

## SCHEDULES

### SCHEDULE 6

#### PROVISIONS AS TO THE INCORPORATION, CONSTITUTION, REGISTRATION AND WINDING UP OF AGRICULTURAL MARKETING BOARDS UNDER PART III

##### *Winding up*

6.—(1) Subject to sub-paragraphs (2) to (4), the board may at any time before a petition for the winding up of the board is presented pass a resolution providing for the disposal on the winding up of the board of any assets of the board remaining after the discharge of the debts and liabilities of the board and the payment of the costs, charges and expenses incurred in the winding up.

(2) A resolution under this paragraph may provide—

- (a) for the transferring of so much of those assets as may be specified in the resolution to a person or persons so specified for use by those persons for purposes so specified, being purposes which appear to the board to be for the general benefit of persons engaged by way of business in the production of the specified product; and
- (b) for the distribution of so much those of assets as may be specified in the resolution among such of the persons enrolled as producers under the scheme as may be so specified in such proportions as may be so specified,

and any such resolution may make different provision according to the amount of those assets to be disposed of.

(3) where such a resolution has been passed by the board, then, notwithstanding anything in the Companies Act (Northern Ireland) 1960, the assets remaining as aforesaid shall be disposed of in accordance with the resolution.

(4) The board may not pass a resolution under this paragraph unless—

- (a) it has first caused a poll of enrolled producers to be taken on the question whether such a resolution should be passed; and
- (b) the result of the poll shows that the requisite majority of those producers has voted in favour of passing such a resolution.

**Changes to legislation:**

The Agricultural Marketing (Northern Ireland) Order 1982, Paragraph 6 is up to date with all changes known to be in force on or before 23 August 2023. 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.

[View outstanding changes](#)

**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](#)