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**AN BILLE TORADH DEIRIOCHTA (PRAGHAS A
DHEANAMH SEASMHACH) (LEASU), 1956.
(DAIRY PRODUCE (PRICE STABILISATION)
(AMENDMENT) BILL, 1956.**

*Mar a tugadh isteach.
As introduced.*

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AN BILLE TORADH DEIRIOCHTA (PRAGHAS A
DHEANAMH SEASMHACH) (LEASU), 1956.
(DAIRY PRODUCE (PRICE STABILISATION)
(AMENDMENT) BILL, 1956.

BILL

5

entitled

AN ACT TO AMEND AND EXTEND THE DAIRY PRODUCE
(PRICE STABILISATION) ACTS, 1935 TO 1941, TO PRO-
VIDE FOR THE IMPOSITION OF LEVIES ON CERTAIN
BUTTER AND TO PROVIDE FOR THE CHARGING OF 10
FEES ON CERTAIN PERMITS.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

Principal Act
and Act of 1941.

1.—In this Act “the Principal Act” means the Dairy Produce
(Price Stabilisation) Act, 1935 (No. 21 of 1935) and “the Act of
1941” means the Dairy Produce (Price Stabilisation) (Amendment) 15
Act, 1941 (No. 9 of 1941).

Construction.

2.—This Act shall be read and construed as one with the Dairy
Produce (Price Stabilisation) Acts, 1935 to 1941, and every word
and expression to which a particular meaning or interpretation is
given by the Principal Act shall, if occurring in this Act, have 20
herein the meaning or interpretation given to it by the Principal
Act.

Levies on
imported butter
held by registered
proprietors of
creameries.

3.—(1) The Minister may, whenever and so often as he thinks
fit, by order declare—

(a) that a specified date (in this subsection referred to as the 25
appointed date) shall be the appointed date for the
purposes of the order, and

(b) that there shall be paid to the Minister by every registered
proprietor of a creamery a levy, at the rate specified in
the order, on all imported butter held by or on behalf 30
of such proprietor on the appointed date.

(2) Every order made by the Minister under this section shall
have the force of law.

(3) Every levy under this section shall become due and payable
on the seventh day after the date declared by the order imposing 35
the levy to be the appointed date for the purposes of the order.

(4) Sections 21 and 23 of the Principal Act shall apply in respect
of any levy under this section with and subject to the following
modifications, that is to say:

(a) references in those sections to Part III of the Principal 40
Act shall be construed as references to this section,

(b) references to a levy month shall be construed as references
to the date which is declared by the order imposing the
levy to be the appointed date for the purposes of the
order.

(5) All moneys from time to time received by the Minister on foot of any levy under this section shall be paid into the dairy produce (price stabilisation) fund.

4.—(1) The Minister may by regulations, made in respect of
5 a specified area, provide—

Restriction on
sale of butter in
specified area,
etc.

(a) that a person (other than an authorised body) shall not—

(i) sell in that area any butter to which this section
applies,

10 (ii) acquire any such butter for the purpose of selling it
in that area, or

(iii) supply any such butter for the purpose of its being
sold in that area,

15 unless the butter was supplied to him by an authorised
body or by a person who obtained it from an authorised
body, and

20 (b) that the proprietor of a catering establishment in that area
or the head of an institution in that area shall not pur-
chase any butter to which this section applies unless he
purchases it from an authorised body or from a person
who obtained it from an authorised body.

(2) In this section—

“butter to which this section applies” means any butter which is—

(a) creamery butter, or

(b) imported butter;

25 “authorised body” means a central marketing organisation operat-
ing under rules approved by the Minister under the Principal Act;

“catering establishment” means a restaurant, hotel, boarding
house, guest house, lodging house, café, tea-room, canteen or club;

30 “institution” means a hospital, sanatorium, convalescent home,
nursing home, school, college, convent, monastery, or any similar
institution.

5.—(1) The Minister may by regulations provide that a person
shall not buy, sell or use butter to which this section applies for
any purpose other than ordinary household use or a use authorised
35 by a permit granted by the Minister.

