
STATUTORY INSTRUMENTS

1982 No. 1080

The Agricultural Marketing (Northern Ireland) Order 1982

PART II

AGRICULTURAL MARKETING SCHEMES

Effect of schemes on contracts

Registration of certain contracts

20^{F1}.—(1) It shall be the duty of the board, on the application of any party to such a contract as is referred to in Article 19 (1), not being such a contract as is referred to in Article 19 (3), to register the contract within the period of fourteen days after the application is made unless—

- (a) the application is made after Article 19 (1) has, by virtue of Article 19 (2), ceased to apply to the contract; or
- (b) in the case of a contract made during the relevant period, the board is of opinion that the contract was made with a view to evading the operation of the scheme by or under which the performance of the contract is prohibited.

(2) If any party to a contract is aggrieved by the omission of a board to register the contract within the period referred to in paragraph (1), he may, within twenty-one days after the expiration of that period, appeal to the county court, and, pending the determination of any such appeal, Article 19 (1) shall, notwithstanding anything in Article 19 (2), continue to apply to the contract.

(3) On any appeal under this Article, the board concerned and any party to the contract may appear and be heard, and if, on the hearing of any such appeal, the county court finds—

- (a) that the application for registration of the contract was made before the expiration of the period on the expiration of which Article 19 (1) ceased, by virtue of Article 19 (2), to apply to the contract, and
- (b) in the case of a contract made during the relevant period, that the contract was not made with a view to evading the operation of the scheme,

the court shall by order direct the registration of the contract, and thereupon the contract shall be deemed to have been registered as from the date of the order.

(4) Where the county court does not by order direct the registration of a contract, being a contract made during the relevant period, any party to the contract who is certified by the court to have entered into the contract in good faith without a view to evading the operation of the scheme may recover the amount of any damage suffered by him by reason of the avoidance of the contract from any other party to the contract who is certified by the court to have entered into the contract with a view to evading the operation of the scheme.

(5) For the purpose of this Article, “the relevant period”, in relation to a scheme, means a period beginning twelve months before the date when notice of the submission of the scheme was published in the Belfast Gazette and ending six months after the expiration of the suspensory period, or, in the case of a substitutional scheme, ending six months after the date when the scheme comes into force.

Changes to legislation: *The Agricultural Marketing (Northern Ireland) Order 1982, Section 20 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

F1 mod. by [1984 NI 12](#), SR 1995/103

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Changes and effects yet to be applied to :

- Instrument mod. (prosp.) by [1998 c. 41 s.45\(7\)Sch.7 Pt.II para.20\(2\)\(c\)](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [Sch.8 rev.inpt. and am. \(prosp.\) by 1998 c. 41 s.74\(1\)\(3\)Sch.12 para.6Sch.14 Pt.II](#)