

## SCHEDULE

### SCHEME UNDER THE AGRICULTURAL MARKETING ACTS, 1931 TO 1949, REGULATING THE MARKETING OF WOOL

## PART II

### THE BOARD AND COMMITTEES

#### *THE BOARD*

4. The Board to administer this Scheme shall be called the British Wool Marketing Board, and is in this Scheme referred to as “the Board.” The Board shall be a body corporate with a common seal, and power to hold land without licence in mortmain.

5. Until the first Annual General Meeting which shall be held within twelve months from the date on which the Scheme comes into force, the Board shall consist of the following person, that is to say:—

- J. Shaw, Stonecellars Farm, Usworth, Co. Durham.
- J. Drinkall, Abbeystead, Lancaster.
- I. Morris, Nesley Farm, Tetbury, Glos.
- G. Gibbard, O.B.E., J.P., 84 Oxford Road, Banbury, Oxon.
- Capt. Bennett Evans, Manod, Llangurig, Llanidloes, Mont.
- F. H. Shapland, Prescott, Tiverton, Devon.
- H. C. Falconer, O.B.E., Auchencrow Mains, Reston, Berwickshire.
- I. M. Campbell, Balblair, Invershire, Sutherland.
- A. McNaughton, Inverlochlarig, Balquidder, Perthshire.
- J. A. Cathcart, Castle Hume, Inniskillin, Co. Fermanagh.

and two persons appointed by the Minister in accordance with subsection (1) of Section 1 of the Act of 1949.

6. Subject to the provisions of Paragraph 10 hereof as to the filling of casual vacancies in the case of regional members and special members the Board shall, after the first Annual General Meeting, consist of ten regional members and two special members, all of whom shall be elected as hereinafter provided, and not less than two nor more than three members appointed by the Minister in accordance with subsection (1) of Section 1 of the Act of 1949.

7. For the purposes of this Scheme there shall be ten regions constituted in accordance with the First Schedule of this Scheme. One regional member of the Board shall be elected for each region by the registered producers in the region. Special members shall be elected by all registered producers. Every election of regional members and special members after the first such election shall be held in the month of March on such day as may be fixed by the Board.

- (a) 8. (1) (a) Elections of regional members for the English North Western, English Central and Scottish Southern Regions shall be held in the year 1951, 1952 and every third calendar year thereafter.
- (b) Elections of regional members for the English South Western, English North Eastern, Scottish Northern and Northern Ireland Regions shall be held in the year 1951, 1953 and every third calendar year thereafter.

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(c) Elections of regional members for the English Southern, the Welsh and the Scottish Central Regions shall be held in the year 1951, 1954 and every third calendar year thereafter.

(2) An election of one special member shall be held in the year 1951, 1953 and every third calendar year thereafter and an election of another special member shall be held in 1951, 1954 and every third calendar year thereafter. Of the first two special members, the one to retire in 1953 shall be chosen by lot.

(3) Every regional member and special member shall, subject as aforesaid and to the provisions of this Scheme, hold office from the first day of April following the day on which he is elected until the last day of March in the third year after the year of his election.

(4) A regional member or special member of the Board who, by resignation or on completion of a term of office, ceases to hold office, shall be eligible for re-election to the Board.

(5) The provisions of Paragraphs 43 to 46 of this Scheme shall govern elections of regional members to the Board and the provisions of Paragraph 47 hereof shall govern elections of special members to the Board.

**9.** A regional member or special member of the Board shall cease to hold office:—

- (a) If he is appointed by the Board to any place of profit under this Scheme, or
- (b) if he is adjudged bankrupt or compounds with his creditors, or
- (c) if he becomes of unsound mind, or
- (d) if he is convicted of any offence under subsection (2) of Section 17 of the Act of 1931, or
- (e) if the Board by resolution declare that he has been absent from six consecutive meetings of the Board without reasonable excuse, or
- (f) if he delivers to the Board a written resignation of his office and the resignation is accepted by the Board, or, if not so accepted, is not withdrawn within seven days.

**10.—(1)** If a regional member dies or ceases to hold office under the preceding paragraph, the Board, after consultation with the Regional Committee for the region, shall appoint in his place a person who, in their opinion, is qualified to represent the registered producers in that region. If a special member dies or ceases to hold office under the preceding paragraph, the Board shall appoint a person to be a special member in his place.

(2) Every person appointed to the Board under this paragraph shall hold office for so long as his predecessor would have held office.

**11.** The Chairman and Vice-Chairman of the Board shall be appointed annually by the Board from their own number. The Chairman, or failing him the Vice-Chairman, shall preside at all meetings of the Board. In their absence from a meeting of the Board, the Board shall appoint another Chairman from among their own number to preside at that meeting.

**12.** The Board may employ a Secretary and such other officers, servants and agents as they think fit.

**13.—(1)** The Board shall have an office in England, an office in Wales, an office in Scotland and an office in Northern Ireland at any of which communications and notices (except as otherwise in this Scheme expressly provided) will at all times be received, and shall notify the Minister of their addresses and of any change in those addresses.

(2) The Board may have such other offices and other premises as they shall think fit.

**14.** The remuneration of the Board members shall be determined annually by the registered producers in general meeting, and such remuneration shall be divisible amongst the members as the Board may determine.

