1970. No. 85 **[C]**

EGG PACKING INDUSTRY

SCHEME*, DATED 12TH MARCH 1970, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 1 OF THE EGG PACKING INDUSTRY (REORGANISATION) ACT (NORTHERN IRELAND) 1970.

The Ministry of Agriculture (hereinafter called "the Ministry") in exercise of the powers conferred on it by Section 1 of the Egg Packing Industry (Reorganisation) Act (Northern Ireland) 1970(a) and of every other power enabling it in that behalf hereby makes the following Scheme:—

Citation

1. This Scheme may be cited as the Egg Packing Industry Reorganisation Scheme (Northern Ireland) 1970.

Egg Packing Industry Reorganisation Fund

2. There shall be established a fund called "The Egg Packing Industry Reorganisation Fund" (hereinafter referred to as "the fund") to which the following provisions shall apply:—

(1) The fund shall be administered by the Ministry and the Ministry shall keep such accounts of the fund as the Ministry of Finance may require. Such accounts shall be audited by the Comptroller and Auditor-General and shall together with his report thereon be laid before Parliament.

(2) The Ministry of Finance may advance to the Ministry from the Consolidated Fund such sums as are required from time to time for the purposes of the fund and the Ministry of Finance may borrow money for the purpose of providing such advances.

(3) The following charges shall be borne by the fund:—

(*a*) Sums paid to licensed wholesalers in accordance with the following provisions of this Scheme.

(*b*) Such costs as may be incurred by the Ministry in the administration of the fund.

(*c*) Repayment to the Consolidated Fund of the advances therefrom together with interest charged thereon at such rate as the Ministry of Finance shall from time to time determine.

(4) The proceeds of the levy to be paid by licensed wholesalers in accordance with Article 7 shall be paid into the fund.

Application for Payment

3.—(1) Subject to the provisions of this Scheme any licensed wholesaler who surrenders or has surrendered his Class A licence within the period beginning on and including 1st July 1969 and ending on 30th October 1970

(a) 1970. c. 3 (N.I.).

*This Scheme was affirmed by a Resolution of each House of Parliament on 28th April 1970.

may apply for payment of such grant as is referred to in Article 5. The application shall be in the form prescribed in the First Schedule. All such applications must be received by the Ministry not later than 30th October 1970.

(2) Where a person is or since the 1st day of July 1969 has been the holder of more than one Class A licence a grant shall not be paid in respect of the surrender of any such licence by that person where after such surrender that person continues or has continued to hold a Class A licence.

(3) No grant shall be paid in respect of the surrender of a Class A licence where the business to which that licence relates was at the 1st day of July 1969 owned wholly or partly or was controlled directly or indirectly by a person who was the holder of such a licence in respect of any other business or who was the sole or part owner of or who directly or indirectly controlled any business to which any other such licence related.

Production of Records

4. A licensed wholesaler who applies for payment of grant in accordance with Article 3 shall, where requested by the Ministry, furnish such information and produce to the Ministry for inspection such books, documents or other records as the Ministry may require in connection with the application and the Ministry may make such copies of the said books, documents or other records or of parts thereof as the Ministry may deem necessary.

Payment

5. Where an application is made in accordance with Article 3 the Ministry may subject to the provisions of this Scheme pay to the applicant a grant calculated in accordance with the Second Schedule.

Prohibition on the issue of licences

6. Notwithstanding anything in the Marketing of Eggs Act (Northern Ireland) 1957 the Ministry shall not within a period of five years from the payment of any grant under this Scheme issue a Class A licence—

(*a*) to the person who received such grant, or

(*b*) to any other person where it is not satisfied that the person who received such grant has no interest in the business to which the application for such licence relates or will not directly or indirectly derive any pecuniary benefit under such licence.

Levy

7.—(1) From and after 1st November 1970 each licensed wholesaler shall pay to the Ministry a levy to be known as the Egg Packing Industry Reorganisation Levy which shall be paid into the fund in accordance with Article 2(4).

(2) The total sums levied under paragraph (1) shall be sufficient to meet in full the charges on the fund specified in Article 2(3) and shall as nearly as possible equal the amount of such charges.

(3) The rate of levy, the basis on which it shall be calculated and the method and time or times of payment shall be determined by the Ministry in consultation with such representatives of the egg packing industry as the Ministry thinks fit.