

GUERNSEY

STATUTORY INSTRUMENT

1952 No. 70

Limited Duration
Expired

THE EXPORT OF TOMATOES ORDER, 1952.

The States Committee for Horticulture, under and by virtue of Section one of the Export of Tomatoes Law, 1949, as extended by the Export of Tomatoes Law, 1949 (Continuance) Law, 1951, for the purpose of ensuring the orderly and expeditious marketing of tomatoes from Guernsey in 1952, hereby orders:-

1. In this Order the expression "packer" means -
 - (a) in the case of a person assuming, as between himself and the grower of tomatoes, responsibility for the packing and export of those tomatoes, that person; or
 - (b) in any other case the grower of the tomatoes concerned.
2. During the period commencing on the 1st day of April, 1952, and ending on the 31st day of December, 1952, save with permission given in writing on behalf of the States Committee for Horticulture (hereinafter referred to as "the Committee"), no person other than an organisation to be known as the Guernsey Tomato Shipping Board (hereinafter referred to as "the Board") or a person exporting through the agency of the Board to such persons and such places as the Board may, with the approval of the Committee, decide, shall export tomatoes from Guernsey.
3. (1) The Board shall consist of such persons as the Committee may from time to time appoint.
 - (2) The Committee may in its discretion terminate the appointment of any member of the Board.
 - (3) The Committee shall limit the remuneration (if any) of the members of the Board and shall limit the expenditure which may be incurred by the Board.
 - (4) The Board shall cease to exist and to exercise any functions whatever after the date of the expiration of this Order.
4. Subject to the provisions of section three of this Order, the Board shall have power to regulate its own procedure in all matters.
5. (1) The Board shall be deemed to be the agents of the packer of tomatoes delivered to it for the purpose of export, and the provisions of the next succeeding sub-section of this section shall be deemed to be terms upon which such tomatoes are so delivered.
 - (2) The Board shall pay to the packer of tomatoes delivered to it for export, as the price of the tomatoes so delivered to it, a sum or sums calculated from time to time by taking the average price realised by the sale of those tomatoes and of all other tomatoes of the same grade and description exported under the provisions of this Order on the same day or on two consecutive shipping days of which the day first mentioned is one, less the deductions referred to in sub-section (3) of this section.
 - (3) The deductions to which sub-section (2) of this section refers are:-
 - (a) that proportion of the remuneration of the Board, as limited by the Committee under sub-section (3) of section three of this Order, which is attributable to such packer in respect of the tomatoes so delivered by him; and

- (b) that proportion of the expenditure of the Board in exporting tomatoes from Guernsey under the provisions of this Order, as limited by the Committee under sub-section (3) of section three of this Order, which is attributable to such packer in respect of the tomatoes so delivered by him, including the cost of any goods sold or services rendered by any person, before the date of the coming into force of this Order, for the purpose of the export of tomatoes through the Board.

6. The Board shall keep accounts of all monies received and paid and receivable and payable by the Board by reason of its activities under the provisions of this Order, and shall cause such accounts to be audited up to and including the 31st day of December, 1952, and a copy thereof, certified by a qualified accountant, to be laid before the Committee on or before the 28th day of February, 1953.

7. The Interpretation (Guernsey) Law, 1948, shall apply to the interpretation of this Order as it applies to the interpretation of an enactment.

8. This Order shall come into force on the 1st day of April, 1952, and shall cease to have effect on the 28th day of February, 1953.

(Signed) R. O. FALLA.

President,
States Committee for Horticulture.

States Office,
GUERNSEY.
19th March, 1952.