(7) COUNTY AGRICULTURAL EXECUTIVE COMMITTEES

The Milk and Dairies (Delegation to County Agricultural Executive Committees) Regulations, 1949

1949 No. 1847

Made - - - -	30*th September*, 1949
Laid before Parliament	1*st October*, 1949
Coming into Operation	3*rd October*, 1949

In pursuance of section seventy-two of the Agriculture Act, 1947(**a**), (hereinafter in these regulations called " the Act ") and of all other powers enabling him in that behalf, the Minister of Agriculture and Fisheries (hereinafter in these regulations called " the Minister ") hereby makes the following regulations:—

1. These regulations may be cited as the Milk and Dairies (Delegation to County Agricultural Executive Committees) Regulations, 1949, and shall come into operation on the third day of October, 1949.

2. The Interpretation Act, 1889(**b**), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. The functions of the Minister specified in the Schedule hereto shall, as from the date when these regulations come into operation, be exercisable by a County Agricultural Executive Committee in accordance with the provisions of section seventy-one of the Act.

4. The functions exercisable by a County Agricultural Executive Committee in accordance with the said provisions shall include such other powers or duties of the Minister arising under the Act or under any other enactment as may be necessary or incidental to the exercise of the functions specified in the Schedule hereto.

5. Nothing in the preceding regulations shall be construed as limiting, qualifying or derogating from the right or power of the Minister to exercise any of his functions specified in the Schedule hereto, or any other of his functions, at any time while these regulations are in force.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this thirtieth day of September nineteen hundred and forty-nine.

(L.S.)

Donald E. Vandepeer,
Secretary,
Ministry of Agriculture and Fisheries.

(**a**) 10 & 11 Geo. 6. c. 48. (**b**) 52 & 53 Vict. c. 63.

SCHEDULE

Function of the Minister:	*Relevant provision:*
Keeping a register of persons carrying on the trade of dairy farmer, and of dairy farms, including the receipt of applications for registration, the registration of persons and premises as dairy farmers and dairy farms respectively, the ascertainment and notification of persons and premises deemed to have been registered as aforesaid, and the removal from the register of persons ceasing to be dairy farmers and of premises ceasing to be used for the purpose of a dairy farm.	Regulation 6 of the Milk and Dairies Regulations, 1949(a).
Giving notice of intention to refuse or cancel a registration, and particulars of the grounds therefor and of the rights of the person affected in relation thereto, receiving objections from any such person affected, referring such objections to a tribunal, receiving and considering representations from persons affected, communicating to persons affected the Minister's decision whether or not to refuse or cancel the registration, and (where appropriate) cancelling the entry in the register.	Regulation 7 of the said Milk and Dairies Regulations, 1949.
Allowing a building or part of a building on a dairy farm being used as a milking house or milk room at the commencement of the said Milk and Dairies Regulations, 1949, to be used as a milking house or milk room notwithstanding its failure to conform with requirements, and limiting the period for such use.	Paragraph (3) of regulation 11 of the said Milk and Dairies Regulations, 1949.
Allowing a building, part of a building or shed being used as a milking house at the commencement of the said Milk and Dairies Regulations, 1949, to be used as a milking house notwithstanding its failure to conform with requirements, and limiting the period for such use.	Regulation 13 of the said Milk and Dairies Regulations, 1949.
Approving a place to which milk may be removed after milking, where no milk room is available.	Paragraph (7) of regulation 16 of the said Milk and Dairies Regulations, 1949.

(a) S.I. 1949 No. 1588, p. 1698 below.

Function of the Minister:	*Relevant provision:*
Granting exemption from requirements as to cooling of milk by dairy farmers after milking, and (where appropriate) specifying a period for such exemption.	Sub-paragraphs (*c*) and (*d*) of paragraph (1) of regulation 17 of the said Milk and Dairies Regulations, 1949.
Authorising Officers to enter premises.	Head (*a*) of regulation 34 of the said Milk and Dairies Regulations, 1949.
Granting producers' licences, receiving applications therefor and for the renewal thereof, and receiving and considering evidence in support of such applications.	Regulations 8, 9 and 10 of the Milk (Special Designation) (Raw Milk) Regulations, 1949(a).
Substituting for a licence in force under previous regulations two separate licences for the purposes respectively of selling by wholesale or retail.	Head (*a*) of regulation 21 of the said Milk (Special Designation) (Raw Milk) Regulations, 1949.

EXPLANATORY NOTE

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

Section 72 of the Agriculture Act, 1947, authorises the Minister of Agriculture and Fisheries to make provision, by regulations, for delegating to County Agricultural Executive Committees established under that Act any of his functions under that Act, or any of his functions relating to agriculture under any other enactment. The present regulations exercise that power of delegation in relation to the functions specified in the Schedule hereto, which are derived from the Milk and Dairies Regulations, 1949 (S.I. 1949 No. 1588), and the Milk (Special Designation) (Raw Milk) Regulations, 1949 (S.I. 1949 No. 1590), made under the Food and Drugs Act, 1938 (1 & 2 Geo. 6. c. 56), as amended. It is provided in the Regulations that the Minister's right and power himself to exercise any of the functions so delegated are unaffected by their delegation. The functions delegated by these regulations are additional to the functions delegated by previous similar regulations.

The present regulations come into operation on 3rd October, 1949.

(a) S.I. 1949 No. 1590, p. 1733 below.