



Agriculture Act 1993

1993 CHAPTER 37

PART I

MILK MARKETING

Position of milk marketing boards post-revocation

13 General.

The board administering a milk marketing scheme shall not be deemed to be dissolved by reason of the revocation of the scheme by section 1(1) above and so much of the scheme as relates to the winding up of the board shall (subject to any provision of regulations under section 14(2) below) continue in force notwithstanding the revocation.

14 Position following reorganisation.

- (1) Subsections (2) to (5) below apply where property, rights or liabilities of a milk marketing board are transferred under section 11 above under an approved scheme.
- (2) The appropriate authority—
 - (a) shall by regulations make such provision as it thinks fit for the purpose of giving effect to so much of the approved scheme as relates to the board in the period after the transfer under that section; and
 - (b) may by regulations make such provision as it thinks fit—
 - (i) in relation to the constitution of the board, or
 - (ii) for the purpose of enabling the board to wind up its affairs.
- (3) Regulations under subsection (2) above may—
 - (a) provide that, notwithstanding section 1(1) above, such provisions of the relevant marketing scheme as are specified in the regulations shall continue to have effect, subject to such modifications as may be so specified, or

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- (b) make such new provision as appears to the authority to be necessary or expedient.
- (4) Regulations under subsection (2) above may not confer a power to raise compulsory levies.
- (5) As soon as the appropriate authority is satisfied that the board has carried out any remaining functions, and on being given notice by the board that it has wound up its affairs, the appropriate authority shall, after consultation with the board, make an order dissolving the board on such date as is specified in the order.
- (6) Regulations under subsection (2) above may be made in anticipation of the application of that subsection.
- (7) In subsection (3)(a) above, “relevant marketing scheme” means the marketing scheme which constituted the board.

15 Position in the absence of reorganisation.

- (1) This section applies where the revocation of a milk marketing scheme by section 1(1) above takes place without property, rights or liabilities of the board constituted by it having been transferred under section 11 above.
- (2) The appropriate authority shall present a petition for the winding up of the board in accordance with the milk marketing scheme and Schedule 2 to the ^{M1}Agricultural Marketing Act 1958.
- (3) If, in the event of the board being so wound up, any assets of the board remain after the discharge of its debts and liabilities and the payment of the costs and expenses incurred in the winding up, those assets shall be distributed to the producers who would have been by virtue of paragraph 5 of Schedule 2 to the ^{M2}Agricultural Marketing Act 1958 liable to contribute in the winding up, and shall be so distributed in proportion to their respective liabilities in that behalf.

Marginal Citations

M1 1958 c. 47.

M2 1958 c. 47.

Changes to legislation:

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