



Agricultural Marketing Act (Northern Ireland) 1964

1964 CHAPTER 13

GENERAL AND SUPPLEMENTARY

21 Power of marketing boards to negotiate with other persons.

- (1) A board shall have power to negotiate with any other person in respect of any matter concerning the marketing of the regulated product, or of any agricultural product from which the regulated product is wholly or partly manufactured or derived, or of any commodity wholly or partly manufactured or derived from the regulated product, and to agree with any other party to the negotiations to bring into consultation in connection therewith such person as may be agreed upon between the parties or, in default of agreement, nominated by the Minister or, in a case to which subsection (2) applies, nominated by the appropriate authority specified in that subsection.
- (2) Where a question arising between a board administering a scheme under this Act and a board in Great Britain administering a scheme under the United Kingdom Act is to be decided under this section, and the parties do not agree upon the person to whose decision the question is to be referred, that person shall be nominated by the Secretary of State concerned with agriculture in Northern Ireland, acting in conjunction with the Minister as defined by section 52(1) of the United Kingdom Act in relation to the scheme under the United Kingdom Act administered in Great Britain by the board concerned.

22 Power of marketing boards to co-operate with boards in Great Britain for purposes of s.7 of the United Kingdom Act.

- (1) Where, in pursuance of section 7 of the United Kingdom Act, a board administering a scheme in Great Britain are authorised to exercise any powers in relation to an agricultural product of Northern Ireland which as respects Northern Ireland is regulated by a corresponding scheme, then the board administering that corresponding

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scheme shall have power to do all such matters or things as are necessary for the purpose of enabling the first-mentioned board to exercise their powers in pursuance of the said section 7.

- (2) In this section the expression “corresponding scheme” means a scheme under this Act for regulating the marketing of the same agricultural product as the product the marketing of which is regulated, as respects Great Britain, by the scheme administered by the board having powers in pursuance of the said section 7.

23 Restrictions on disclosing information or returns.

- (1) Subject to subsection (2), any person who discloses any information obtained by him in the exercise of any power conferred on him or on the Ministry or on any board by or under this Act shall be liable on conviction to a fine not exceeding fifty pounds.
- (2) Nothing in subsection (1) shall apply to the disclosure of any information:—
- (a) made by a board in compliance with a requisition under^{F1} Article 43 of the Diseases of Animals (Northern Ireland) Order 1981];
 - ^{F2}(aa) made to a district council for the purposes of its functions under the Food and Drugs Act (Northern Ireland) 1958 , or to the Ministry;]
 - ^{F3}(aaa) made to the Monopolies and Mergers Commission, or to any member of that Commission or to any of the staff of that Commission, or to the Director General of Fair Trading or any of the staff appointed by that Director General, if it is made for the purpose of enabling the Commission or the Director General to perform any functions of theirs or his under the Fair Trading Act 1973] [^{F4} or the Competition Act 1980];
 - (b) made for the purposes of a prosecution or other legal proceedings (including arbitrations) under this Act or under a scheme or regulation made under this Act or for the purpose of any report of such proceedings;
 - (c) if, and in so far as, the disclosure is required or authorised by this Act or any scheme or regulation made thereunder.
- (3) No individual return or part of a return made to the Ministry in accordance with an order of the Ministry under this Act shall be disclosed without the authority of the person by whom the return was made, except in so far as the disclosure is authorised by subsection (2).

F1 [1981 NI 22](#)

F2 [SRO \(NI\) 1973/343](#)

F3 [1973 c.41](#)

F4 [1980 c.21](#)

24 Prosecutions and fines.

- (1) Except where this Act otherwise expressly provides, all offences under this Act shall be prosecuted, and all fines thereunder shall be recovered [^{F5} and, subject to the provisions of any regulations made under section 17(1)(*ba*), all forfeitures thereunder disposed of], in manner provided by the Summary Jurisdiction Acts.
- (2) A prosecution for an offence (other than an offence committed by an officer of the Ministry or of any board established under this Act) which under this Act may be

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prosecuted before a court of summary jurisdiction shall not be instituted except by, or with the consent of, the Ministry.

F5 1970 c.20 (NI)

25 Parliamentary control of regulations and orders.

All regulations made under this Act and all orders made under section 2(4), section 14, section 15 or section 19(2) shall be subject to negative resolution and all orders made under section 9(3) shall be subject to affirmative resolution.

26 Interpretation.

(1) In this Act, the following expressions have the meanings hereby assigned to them, that is to say:—

“agricultural product” includes any product of agriculture or horticulture and any article of food or drink wholly or partly manufactured or derived from any such product, and fleeces (including all kinds of wool, whether from a living animal or from a dead animal or from the skin of a dead animal) and the skins of animals;

“board” means a board administering a scheme and, in relation to any scheme, means the board administering that scheme;

“Minister” and “Ministry” respectively mean the Minister and Ministry of Agriculture;

“producer” means, in relation to any scheme, any person who produces the regulated product;

“regulated product” means, in relation to any scheme, any product the marketing of which is regulated by the scheme, but does not include any product in so far as it is produced outside the area to which the scheme is applicable;

“registered”, in relation to any scheme, means registered under that scheme;

“regulations” means regulations made by the Ministry under this Act;

“scheme” means a scheme under this Act;

“United Kingdom Act” means the Agricultural Marketing Act 1958 .

(2) For the purposes of a scheme regulating the marketing of livestock of any kind, every person whose business it is to keep livestock of that kind for the purpose of breeding from it or selling it in an improved condition shall (except in so far as the scheme otherwise provides be deemed to produce it.

S. 27 rep. by SLR 1973

28 Short title.

This Act may be cited as the Agricultural Marketing Act (Northern Ireland) 1964.

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