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STATUTORY INSTRUMENTS

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**1994 No. 2591**

**The Scottish Milk Marketing Board  
(Residual Functions) Regulations 1994**

**PART IV**

**FINANCIAL PROVISIONS**

**Arbitration in cases where producers or buyers are aggrieved**

**22.**—(1) Section 35 of the marketing scheme is preserved, subject to the modification that in subsection (1)–

- (a) after the words “omission of the Board” there shall be inserted the words “affecting the discharge of their functions under the Scottish Milk Marketing Board (Residual Functions) Regulations 1994 (and whether occurring before or on or after Vesting Day).”;
- (b) for the words “appointed by the Minister”, “apply to the Minister for the appointment of an arbiter.” and “by the Minister” where they respectively occur there shall be substituted the words “to be agreed upon by the producer and the Board and, failing agreement, to be appointed, on application being made to him by either party, by the sheriff principal of the sheriffdom in which the producer has his place, or principal place, of business”, “appoint the arbiter agreed upon or, on failure to agree upon an arbiter within 14 days, each party or both parties may apply to the sheriff principal for the appointment to be made.” and “as aforesaid” respectively; and
- (c) after the words “If a person” and “new arbiter may be” respectively there shall be inserted the words “agreed upon or”.

(2) Section 35 of the marketing scheme, as modified by paragraph (1) above, shall apply in the case of buyers as it applies in the case of producers.