REGULATIONS, DATED THE 23RD DAY OF DECEMBER, 1939, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION NINE OF THE MILK AND MILK PRODUCTS ACT (NORTHERN IRELAND), 1934.

1939. No. 193.

The Ministry of Agriculture for Northern Ireland, in exercise of the powers conferred on it by Section Nine of the Milk and Milk Products Act (Northern Ireland), 1934, and of every other power enabling it in that behalf, hereby makes the following Regulations, that is to say :—

Short Title and Interpretation.

1.—These Regulations may be cited as the Butter and Margarine (Sales) (No. 2) Regulations (Northern Ireland), 1939.

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

"The Ministry" means the Ministry of Agriculture for Northern Ireland;

"The Act" means the Milk and Milk Products Act (Northern Ireland), 1934;

"Licence" means a licence for the sale of butter or margarine, granted under Section four of the Act, and "licence holder" shall be construed accordingly;

Other expressions have the meanings respectively assigned to them in the Act.

(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 Regulations as it applies for the purpose of the interpretation of an Act of Parliament.

Exemption from Section Four of the Act of sales of butter or margarine obtained from certain sources.

3.—For the purpose of paragraph (i) of the proviso to subsection (1) of Section four of the Act, supplies of butter or margarine obtained from a licence holder, and supplies of butter obtained from a producer, where such butter has been made by him from milk produced by his own cows, shall be deemed to have been obtained from a prescribed source.

(**a**) 52-3 V.C. 63. (**b**) 12 Geo. V.C. 4 (N.I.).

Provided that nothing in this Regulation shall be deemed to relieve a licence holder of the duty of paying the additional sum payable in respect of licence fee under sub-section (6) of Section four of the Act, upon butter or margarine sold to a person other than a person holding a licence under the said Section.

Licences.

4.—(1) Every applicant for a licence shall make application to the Ministry in the form prescribed for the purpose in Part I of the First Schedule to these Regulations, or in a form to the like effect, and such application shall be accompanied by a fee of one pound.

(2) Every licence shall be in the form set forth in Part II of the First Schedule to these Regulations.

(3) Before suspending or revoking a licence, the Ministry shall serve on the holder a notice stating the grounds upon 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.

Rates of Licence Fees.

5.—For the purposes of sub-section (1) of Section five of the Milk and Milk Products Act (Northern Ireland), 1938, the " full rate " for the calculation of the sum payable under sub-section (6) of Section four of the Milk and Milk Products Act (Northern Ireland), 1934, shall be four shillings and six pence per hundredweight, and the " reduced rate " for the calculation of the said sum shall be one penny per hundredweight.

Records to be kept by the holder of a licence.

6.—(1) Every licence holder shall keep a record in respect of each day showing (1) the quantity of butter or margarine manufactured by him or imported by him into Northern Ireland; (2) the names and addresses of persons from whom he purchased butter or margarine, and the quantity purchased from each; (3) the names and addresses of persons by whom butter or margarine was returned to him, and the quantity returned by each; (4) the names and addresses of persons to whom he sold butter or margarine otherwise than by retail, and the quantity so sold to each; (5) the quantity of butter or margarine sold by retail.

(2) Where a licence holder sells butter or margarine to any persons for manufacturing purposes and has received from such persons certificates signed in accordance with sub-section (3) of Section five of the Milk and Milk Products Act (Northern Ireland), 1938, to the effect that the butter or margarine has been purchased for manufacturing purposes and that it will not be used for any other purpose, he shall keep a record in respect of each day showing :

(I) the names and addresses of persons to whom he sold butter or margarine for manufacturing purposes and from whom certificates, as aforesaid, were received in respect of such butter or margarine and the quantity sold to each.

(II) the names and addresses of such persons by whom butter or margarine sold to them for manufacturing purposes was returned to him and the quantity returned by each.

Returns to be furnished by the holder of a licence.

7.—Every licence holder shall furnish to the Ministry, not later than the Wednesday of each week, a return in the prescribed form of his sales of, and other dealings in, butter or margarine during the preceding week, and shall, at the same time, transmit to the Ministry the sum (if any) payable under sub-section (6) of Section four of the Act in respect of butter or margarine sold by him during the week to which the return relates :

Provided that the Ministry may, if it think fit, make such other arrangements with licence holders for the furnishing of returns and the payment of licence fees as may appear to the Ministry to be suitable, and in the event of any such arrangements being made with any licence holder the form of return made by him shall be modified accordingly.

