
STATUTORY INSTRUMENTS

1982 No. 1080

The Agricultural Marketing (Northern Ireland) Order 1982

PART III

AGRICULTURAL MARKETING SERVICE SCHEMES

Submission and approval of schemes

Agricultural marketing service schemes

30.—(1) This Part makes provision for agricultural marketing service schemes for the marketing of a specified product by the producers thereof under which—

- (a) producers of the specified product and the board administering the scheme may contract for the sale of the specified product by the producers to the board;
- (b) the board may exercise in relation to that product the powers conferred on it by the scheme and by this Part.

(2) An agricultural marketing service scheme may be—

- (a) a transitional scheme under Article 31;
- (b) a scheme under Article 32 (change-over from scheme under Part II); or
- (c) a substitutional scheme under Article 33.

(3) The application of a scheme shall not be restricted to any particular part or parts of Northern Ireland.

Transitional scheme—The Pigs Marketing Board (Northern Ireland)

31.—(1) The Pigs Marketing Board (Northern Ireland) shall, within the period of six months beginning with the date of which this Order is made, prepare and submit to the Department a pigs marketing service scheme.

(2) The Department, after consultation with the Pigs Marketing Board (Northern Ireland) and with representatives of any other interests appearing to the Department to be directly affected by the scheme, may make such modifications in a scheme submitted under paragraph (1) as it thinks proper.

(3) The Department shall make an order approving the scheme submitted to it under paragraph (1) (or that scheme as modified under paragraph (2), as the case may be).

(4) A scheme under this Article shall provide—

- (a) that the Pigs Marketing Board (Northern Ireland) shall continue in existence as constituted under the scheme;
- (b) that a person who immediately before the date on which the scheme comes into force is registered as a producer under the Pigs Marketing Scheme (Northern Ireland) 1933^{F1} and, during the period of 12 months immediately preceding that date, has—
 - (i) sold pigs to the Pigs Marketing Board (Northern Ireland); and

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(ii) not given notice in writing to the Board that he no longer wishes to sell pigs to the Board.

shall on that date be enrolled as producer under the scheme;

(c) for such other transitional provisions as appear to the Board or the Department (as the case may be) to be necessary or expedient in the circumstances.

(5) A scheme approved by an order under paragraph (3) shall come into force on such date as may be specified in the order.

(6) If the Pigs Marketing Board (Northern Ireland) does not comply with paragraph (1) within the period mentioned in that paragraph, the Department may by order revoke the Pigs Marketing Scheme (Northern Ireland) 1933.

(7) In this Article—

“the Pigs Marketing Board (Northern Ireland)” means the Pigs Marketing Board (Northern Ireland) constituted under the Pigs Marketing Scheme (Northern Ireland) 1933;

“pigs marketing service scheme” means a scheme for the marketing of pigs.

F1 SR & O (NI) 1933 No. 93

Change-over from scheme under Part II to agricultural marketing service scheme

32.—(1) A board administering an agricultural marketing scheme under Part II regulating the marketing of an agricultural product may at any time prepare and submit to the Department an agricultural marketing service scheme for the marketing of that product.

(2) The Department, after consultation with the board administering the agricultural marketing scheme and with representatives of any other interests appearing to the Department to be directly affected by the scheme, may make such modifications in a scheme submitted under paragraph (1) as it thinks proper.

(3) The Department shall make an order approving the scheme submitted to it under paragraph (1) (or that scheme as modified under paragraph (2) as the case may be).

(4) A scheme prepared under paragraph (1) shall provide—

(a) for the continuation in existence as constituted under the scheme of the board which administered the agricultural marketing scheme;

(b) that a person who immediately before the date on which the scheme comes into force is registered as a producer under the agricultural marketing scheme shall on that date be enrolled as a producer under the scheme;

(c) for such other transitional provisions as appear to the board preparing the scheme to be necessary or desirable in the circumstances.

(5) A scheme approved by an order under paragraph (3) shall come into force in such date as may be specified in the order.

Substitutional schemes

33.—(1) A substitutional scheme may be submitted to the Department by the board or boards administering the scheme or schemes revoked by the substitutional scheme.

(2) Before a substitutional scheme is submitted to the Department under paragraph (1) it shall be published in the prescribed manner to all producers enrolled under the scheme or schemes revoked by it and if, within the prescribed period after it has been so published to producers enrolled under a scheme revoked by it, a poll on the question whether it shall be submitted to the Department

is demanded by the prescribed number or the prescribed proportion, as the case may be, of the producers enrolled under the scheme revoked, the substitutional scheme shall not be submitted to the Department unless a poll on that question has been taken and the result thereof shows that the requisite majority of those producers has voted in favour of its submission.

(3) In paragraph (2) “prescribed” means, in relation to a scheme revoked by a substitutional scheme, prescribed by the scheme revoked.

(4) The Department, after complying with Schedule 4, shall make an order approving the substitutional scheme submitted to it under paragraph (1) (or that scheme as modified under that Schedule, as the case may be).

(5) A substitutional scheme approved by an order under paragraph (4) shall come into force on such date as may be specified in the order.

Amendment and revocation of schemes

34.—(1) An amendment of a scheme may be submitted to the Department by the board.

(2) Before an amendment of a scheme is submitted to the Department under paragraph (1) the amendment shall be published in the prescribed manner to all enrolled producers and if, within the prescribed period after it has been so published, a poll on the question whether it shall be submitted to the Department is demanded by the prescribed number or the prescribed proportion, as the case may be, of the enrolled producers, the amendment shall not be submitted to the Department unless a poll on that question has been taken and the result thereof shows that the requisite majority of enrolled producers had voted in favour of its submission.

(3) In paragraph (2) “prescribed” means prescribed by the scheme.

(4) The Department, after complying with Schedule 4, shall make an order approving the amendment submitted to it under paragraph (1) (or that amendment as modified under that Schedule, as the case may be).

(5) An amendment approved by an order under paragraph (4) shall come into force on such date as may be specified in the order.

(6) A scheme may be revoked in accordance with the provisions of Schedule 5.

Changes to legislation:

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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](#)