 (14 AND 15 GEO. 5, CH. 15).

1936. No. 163.

The Ministry of Agriculture for Northern Ireland, in exercise of the powers conferred on it by Section Seven of the Marketing of Eggs Act (Northern Ireland), 1924, and of every other power enabling it in that behalf, makes the following Rules, that is to say :—

Arrangements by licensed wholesale dealers of Class A for the payment of retailers' licence fees.

1. If a licensed wholesale dealer of Class A proposes to arrange to pay to the Ministry the additional sum payable under subsection (5) of Section six of the Act of 1936 in respect of eggs sold by him to the holder of a retailer's licence, not being a licence in respect of which the composite fee has been paid, the licensed wholesale dealer of Class A and the holder of a retailer's licence between whom the proposed arrangement is to be made shall

complete a memorandum of arrangement in the form prescribed in the Schedule to these Rules, and the aforesaid holder of a retailer's licence shall submit the memorandum of arrangement to the Ministry for registration and retention by it in accordance with these rules.

2.—(1) Subject to the provisions of paragraph (2) of this Rule, it shall be the duty of the Ministry to register as soon as may be any arrangement made and submitted to it in accordance with these Rules for the payment by a licensed wholesale dealer of Class A of any additional sum payable under sub-section (5) of Section six of the Act of 1936 in respect of eggs sold by him to the holder of a retailer's licence (in these Rules referred to as an " arrangement ").

(2) The Ministry shall not register an arrangement if the holder of a retailer's licence who, in his capacity as such, is a party thereto is also a licensed wholesale dealer of Class A.

(3) The Ministry may cancel the registration of an arrangement if the holder of a retailer's licence who, in his capacity as such, is a party thereto is granted a Class A licence under section one of the principal Act.

(4) The Ministry shall retain any memorandum of arrangement registered by it under these Rules.

3. An arrangement shall not have effect until it has been registered by the Ministry, but when so registered it shall be deemed to have been effective as from the date of the signing thereof.

An arrangement shall remain in force until—

(*a*) either the licensed wholesale dealer of Class A ceases to be the holder of a Class A licence, or the holder of the retailer's licence ceases to hold such a licence ; or

(*b*) either of the parties thereto has given not less than fourteen days' notice of his intention to terminate the arrangement to the other party and to the Ministry ; or

(*c*) the registration thereof has been cancelled by the Ministry in accordance with these Rules.

4. The holder of a retailer's licence, who has made an arrangement or arrangements with one or more licensed wholesale dealers of Class A, shall not, during the currency of such arrangement or arrangements, purchase any eggs for re-sale from any person other than the said wholesale dealer or dealers.

5. Rule six of the Marketing of Eggs (Retailers') Rules (Northern Ireland), 1936(a), (in these Rules referred to as the " principal

Rules") is hereby revoked and the Schedule to the said Rules shall have effect as if :—

(i) Form No. 4 (Memorandum of Arrangement) were omitted ;

(ii) in Form No. 5 (Form of Retailer's Return) paragraphs 5 and 6 were omitted, and the words " other than eggs in respect of which retailers' licence fees have been paid by a licensed wholesale dealer of Class A " were deleted ; and

(iii) in Form No. 6 (Form of Quarterly Return to be made by a Licensed Wholesale Dealer of Class A in respect of Sales to a Retailer) the words " the arrangement made by me/us with the Ministry of Agriculture " were deleted and the words " the arrangement(s) made by me/us with the aforesaid retailer(s)," substituted.

Returns.

6. Rule nine of the principal Rules shall have effect as if the words " unless he purchases all eggs sold by him by retail from one or more licensed wholesale dealers who have made arrangements with the Ministry in accordance with these Rules " were deleted, and the words " unless he has made an arrangement or arrangements with one or more licensed wholesale dealers of Class A," substituted.

Short Title.

7. These Rules may be cited as the Marketing of Eggs (Retailers') (Amendment) Rules (Northern Ireland), 1936, and these Rules and the principal Rules shall be construed together, and may be cited as the Marketing of Eggs (Retailers') (Amended) Rules (Northern Ireland), 1936.

In Witness whereof the Official Seal of the Ministry of Agriculture for Northern Ireland is hereunto affixed this twenty-eighth day of November, Nineteen hundred and Thirty-six in the presence of

(L.S.) *D. A. E. Harkness,*
Assistant Secretary.

(a) S.R. & O. (N.I.), 1936. No. 121.

SCHEDULE.

MEMORANDUM OF ARRANGEMENT.

MEMORANDUM OF AGREEMENT made this.....
day of.....193....., between*.....
.....of†.....
.....of the one part, and‡.....
..... of§.....
.....of the other:

WHEREAS the aforesaid*.....
is (are) the holder(s) of a Class A licence under Section one of the Marketing of Eggs Act (Northern Ireland), 1924, and the aforesaid‡.....
is (are) the holder(s) of a retailer's licence in respect of which the fee specified in paragraph (*a*) of sub-section (5) of Section six of the Marketing of Eggs Act (Northern Ireland), 1936, is payable:

AND WHEREAS the said‡.....
propose(s) to purchase from the said*.....
eggs for re-sale by retail:

NOW IT IS HEREBY AGREED by and between the parties hereto that the said*
.....
shall, in accordance with the provisions of the Marketing of Eggs (Retailers') (Amendment) Rules (Northern Ireland), 1936, pay to the Ministry of Agriculture the additional sum payable under sub-section (5) of Section six of the Marketing of Eggs Act (Northern Ireland), 1936, in respect of eggs sold by him/them to the said‡.....
until this arrangement shall have ceased to have effect by reason of the operation of Rule three of the aforesaid Rules:

AND IT IS FURTHER AGREED that the aforesaid*.....
.....shall furnish to the Ministry of Agriculture not more than fourteen days after the conclusion of each of the quarters ending respectively on the thirty-first day of January, the thirtieth day of April, the thirty-first day of July and the thirty-first day of October, a return, in the form prescribed for the purpose, of eggs sold by him/them during the preceding quarter to the aforesaid‡.....
and shall at the same time transmit to the said Ministry any additional sum payable in respect of such eggs under sub-section (5) of Section six of the Marketing of Eggs Act (Northern Ireland), 1936:

AND IT IS FURTHER AGREED that‡.....
.....shall submit this Memorandum of Arrangement to the Ministry of Agriculture for registration and retention by it in accordance with the aforesaid Rules.

.....
Full Postal Address.....
.....
.....

6d. Stamp.

} Signature of licensed Wholesale dealer of Class A.

Name and Address of Witness .....
.....
.....
Full Postal Address.....
.....
.....

} Signature of holder of Retailer's Licence.

Name and Address of Witness .....
.....

*Name of licensed wholesale dealer of Class A.

†Address of licensed wholesale dealer of Class A.

‡Name of retailer.

Address of retailer.