



Agricultural Marketing Act 1958

1958 CHAPTER 47 6 and 7 Eliz 2

PART I

AGRICULTURAL MARKETING SCHEMES

Agricultural Marketing Funds

22 Agricultural Marketing Funds.

- (1) The Agricultural Marketing Fund established by section eleven of the ^{M1}Agricultural Marketing Act, 1931, for the purpose of making loans to boards, and the Agricultural Marketing (Scotland) Fund established by that section for that purpose, shall continue in existence by those names respectively and for that purpose.
- (2) The Agricultural Marketing Fund (hereafter in this section referred to as “the English fund”) shall be administered and controlled by the Minister of Agriculture, Fisheries and Food and the Agricultural Marketing (Scotland) Fund (hereafter in this section referred to as “the Scottish fund”) shall be administered and controlled by the Secretary of State.
- (3) There shall be paid, out of moneys provided by Parliament, [^{F1}into the English fund and the Scottish fund respectively such sums] as Parliament may from time to time determine.
- (4) Any such loan as aforesaid shall be made—
 - (a) in the case of a scheme applicable in England or Wales and also in Scotland, or in both England and Wales and also in Scotland, out of both the English and the Scottish funds in such proportion as may be determined by the Minister;
 - (b) in the case of a scheme applicable only in England and Wales, only in England, or only in Wales, out of the English fund;
 - (c) in the case of a scheme applicable only in Scotland, out of the Scottish fund.
- (5) Any sums received by way of interest on any such loan as aforesaid shall be paid to the Treasury, and any sums received by way of repayment of the principal of any such

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Agricultural Marketing Act 1958, Cross Heading: Agricultural Marketing Funds. (See end of Document for details)

loan shall be paid into the fund out of which the loan was made or, in the case of a loan made out of both funds, into each fund in proportion to the amount of the principal lent thereout.

- (6) If, in the opinion of the Treasury, a sum representing the whole or any part of the principal of any such loan as aforesaid is not likely to be recovered, the Treasury may direct that that sum shall be written off the account of the assets of the fund out of which the loan was made or, in the case of a loan made out of both funds, written off the account of the assets of each fund in proportion to the sum lent thereout, . . . ^{F2}, but, if any sum is received by way of repayment of the principal of a loan after it has been so written off as aforesaid, the sum shall, instead of being paid into the fund or funds out of which the loan was made, be paid to the Treasury.
- (7) The Minister shall cause an account to be prepared and transmitted to the Comptroller and Auditor General for examination on or before the thirtieth day of November in every year, showing the receipts into and issues out of the English and Scottish funds respectively in the financial year ending on the thirty-first day of March preceding, and, in a case where during that year a sum has been written off the account of the assets of the fund, giving the reasons why it appears that that sum is not likely to be recovered, and the Comptroller and Auditor General shall certify and report upon the account, and the account and report shall be laid before Parliament by the Treasury on or before the thirty-first day of January in the following year, if Parliament is then sitting, or, if Parliament is not then sitting, within one week after Parliament is next assembled.

Textual Amendments

F1 Words substituted by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62, SIF 2:1\), s. 12\(2\)](#)

F2 Words repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62, SIF 2:1\), s. 26\(3\)\(4\), Sch. 6](#)

Modifications etc. (not altering text)

C1 [S. 22\(2\)](#) extended by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62, SIF 2:1\), s. 12\(1\)](#)

Marginal Citations

M1 [1931 c. 42.](#)

23 ^{F3}

Textual Amendments

F3 [S. 23](#) repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62, SIF 2:1\), ss. 12\(3\), 26\(3\)\(4\), Sch. 6](#)

24 **Short-term loans.**

- (1) The Minister may, . . . ^{F4}, make to the board administering any scheme approved under this Act a loan of such amount as he thinks necessary for the purpose of providing for expenses incurred in connection with the initial working of the scheme: . . . ^{F4}

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Agricultural Marketing Act 1958, Cross Heading: Agricultural Marketing Funds. (See end of Document for details)

- (2) Without prejudice to the generality of the foregoing provisions of this section, any expenses incurred by a board, being expenses incurred by virtue of any of the following provisions of this Act, that is to say, paragraphs (b) and (c) of subsection (1) of section seven, subsection (2) of section thirteen, subsection (2) of section fourteen and subsections (2) to (4) of section fifteen, within the period of one year after the date on which the scheme came into force, shall, for the purposes of the foregoing subsection, be deemed to be expenses incurred in connection with the initial working of the scheme.
- (3) A loan under this section shall be repaid within two years, unless it is renewed as hereinafter provided, and may be made free of interest during any period before renewal, and every such loan shall be made on such terms as the Minister, with the approval of the Treasury, may by regulations prescribe:

Provided that, where a scheme ceases to have effect at or before the expiration of the suspensory period, the amount repayable in respect of any such loan made to the board shall be reduced by the amount of any sums expended by the board under the scheme, or required for the payment of any debt or liability incurred thereunder by the board.

- (4) A loan under this section shall not be renewed unless the [F5renewal is recommended by the appropriate Agricultural Marketing Facilities Committee, and that committee shall not recommend the renewal unless they are][F5Minister is] satisfied that the board are in a position to repay the loan forthwith, that the renewal is required to provide for additional services which the board propose to undertake and that adequate arrangements have been, or will be, made to repay the loan at the expiration of the period for which it is to be renewed.

Textual Amendments

- F4 Words repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62, SIF 2:1\)](#), **ss. 12(3)(c)**, 26(3)(4), Sch. 6
- F5 Words “Minister is” substituted (E.W.S) for words “renewal is recommended ... they are” by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62, SIF 2:1\)](#), **s. 12(3)(b)**

25 Long-term loans.

If, in the opinion of the Minister, it is expedient that there should be made to any board a loan which shall not be repayable until the expiration of a period exceeding two years, he may, [F6on the recommendation of the appropriate Agricultural Marketing Facilities Committee], lend to that board such sums as he thinks fit, and every such loan shall be made on such terms and secured in such manner as the Minister, with the approval of the Treasury, may by regulations prescribe:

Provided that the amount outstanding of the loans made under this section shall not at any time exceed in the aggregate one hundred thousand pounds, in the case of the Agricultural Marketing Fund, or fifty thousand pounds, in the case of the Agricultural Marketing (Scotland) Fund.

Textual Amendments

- F6 Words repealed (E.W.S) by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62, SIF 2:1\)](#), **ss. 12(3)(c)**, 26(3)(4), Sch. 6

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Agricultural Marketing Act 1958, Cross Heading: Agricultural Marketing Funds.