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STATUTORY INSTRUMENTS

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**1994 No. 2404**

**AGRICULTURE**

**The Potato Marketing Scheme (Amendment) Order 1994**

*Made* - - - - 7 September 1994

*Coming into force* - - 8 September 1994

Whereas the Potato Marketing Board duly submitted to the Minister of Agriculture, Fisheries and Food, the Secretary of State concerned with agriculture in Scotland and the Secretary of State for Wales (hereinafter called “the Ministers”) certain amendments of the Potato Marketing Scheme<sup>(1)</sup>, in accordance with sub-paragraphs (1) to (3) of paragraph 1 of the First Schedule to the Agricultural Marketing Act 1958<sup>(2)</sup> (hereinafter called “the 1958 Act”);

And whereas the Ministers caused notice of those amendments to be published in accordance with section 2(1) of the 1958 Act as applied to amendments by paragraph 1(4) of the First Schedule thereto;

And whereas the Ministers proposed to modify those amendments;

And whereas the Ministers gave notice of their proposed modifications to the Potato Marketing Board;

And whereas the Potato Marketing Board, within four weeks after that notice had been so given, notified the Ministers that they assented to those modifications;

And whereas the Ministers are satisfied that those amendments as so modified will conduce to the more efficient operation of the Potato Marketing Scheme;

And whereas those amendments as so modified are set out in the Schedule hereto;

Now, therefore, the Ministers, acting jointly in exercise of the powers conferred by section 2 of, and Schedule 1 to, the 1958 Act, and now vested in them<sup>(3)</sup>, hereby make the following Order:

1. This Order may be cited as the Potato Marketing Scheme (Amendment) Order 1994.
2. The amendments of the Potato Marketing Scheme which are set out in the Schedule hereto are hereby approved and shall come into force on 8 September 1994.

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(1) Approved by S.I.1955/690, amended by S.I. 1962/883, 1971/711, 1976/133, 1985/312, 1987/282 and 1990/1626.

(2) 1958 c. 47.

(3) In the case of the Secretary of State for Wales, by virtue of S.I. 1969/388 and 1978/272.

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In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

5th September 1994.

*William Waldegrave*  
Minister of Agriculture, Fisheries and Food

6th September 1994

*Hector Monro*  
Parliamentary Under Secretary of State, Scottish  
Office

Signed by authority of the Secretary of State for Wales.

7th September 1994

*Gwilym Jones*  
Parliamentary Under Secretary of State, Welsh  
Office

## SCHEDULE

Article 2

The Potato Marketing Scheme shall be further amended to give effect, in each provision of that Scheme mentioned in the first column of Part A below, to each proposed amendment specified opposite that provision in the second column of that Part below, and to replace Schedule A to that Scheme by the Schedule in Part B below:

## PART A

Scheme paragraph	Proposed Amendment
1	Delete “and 1990(f)” and replace it by “, 1990(f) and 1994(g)”.
4	Delete “1889” and replace it by “1978”.
8(1)	Delete “and 1987” and replace it by “, 1987 and 1990”.
8(2)	Delete “1990” and replace it by “1994”.
9	Delete “eighteen district members, one special member for Scotland and one special member for England and Wales, all of whom” and replace it by “thirteen district members who”.
10(1)	Delete “sub-paragraphs (2) and (3)” and replace it by “sub-paragraph (2)” and delete “eighteen” and replace it by “thirteen”.
10(2)	Delete the current sub-paragraph.
10(3)	Renumber the current sub-paragraph as “(2)” and delete “or members”, and delete “(ascertained as under paragraph (2) of this paragraph)” and insert in the place of the latter deleted expression “(as ascertained from the agricultural statistics published by the Ministry of Agriculture, Fisheries and Food, the Scottish Office Agricultural and Fisheries Department and the Welsh Office Agriculture Department)”.
11(1), (2) and (3)	Delete sub-paragraphs (1), (2) and (3) from the current paragraph and replace them by:— “(1) An election of all district members shall be held for all districts on such day before the first retirement date as may be fixed by the Board and on such day in the month of September or October in every fourth year thereafter as may be fixed by the Board. (2) Subject to the provisions of this Scheme, members so elected shall hold office for four years from the 31st October next following their election, except that the members who are

