

## SCHEDULES

### FIFTH SCHEDULE

Section 13.

#### PROVISIONS TO BE SUBSTITUTED FOR SUBSECTIONS (3) AND (6) OR SECTION THIRTEEN OR THIS ACT IN RELATION TO A MARKETING SCHEME FOR REGULATING THE CARRYING ON OF TWO OR MORE DESIGNATED BUSINESSES

##### *Subsection to be substituted for subsection (3) of section thirteen*

“(3) If, after the preceding provisions of this section have been complied with in relation to a marketing scheme for regulating, in any respect, the carrying on of two or more designated businesses, the Ministers decide to proceed in the matter of the scheme, they shall forthwith direct the Commission to cause to be taken in the prescribed manner, in relation to each of those businesses, a poll of appropriate registered persons, being persons who are registered in the Commission's register as carrying on that business, and shall take no further action in the matter of the scheme unless, in the case of each poll so taken, the result of the poll shows that at least half the total number of appropriate registered persons entitled to vote have voted, and that at least two-thirds of all the votes polled have been cast in favour of the scheme.”

##### *Subsection to be substituted for subsection (6) of section thirteen*

“(6) If, in the case of any marketing scheme for the time being in force which is a scheme for regulating, in any respect, the carrying on of two or more designated businesses, a request for a poll on the question whether or not the scheme should be revoked is made in writing to the board administering the scheme by or on behalf of the prescribed number of persons registered under the scheme as carrying on a particular designated business, the board shall forthwith communicate the request to the Commission, and thereupon the Commission shall cause to be taken in the prescribed manner a poll of persons registered under the scheme as carrying on that business, and shall communicate the result of the poll to the Ministers; and if the result of the poll shows that not less than half of the total number of votes polled have been cast in favour of revocation of the scheme, the Ministers shall by order revoke the scheme :

Provided that no poll of persons registered under the scheme as carrying on a particular designated business shall, without the consent of the board, be taken under this subsection—

- (a) within the two years immediately following the date on which the order confirming the scheme was made; or
- (b) within such period after the date of the declaration of any previous poll of persons registered under the scheme as carrying on that business, being a poll taken under this subsection in relation to the scheme, as may be specified in the scheme.”