



Agricultural Marketing Act 1958

1958 CHAPTER 47

PART I

AGRICULTURAL MARKETING SCHEMES

Agricultural Marketing Reorganisation Commissions

26 Constitution and functions of Agricultural Marketing Reorganisation Commissions

- (1) The Minister may constitute one or more Agricultural Marketing Reorganisation Commissions for Great Britain and Northern Ireland, for Great Britain, for England, Wales and Northern Ireland, for Scotland and Northern Ireland, for England and Wales and for Scotland, which shall, if the Minister so directs, be charged with the duty of preparing, in accordance with the provisions of this Act, schemes (applicable respectively in Great Britain and Northern Ireland, in Great Britain, in England, Wales and Northern Ireland, in Scotland and Northern Ireland, in England and Wales only and in Scotland only) for regulating the marketing of such agricultural products as the Minister may direct; and an Agricultural Marketing Reorganisation Commission constituted under this section is hereafter in this section referred to as a " Commission " .
- (2) Where any scheme has been prepared by a Commission, the Minister shall take such steps as he thinks fit to bring the scheme to the notice of the producers concerned.
- (3) A Commission may, and shall, if the Minister so directs, investigate any matter affecting the operation of a scheme prepared or in the course of preparation by them, and shall, if the Minister so directs, investigate any matter affecting the operation of any other scheme, and may, and shall in a case where the Minister has directed the investigation to be held, make such recommendations with respect to the matter investigated as they think expedient, and in particular, but without prejudice to the generality of the foregoing provisions, a Commission may, and shall, if the Minister so directs—

Status: This is the original version (as it was originally enacted).

- (a) investigate the extent to which the operation of the scheme can be facilitated by co-operation between the board and other persons, and make such recommendations as the Commission think expedient for promoting such co-operation;
- (b) investigate the extent to which the operation of the scheme is or will be hampered by the fact that facilities for producing commodities from the product to which the scheme relates or for distributing that product or commodities produced therefrom are inadequate, and make such recommendations as the Commission think expedient for securing the improvement of those facilities, either by co-ordinating undertakings engaged in providing those facilities or otherwise;

and where any recommendations have been made under this subsection, the Minister shall take such steps as he thinks fit to bring the recommendations to the notice of persons concerned.

- (4) Every Commission shall consist of a chairman and four other members appointed by the Minister.
- (5) Every Commission may hold such inquiries as they consider necessary or desirable for the discharge of their functions under this section.
- (6) If a Commission report to the Minister—
 - (a) that it is necessary for the discharge of their functions under this section that they should inquire into a definite matter specified in the report, being a matter relating to the place of origin, use, channels of distribution or destination of any agricultural product or of any commodity produced from such a product, or to the quantity of any such product or commodity which is being or has been produced, sold or otherwise dealt with, and
 - (b) that they have reason to believe that information with respect to that matter is being, or is likely to be, withheld,

the Minister may make an order providing that, in respect of any meeting of the Commission held for the purpose of inquiring into that matter, at which not less than three members of the Commission are present, the Tribunals of Inquiry (Evidence) Act, 1921, shall apply to the Commission as if the Commission were a tribunal established in manner provided by that Act, and as if that Act had been applied thereto in manner thereby provided.

- (7) Where the Tribunals of Inquiry (Evidence) Act, 1921, is applied to a Commission in pursuance of the last foregoing subsection, the Commission shall, notwithstanding anything in paragraph (a) of section two of that Act, refuse to allow the public, or any portion of the public, to be present while any evidence is being given by any witness summoned before the Commission under that Act as so applied.
- (8) A draft of an order under subsection (6) of this section shall be laid before Parliament.