

STATUTORY INSTRUMENT

1951 No. 30

*Ceased to have effect on the
31. Dec 1951 by virtue of
section seven*THE EXPORT OF TOMATOES 1951 ORDER.

The States Committee for Horticulture, under and by virtue of Section 1 of the Export of Tomatoes Law, 1949, as extended by the Export of Tomatoes Law, 1949, (Continuance) Law, 1950, for the purpose of ensuring the orderly and expeditious marketing of tomatoes from Guernsey in 1951, hereby orders:-

1. 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 places as the Board may, with the approval of the Committee, decide, shall export tomatoes from Guernsey.
2. (1) The Board shall consist of such persons as the Committee may from time to time appoint. The Committee may, in its discretion, terminate the appointment of any member of the Board.
 - (2) The Committee shall limit the remuneration (if any) of the members of the Board and limit the expenditure which may be incurred by the Board.
 - (3) The Board shall cease to exist and to exercise any functions whatever after the date of the expiration of this Order.
3. Save as is provided by paragraph two of this Order the Board shall have power to regulate its own procedure in all matters.
4. (i) 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-paragraph shall be deemed to be terms upon which such tomatoes are so delivered.
 - (ii) Subject to the approval of the Committee, the Board may either pay, or authorise the payment of, to any such packer the price realised by the sale of such tomatoes subject to the deductions referred to in this sub-paragraph, or, alternatively, may 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 during the same given period, as the case may be, subject to the said deductions.

The deductions referred to are as follows:-

- (a) that proportion of the remuneration of the Board, as limited by the Committee under sub-paragraph (2) of paragraph two of this Order, which is attributable to such packer in respect of the tomatoes so delivered by him;

- (b) that proportion of the expenditure of the Board in exporting tomatoes from Guernsey under this Order, as limited by the Committee under sub-paragraph (2) of paragraph two 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.
5. 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 the 31st December, 1951, and a copy thereof, certified by a qualified accountant, to be laid before the Committee before the said 31st December.
6. For the purposes of this Order the expression "packer" means -
- (1) 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;
 - (2) in any other case, the grower of the tomatoes concerned;
- and the expression "packed" shall be construed accordingly.
7. This Order shall come into force on the first day of April, 1951, and shall remain in force until the 31st day of December, 1951.

R. O. PALMA.
President,
States Committee for Horticulture.

13th March, 1951.