

# **AGRICULTURAL AND FISHERY PRODUCTS (REGULATION OF EXPORT) ACT 1947**

## **- LONG TITLE**

AN ACT TO REGULATE THE EXPORTATION OF AGRICULTURAL AND FISHERY PRODUCTS, AND TO PROVIDE FOR OTHER MATTERS (INCLUDING THE CHARGING OF FEES ON LICENCES) CONNECTED WITH THE MATTERS AFORESAID. [15th July, 1947.]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

## **- SECT 1 Definition.**

SECT 1.—In this Act— the expression "agricultural product" means— ( a ) any product of agriculture, horticulture or arboriculture, ( b ) any animal, whether alive or dead, or any part of any animal, ( c ) milk, or any product of milk, ( d ) eggs, ( e ) honey, ( f ) any article of food or drink wholly or partly manufactured or derived from any product of agriculture, horticulture or arboriculture, or from any animal, or from milk, cream or eggs, ( g ) feathers, wool, hides and skins of animals, but does not include intoxicating liquor; the expression "fishery product" means— ( a ) any fish or any part of a fish, ( b ) any product of fish, ( c ) any article of food or drink wholly or partly manufactured or derived from fish or from any product of fish; the expression "the Minister" means the Minister for Agriculture.

## **- SECT 2 Regulation of exportation of agricultural products and fishery products.**

SECT 2.—(1) The Minister may, whenever and so often as he thinks fit, make an order regulating, in such manner and by such means as he thinks proper, the exportation of any agricultural product or fishery product or any specified kind (defined in such manner and by reference to such things as the Minister thinks fit) of any agricultural product or any fishery product, and may, without prejudice to the generality of the foregoing provision, by such order, provide for any one or more of the following matters:— ( a ) for prohibiting, save under and in accordance with a licence in that behalf issued under this Act, the exportation of such product or such kind of such product, either absolutely or subject to such conditions (including conditions as respects description) as the Minister thinks proper and specifies in the order, ( b ) for such matters (including the prohibition of storage) as appear to the Minister necessary for securing the due operation and enforcement of the scheme of regulation contained in the order. (2) The Minister may revoke or amend any order made under this section including this subsection. (3) Every order made by the Minister under this section shall be laid before each House of the Oireachtas as soon as may be after it is made, and if a resolution annulling such order is passed by either such House within the next subsequent twenty-one days on which such House has sat after such order is laid before it, such order shall be annulled accordingly, but without prejudice to the validity of anything previously done under such order.

## **- SECT 3 Licences.**

SECT 3.—(1) On the application of any person made in such form and containing such particulars as the Minister may direct, the Minister may, if he thinks fit, issue to such person a licence to export any agricultural product or any fishery product or any specified kind of any agricultural product or any fishery product, in respect of which an order under section 2 of this Act is in force. (2) Whenever the Minister issues a licence under this section he may attach to the licence such conditions as he shall think proper and shall specify in the licence. (3) The Minister may revoke any licence issued under this section. (4) Every person who, for

the purpose of obtaining for himself or any other person a licence under this section, makes any statement or representation which is to his knowledge false or misleading in any material respect shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding one hundred pounds. (5) An offence under this section may be prosecuted by the Minister.

- SECT 4 Fees on licences.

SECT 4.—(1) There shall be payable to the Minister in respect of a licence under this Act such (if any) fee as the Minister shall, with the consent of the Minister for Finance, from time to time fix in respect of such licence. (2) The following provisions shall apply in respect of all fees paid to the Minister under this section— ( a ) such fees shall be collected in money and taken in such manner as the Minister for Finance may 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 the Minister for Finance; ( b ) the Public Offices Fees Act, 1879, shall not apply in respect of such fees.

- SECT 5 Transfer of powers of Minister to Minister for Industry and Commerce.

SECT 5.—(1) The Government may, from time to time, by order transfer to and vest in the Minister for Industry and Commerce all the powers conferred by this Act on the Minister, so far as such powers relate to or are concerned with one or more particular agricultural product or fishery product specified in such order. (2) Whenever the powers of the Minister under this Act in relation to any particular agricultural product or fishery product are for the time being vested in the Minister for Industry and Commerce by virtue of an order under subsection (1) of this section, the Government may by order retransfer to and re-vest in the Minister the said powers, so far as the same relate to or are concerned with the said particular agricultural product or fishery product. (3) The Government may at any time by order amend any order previously made under this section including this subsection. (4) Whenever and so long as the powers, conferred on the Minister by this Act, are, so far as they relate to or are concerned with a particular agricultural product or fishery product, vested in the Minister for Industry and Commerce by virtue of an order made under this section, then the references in sections 2, 3 and 4 of this Act to the Minister for Agriculture shall in relation to the said particular agricultural product or fishery product, be construed as references to the Minister for Industry and Commerce. (5) No transfer or retransfer under this section of powers shall prejudice or affect the validity, operation or duration of any order made or thing done in exercise of such powers before such transfer or retransfer (as the case may be) by the Minister in whom such powers were for the time being vested, and references in any such order to the Minister by whom such order was made shall be construed and have effect as references to the Minister in whom such powers are for the time being vested.

- SECT 6 Expenses.

SECT 6.—All expenses incurred by the Minister for Agriculture or the Minister for Industry and Commerce under this Act, shall to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

- SECT 7 Repeals.

SECT 7.—The enactments mentioned in the Schedule to this Act are hereby repealed.

- SECT 8 Short title.

SECT 8.—This Act may be cited as the Agricultural and Fishery Products (Regulation of Export) Act, 1947. SCHEDULE ENACTMENTS REPEALED. Number and YearShort

titleNo. 26 of 1933.Agricultural Products (Regulation of Export) Act, 1933.No. 15 of 1935.Agricultural Products (Regulation of Export) (Amendment) Act, 1935.