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Scheme paragraph	Proposed Amendment
	elected in the elections held before the first retirement date shall hold office from the first retirement date until the 31st October in the fourth year after the first retirement date.”.
11(4)	<p>Renumber the current sub-paragraph as “(3)” and delete reference to “paragraph 10(3)” and replace it by “paragraph 10(2)” and delete—</p> <p>“(b) the Board shall prescribe a timetable for future district elections which ensures as far as is practicable that no more than four years shall elapse between elections for every district member.” and replace it by—</p> <p>“(b) members so elected shall hold office from the 31st October next following their election until the 31st October in the first subsequent year in which there is an election of all district members.”</p>
12	Delete the existing paragraph.
13(2)	Delete “or of a special member, as the case may be,” and “of a special member for Scotland or”.
13(5) and (6)	Delete these sub-paragraphs.
13(7) to (11)	Renumber existing sub-paragraphs (7) to (11) as sub-paragraphs (5) to (9).
13(12) and (13)	Delete these sub-paragraphs.
13(14) to (18)	Renumber sub-paragraphs (14) to (18) as sub-paragraphs (10) to (14) and in sub-paragraph (18) delete “(17)” and replace it by “(13)” and delete “(8)” and replace it by “(6)”.
14(1)	Delete “or special member or members” and replace it by “member”.
14(4)	Delete paragraphs (b) and (c) and re-letter paragraph (d) as paragraph (b).
16(1) opening paragraph	Delete “or special” and “or territory”.
16(1) proviso	Delete “or territory”.

## PART B

## SCHEDULE A

### DISTRICT MEMBERS OF THE BOARD

Subject to paragraph 10 there shall be thirteen districts bearing respectively the names set out in the first column of the following table; each district shall consist of the areas specified opposite thereto in the second column of that table; save as otherwise specified in that table each such area shall be geographically identical to the equivalent area included in the table before the amendment of this Scheme approved by the Potato Marketing Scheme (Amendment) Order 1994, the equivalent area being the area identically named in that table before that amendment; and the Soke of Peterborough shall be as referred to in the Local Government Act 1933(4).

Name of District	Area	Difference from equivalent area
1. Northern Scotland	Aberdeen	
	Angus	
	Banff	
	Caithness	
	Inverness	
	Kincardine	
	Moray	
	Nairn	
	Orkney	
	Perth	
	Ross & Cromarty	
	Sutherland	
	Zetland	
2. Southern Scotland	Argyll	
	Ayr	
	Berwick	
	Bute	
	Clackmannan	
	Dumfries	

(4) 1933 c. 51, repealed by the Local Government Act 1972 (c. 70).

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Name of District	Area	Difference from equivalent area
	Dunbarton	
	East Lothian	
	Fife	
	Kirkcudbright	
	Kinross	
	Lanark	
	Midlothian	
	Peebles	
	Renfrew	
	Roxburgh	
	Selkirk	
	Stirling	
	West Lothian	
	Wigtown	
3. Northern England	Durham	
	East Riding of Yorkshire	
	North Riding of Yorkshire	
	Northumberland	
4. North-West England	Cheshire	
	Cumberland	
	Lancashire	
	Westmorland	
5. Central England	Derbyshire	
	Nottinghamshire	
	West Riding of Yorkshire	
6. North Lincolnshire	The Parts of Kesteven	

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Name of District	Area	Difference from equivalent area
	The Parts of Lindsey	
7. Norfolk and Suffolk	Norfolk	
	Suffolk	
8. Washlands	Cambridgeshire (including the Isle of Ely)	
	Huntingdonshire	
	The Parts of Holland	
	The Soke of Peterborough	
9. Midlands	Leicestershire	Exclusion of the Soke of Peterborough
	Northamptonshire but excluding the Soke of Peterborough	
	Rutland	
	Shropshire	
	Staffordshire	
	Warwickshire	
10. Wales	Wales and Monmouthshire	
11. South-East England	Bedfordshire	
	Essex	
	Hertfordshire	
	Kent	
	Middlesex and London (including the City)	
	Surrey	
	Sussex	
12. South-West England	Cornwall (including the Isles of Scilly)	
	Devon	
	Dorset	
	Hampshire	

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Name of District	Area	Difference from equivalent area
	Isle of Wight	
	Somerset	
	Wiltshire	
<b>13. South</b>	West Berkshire	
Midlands	Berkshire	
	Buckinghamshire	
	Gloucestershire	
	Herefordshire	
	Oxfordshire	
	Worcestershire	

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order reduces the total size of the Potato Marketing Board from 23 members to 16 members. The number, and the boundaries of, the Board’s electoral districts are altered and the number of district members is reduced from 18 to 13. There will no longer be a special member for Scotland and a special member for England and Wales. These changes in the composition of the Board will take effect from such day in the month of September or October next following the coming into force of this Order as the Board shall fix (“the first retirement date”). There will be an election of all new district members before the first retirement date and thereafter an election of all district members in every fourth subsequent year. Other minor and consequential amendments to the Potato Marketing Scheme are made.