Restriction on
purposes for
which butter may
be sold, bought
or used.

(2) Regulations under this section may provide for the grant
of permits for the purposes of the regulations and for the attach-
ment of conditions to such permits.

40 (3) There shall be charged, levied and paid on the grant of a
permit under regulations under this section such (if any) fee as
the Minister for Finance shall from time to time direct.

45 (4) All fees charged and levied by virtue of this section shall be
collected and taken in such manner as the Minister for Finance
shall from time to time direct and shall be paid into or disposed
of for the benefit of the Exchequer in accordance with the directions
of that Minister.

(5) The Public Offices Fees Act, 1879, shall not apply in respect
of any fees charged and levied by virtue of this section.

50 (6) In this section “butter to which this section applies” means
butter which is—

(a) creamery butter,

- (b) butter which is a blend of creamery butter and butter not manufactured in a creamery, or
- (c) imported butter.

Restriction on sale of empty butter boxes.

6.—(1) The Minister may by regulations provide that empty butter boxes of a specified description shall not be sold save to 5 specified persons and at specified prices.

(2) In this section "butter box" means a box in which creamery butter has been sold.

Amendment of section 38 of Principal Act.

7.—Section 38 of the Principal Act is hereby amended by—

(i) the substitution of "any person" for "the manufacturer thereof" in subsection (1), 10

(ii) the substitution of "person" for "manufacturer of butter" in subsection (3), and

(iii) the addition thereto of the following subsection:

"(5) An order under this section may, as 15 respects any class of butter to which it relates, either fix one maximum price or fix two or more maximum prices varying in accordance with all or any of the following:

(a) the quantity of butter sold, 20

(b) the class of purchaser of the butter, and

(c) the method of packing the butter."

Amendment of section 41 (6) of Principal Act.

8.—Subsection (6) of section 41 of the Principal Act, as amended by subsection (1) of section 7 of the Act of 1941, is hereby further amended by the insertion therein after "or any milk product" of 25 "or such allowances on butter or any milk product".

Amendment of section 9 (2) of Act of 1941.

9.—Subsection (2) of section 9 of the Act of 1941 is hereby amended by the substitution of the following paragraph for paragraph (c):

"(c) the total amount of the sums standing at any particular 30 time guaranteed under the immediately preceding paragraph shall not exceed four million pounds."

Offences.

10.—(1) A person who contravenes (whether by act or omission)—

(a) a provision of regulations under this Act, or 35

(b) a condition attached to a permit under regulations under this Act,

shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty 40 pounds.

(2) An offence under this section may be prosecuted by or at the suit of the Minister as prosecutor.

Short title, commencement and collective citation.

11.—(1) This Act may be cited as the Dairy Produce (Price Stabilisation) (Amendment) Act, 1956.

(2) This Act shall come into operation on such day as the 45 Minister appoints by order.

(3) The Dairy Produce (Price Stabilisation) Acts, 1935 to 1941, and this Act may be cited together as the Dairy Produce (Price Stabilisation) Acts, 1935 to 1956.

BIBLE

AN BILLE TORADH DEIRIOCHTA
(PRAGHAS A DHEANAMH SEASMHACH
(LEASU), 1956.

DAIRY PRODUCE (PRICE STABILISA-
TION) (AMENDMENT) BILL, 1956.

BILLE

BILL

(mar a tugadh isteach)

(as introduced)

dá gairmtear

entitled

Acht do leasú agus do leathnú na nAcht
Toradh Déiríochta (Praghas a Dhéanamh
Seasmhach), 1935 go 1941, do dhéanamh
socruithe chun tobhaigh d'fhorechur ar im
áirithe agus do dhéanamh socruithe chun
táillí a ghearradh ar cheada áirithe.

An Act to amend and extend the Dairy Produce
(Price Stabilisation) Acts, 1935 to 1941, to
provide for the imposition of levies on
certain butter and to provide for the
charging of fees on certain permits.

An tAire Talmhaíochta a thug isteach.

Introduced by the Minister for Agriculture.

Do hordaíodh ag Dáil Éireann a chló-
bhualadh, 29 Feabhra, 1956.

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