Agricultural Marketing Act 1958

1958 CHAPTER 47 6 and 7 Eliz 2

PART I U.K.

AGRICULTURAL MARKETING SCHEMES

Provisions as to regulation of marketing and other matters which must or may be included in schemes

8 Miscellaneous provisions of schemes. U.K.

(1) Every scheme shall provide for the following matters, that is to say:—

(a) for exempting from all or any of the provisions of the scheme producers and sales of such classes or descriptions as may be specified in the scheme or determined by the board;

(b) for securing that any producer who is aggrieved by any act or omission of the board may refer the matter to one or more arbitrators appointed in such manner as may be provided by the scheme, and for the manner in which any such reference is to be heard and determined;

(c) for requiring the register of producers to be open for inspection at such times as may be specified by the scheme, and for requiring the board to furnish a copy of the register or of any part thereof to any person demanding it, on payment of such fee as may be specified by the scheme;

(d) for the removal from the register of producers of the names of persons who have ceased to be producers or are exempted from registration.

(2) Subject to the approval of the Minister, a scheme may provide for either or both of the following matters, that is to say—

(a) for empowering any person authorised in writing by the board, for the purpose of securing compliance with the scheme, to enter and inspect, at any reasonable time and on production of his authority, any part of the land or premises occupied by any registered producer (being a producer specified in the authority) which the person so authorised has reason to believe is used for producing the regulated product or for doing any of the following things

which is regulated by the scheme, that is to say, grading, marking, packing or storing the regulated product or adapting it for sale;

(b) for requiring registered producers to furnish to the board such estimates, returns, accounts and other information relating to the regulated product as the board consider necessary for the operation of the scheme.

Except in the case of a substitutional scheme, the operation of any provision of a scheme made in pursuance of this subsection shall be suspended until the expiration of the suspensory period.

(3) A scheme may provide for securing that where, by reason of a registered producer dying, or becoming subject to some legal disability, or entering into a composition or scheme of arrangement with his creditors, any property in, or control of, the regulated product is transferred from the registered producer to a personal representative, trustee, committee or other person, the personal representative, trustee, committee or other person, as the case may be, shall, in such circumstances and in respect of such matters as may be specified in the scheme, be deemed to be a producer.

(4) Every scheme may further provide for such matters as are incidental to or consequential on the provisions of this Act relating to the contents of schemes or are necessary for giving effect to those provisions:

Provided that no provision of a scheme made in pursuance of this subsection shall be deemed to empower the board to establish any market or slaughterhouse, unless that provision in terms confers on the board a specific power to establish markets or slaughterhouses, as the case may be.

Changes to legislation:
There are currently no known outstanding effects for the Agricultural Marketing Act 1958, Section 8.