

## SCHEDULES

### SCHEDULE 2

#### PROVISIONS RELATING TO CARRYING OUT OF APPROVED SCHEME OF REORGANISATION

##### *Restraints on alienation etc.*

**8.**—(1) Any provision which imposes a prohibition (whether absolute or qualified) on the transfer of any property or rights of the Board, or of a subsidiary of the Board, shall, unless the prohibition is imposed for public purposes, be treated as not applying in the case of a transfer under an approved scheme otherwise than under Article 14.

(2) Sub-paragraph (1) shall not apply in the case of a provision which is formulated specifically with reference to the possibility of the undertaking of the Board being transferred otherwise than to a board constituted by a scheme under Part II of the Agricultural Marketing (Northern Ireland) Order 1982<sup>(1)</sup>.

(3) For the purposes of this paragraph, any provision which has the effect of penalising a transfer shall be treated as prohibiting it.

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<sup>(1)</sup> 1982 NI 12