



# Agriculture Act 1993

## 1993 CHAPTER 37

### PART II

#### POTATO MARKETING

##### *Carrying out of approved scheme*

#### **33 Functions of the Board**

The Board may do whatever is necessary for, or conducive to, the carrying out of an approved scheme in the period up to and including the vesting day under the scheme.

#### **34 Functions of the Ministers**

- (1) The Ministers shall satisfy themselves, in relation to an approved scheme, that any steps which need to be taken to enable the scheme to be carried out are taken before the vesting day under the scheme.
- (2) The Ministers may by notice require the Board to supply to them such information as may be specified in the notice, being information which they consider necessary or desirable for the purpose of enabling them to discharge their function under subsection (1) above.
- (3) A notice under subsection (2) above shall require the information to be supplied within such period as may be specified in the notice, being not less than 7 days from the date of the notice.
- (4) If, at any time before the vesting day, it appears to the Ministers—
  - (a) that the Board has failed to supply information required by a notice under subsection (2) above, or
  - (b) that steps which need to be taken to enable the scheme to be carried out are unlikely to be taken before the vesting day under the scheme,they may give the Board notice of that fact and of the reasons for it.

---

*Status: This is the original version (as it was originally enacted).*

---

- (5) No notice under subsection (4) above may be given by virtue of paragraph (a) of that subsection more than 28 days after the Board has purported to comply with the notice under subsection (2) above.
- (6) The Ministers shall, by notice to the Board, withdraw a notice under subsection (4) above if they are satisfied—
  - (a) that there is no longer any ground for it, and
  - (b) that it continues to be practicable for the scheme to be carried out.
- (7) If the Board, in purported compliance with a notice under subsection (2) above, knowingly or recklessly supplies information which is false or misleading in a material respect, it shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

### **35 Statutory transfer on vesting day**

- (1) On the vesting day under an approved scheme, any transfer under the scheme which—
  - (a) is a transfer of property, rights or liabilities of the Board,
  - (b) is a transfer to a body which is a qualifying body, and
  - (c) is a transfer which the scheme provides is to have effect under this section,shall have effect by virtue of this Act.
- (2) Subsection (1) above shall not apply if—
  - (a) a notice under section 34(4) above has been given in respect of the scheme, and
  - (b) the notice has not been withdrawn under section 34(6) above.
- (3) For the purposes of subsection (1) above, a body is a qualifying body if it is—
  - (a) a development council established under the Industrial Organisation and Development Act 1947,
  - (b) a society registered under the Industrial and Provident Societies Act 1965 which has not previously traded, or
  - (c) a company registered under the Companies Act 1985 which has not previously traded.

### **36 Other provisions**

Schedule 4 to this Act (which makes provision in relation to or in connection with the carrying out of an approved scheme) shall have effect.