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.