Forms.

8.—The forms set forth in the Second Schedule hereto, or forms to the like effect, shall be used in the cases to which they are applicable, and shall, for the purposes of Sections five and six of the Milk and Milk Products Act (Northern Ireland), 1938, and of these Regulations, be deemed to be the prescribed forms.

Reservation.

9.—If and so long as the Butter (Requisition and Control) (Northern Ireland) Order, 1939, or any other Order made by the Minister of Food under Regulations 53 and 55 of the Defence (General) Regulations, 1939, for the requisitioning and control of butter by the Minister of Agriculture for Northern Ireland is in force Regulations 5, 6 and 7 of these Regulations shall not apply to butter.

Operative Date.

10.—These Regulations shall come into force on the 8th day of January, 1940.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 23rd day of December, Nineteen hundred and thirty-nine.

(L.S.) (Signed) *G. S. Robertson,*
Secretary.

FIRST SCHEDULE.

PART I.

THE MILK AND MILK PRODUCTS ACTS (NORTHERN IRELAND), 1934-1938.

THE BUTTER AND MARGARINE (SALES) (NO. 2) REGULATIONS (NORTHERN IRELAND), 1939.

Form of Application for A Licence.

1. I/We* .....
.....
.....

*Give full name and address.

hereby apply for a licence for the sale of butter or margarine.

2. The premises to be used for the purpose of my/our dealings in butter or margarine in connection with which a licence is now sought are situated at†.....
.....
.....

†Particulars of all premises to be used by the applicant should be fully set out.

3. I/We enclose herewith‡..... for one pound, being the fee prescribed by the above-mentioned Act for the said licence.

‡State whether cheque, money order or postal order.

4. I/We hereby undertake, in the event of a licence being granted to me/us, to comply with such regulations as the Ministry of Agriculture may from time to time make governing the sale of butter or margarine.

Signature of Applicant.....

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

Date.....

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

PART II.

THE MILK AND MILK PRODUCTS ACTS (NORTHERN IRELAND), 1934-1938.

THE BUTTER AND MARGARINE (SALES) (NO. 2) REGULATIONS (NORTHERN IRELAND), 1939.

Licence for the Sale of Butter or Margarine.

The Ministry of Agriculture for Northern Ireland hereby licences .....
of .....
to sell butter or margarine at the undermentioned premises :—
.....
.....
.....

This licence is not transferable and is subject to the conditions prescribed in the above-mentioned Regulations, and, unless previously revoked or suspended, shall remain in force until 31st day of August, 19.....

Dated this.....day of....., 19.....

Secretary.

SECOND SCHEDULE.

FORM NO. 1.

Form of certificate to be furnished in connection with sales of butter or margarine in respect of which licence fees at the reduced rate are payable under section five of the Milk and Milk Products Act (Northern Ireland), 1938.

To : The Ministry of Agriculture,
Stormont,
Belfast.

*Insert here name and address of licensed supplier.

I/We hereby certify that the supplies of butter and/or margarine in respect of which details are shown hereunder have been purchased by me/us from *.....
.....

for manufacturing purposes and that no part of these supplies will be used for any other purpose.

Signature of purchaser.....

Full postal address.....
.....

Date of Purchase.	Butter. Cwts.	Qrs.	Lbs.	Margarine. Cwts.	Qrs.	Lbs.

FORM NO. 2.

Form of claim for an allowance payable under section six of the Milk and Milk Products Act (Northern Ireland), 1938, in respect of butter or margarine used for manufacturing purposes.

I/We hereby claim an allowance of the amount of licence fees payable under section four of the Milk and Milk Products Act (Northern Ireland), 1934, in respect of the under-mentioned quantities of butter/margarine purchased by me/us from †.....

†Here insert name of licence holder

of .....

I/We certify that all of the butter/margarine in respect of which a claim is now being made has been used by me/us for manufacturing purposes and that no part of such butter/margarine has been used for any other purpose ;

I/We undertake—

(a) to furnish to the Ministry of Agriculture such information in respect of—