



# Agriculture Act 1993

## 1993 CHAPTER 37

### PART I

#### MILK MARKETING

##### *Carrying out of approved schemes*

#### **10 Functions of the appropriate authority.**

- (1) The appropriate authority shall satisfy itself, in relation to an approved scheme—
  - (a) that so much of the scheme as relates to the period prior to the vesting day under the scheme is duly carried out, and
  - (b) that it does not, during that period, become expedient, by virtue of a change of circumstances, that there should be an increase in the provision made by the scheme for meeting liabilities retained by the relevant board after the transfer under section 11 below.
- (2) The appropriate authority may by notice require the relevant board to supply to it such information as may be specified in the notice, being information which the authority considers necessary or desirable for the purpose of enabling it to discharge its functions under subsection (1) above.
- (3) A notice under subsection (2) above shall require the information to be supplied within such period as may be specified in the notice, being not less than 7 days from the date of the notice.
- (4) If, at any time before the vesting day under an approved scheme, it appears to the appropriate authority—
  - (a) that the relevant board has—
    - (i) failed to supply information required by a notice under subsection (2) above, or
    - (ii) failed in a material respect to carry out the scheme, or
  - (b) that, by virtue of a change of circumstances, it is expedient that there should be such an increase as is mentioned in subsection (1)(b) above,

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*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1993, Section 10. (See end of Document for details)*

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it may give the board notice of that fact and of the reasons for it.

- (5) No notice under subsection (4) above may be given by virtue of paragraph (a)(i) of that subsection more than 28 days after the relevant board has purported to comply with the notice under subsection (2) above.
- (6) The appropriate authority shall by notice to the relevant board withdraw a notice under subsection (4) above if it is satisfied—
  - (a) that there is no longer any ground for it, and
  - (b) that it continues to be practicable for the scheme to be carried out.
- (7) If the relevant board, in purported compliance with a notice under subsection (2) above, knowingly or recklessly supplies information which is false or misleading in a material respect, it shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (8) In this section, “the relevant board”, in relation to an approved scheme, means the board to which the scheme relates.

**Changes to legislation:**

There are currently no known outstanding effects for the Agriculture Act 1993, Section 10.