1991 No. 470

EUROPEAN COMMUNITIES

Eggs (Marketing Standards) (Amendment) Regulations (Northern Ireland) 1991

Made . . . . . 23rd October 1991

Coming into operation . . 2nd December 1991

The Department of Agriculture, being a Department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the common agricultural policy of the European Economic Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Eggs (Marketing Standards) (Amendment) Regulations (Northern Ireland) 1991, and shall come into operation on 2nd December 1991.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(**c**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the Eggs (Marketing Standards) Regulations (Northern Ireland) 1987

3. The Eggs (Marketing Standards) Regulations (Northern Ireland) 1987(**d**) shall be amended as provided in regulations 4 to 6.

Powers of authorised officers

4. For regulation 4(1)(*g*) there shall be substituted the following sub-paragraphs—

"(*g*) inspect any records (in whatever form they are held) which any person is required to keep by virtue of any Community provision and, where any such records are kept by means of a computer—

(i) may have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been in use in connection with the records; and

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(**a**) S.I. 1972/1811
(**b**) 1972 c. 68
(**c**) 1954 c. 33 (N.I.)
(**d**) S.R. 1987 No. 407

(ii) may require any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material to afford him such assistance as he may reasonably require;

(*h*) seize and detain any records which he has reason to believe may be required as evidence in proceedings under these Regulations;

(*i*) where any records falling within sub-paragraph (*h*) are kept by means of a computer, require the records to be produced in a form in which they may be taken away.''.

Application of Food Safety (Northern Ireland) Order 1991

5. For regulation 9 there shall be substituted the following regulation—

''*Application of Food Safety (Northern Ireland) Order 1991*

9.—(1) The following provisions of the Order shall apply for the purposes of these Regulations as they apply for the purposes of Articles 7, 13 or 14 of the Order as if any reference therein to the Order, or any provision thereof, included a reference to these Regulations—

(*a*) Article 2(4) and 3 (extended meaning of sale);

(*b*) Article 19 (offences due to default of another person); and

(*c*) Article 20 (defence of due diligence).

(2) In paragraph (1) ''the Order'' means the Food Safety (Northern Ireland) Order 1991(**a**).''.

Community provisions

6. For the Schedule there shall be substituted the Schedule set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Agriculture on 23rd October 1991.

(L.S.) *I. C. Henderson*
Assistant Secretary

(**a**) 1991 No. 762 (N.I. 7)