15. The Board may pay to members of the Board such travelling and other expenses as in the opinion of the Board have been reasonably incurred by them in connection with the business of the Board.

16. The quorum of the Board shall be such number not being less than five as the Board may from time to time determine and, until otherwise so determined, shall be five, and the Board shall have power at all times to act notwithstanding any vacancy in the membership thereof.

#### *THE COMMON SEAL*

17.—(1) The Common Seal of the Board shall not be affixed to any document without the express authorisation of the Board or of the Executive Committee.

(2) The Common Seal shall be kept in the custody of the Secretary or such other employee as the Board shall direct.

18. All deeds and other writings to which the Board are a party shall be held to be validly executed on behalf of the Board on being sealed with the Common Seal of the Board and signed by two members of the Board and the Secretary, and such subscription on behalf of the Board shall be binding whether attested by witnesses or not.

19. A document or proceedings requiring authentication by the Board may be signed by a member of the Board, Secretary or other person authorised by the Board, and need not be under the Common Seal of the Board.

#### *CONTRACTS*

20. Any contract or instrument which if entered into or executed by a person not being a body corporate, would not be required to be under seal, may be entered into or executed on behalf of the Board by any person authorised by them in that behalf, either generally or specially.

21. No contract to which the Board are a party shall be avoided by reason only that a member of the Board is also a party thereto, or is interested therein, and a member of the Board who is a party to or interested in such a contract shall not, by reason only that he is a member of the Board, be liable to account to the Board for any profit realised by him by reason of the contract, but a member of the Board must forthwith disclose to the Board any interest which he has or acquires in any contract concluded or proposed to be concluded by the Board and shall not vote upon any question relating to the contract, and if he does vote, his vote shall not be counted.

Provided that a member of the Board shall not be precluded from voting on a question relating to the general policy of the Board with respect to any matter by reason only that the determination of that question will or may affect contracts which have been, or may thereafter be, entered into by him with Board.

#### *THE EXECUTIVE COMMITTEE OF THE BOARD*

22. The Board shall appoint from among the members thereof an Executive Committee consisting of not more than seven persons, of whom at least one shall be a member of the Board appointed by the Minister, and shall delegate to the Executive Committee all their functions under this Scheme except their functions under the following paragraphs of Part II of this Scheme, namely, paragraphs 7 to 14, 16, 17 (2) 19 to 22, 25 to 27, 33 to 37, 43 and 44 or their functions under Parts III to IX (inclusive) of this Scheme;

provided that the Board may, at their discretion, so delegate all or any of the functions so excepted (other than a power to impose penalties or a power in connection with the borrowing of money).

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**23.** The quorum of the Executive Committee shall be three. The Executive Committee shall at all times have power to act notwithstanding any vacancy in their number, and the Committee shall report its proceedings to the Board.

**24.** The Chairman of the Board shall be the Chairman of the Executive Committee if acting on that body. Otherwise the Chairman of the Executive Committee shall be appointed by the Executive Committee from their own number. In his absence from a meeting, the Executive Committee shall appoint another Chairman from their own number to preside at that meeting.

#### *OTHER COMMITTEES OF THE BOARD*

**25.** The Board may from time to time appoint such other committees from amongst their members as they think fit, and subject to the provisions of this Scheme with respect to the application of the Common Seal of the Board, may delegate to any such Committee appointed by them any of the powers of the Board other than a power in connection with the borrowing of money, or the imposition of penalties, or a power which is delegated to the Executive Committee.

**26.** The quorum of any Committee appointed under paragraph 25 shall be such number as the Board may fix for the Committee, and every such Committee shall report its proceedings to the Board.

#### *MEETINGS OF THE BOARD AND OF COMMITTEES OF THE BOARD*

**27.** The meetings of the Board or of any Committee of the Board shall be held at such time or times and at such places as may be determined by the Board or the Committee respectively.

**28.** All questions at meetings of the Board or any Committee appointed under the provisions of paragraphs 22 and 25 hereof shall be decided by a majority of votes of the members present and voting. Each member shall have one vote, and if there be an equality of votes the member acting as Chairman shall, in addition, have a casting vote.

**29.** All acts done at any meetings of the Board or of any Committee thereof shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment, election, or qualification of any person purporting to be a member of the Board or of the Committee, or that a member of the Board or of the Committee had voted upon any question upon which he was not entitled to vote, be as valid as if that defect had not existed or such member had been entitled to vote.

**30.** Minutes shall be kept of the proceedings of the Board and of every Committee thereof, and any such minutes shall, if signed by the Chairman of the meeting to which they relate or at which they are read, be evidence of these proceedings. The meeting to which any such minutes relate shall be presumed, until the contrary is proved, to have been regularly convened and constituted.

**31.** For the purpose of any proceedings a copy, purporting to be certified in writing by the Chairman or Vice-Chairman of the meeting or Secretary of the Board to be a true copy of the minutes or any part of the minutes of any meeting of the Board or any Committee of the Board, shall be evidence of such of the proceedings at the said meeting as such minutes or parts of minutes purport to relate to.

**32.** The Secretary shall convene a meeting of the Board or of any Committee of the Board on the requisition of any three members of the Board or of any two members of the Committee concerned; provided that such requisition shall be in writing and shall state the business for which the meeting is required.

### ADVISORY COMMITTEES

**33.—**(1) The Board shall set up and appoint an advisory committee (to be known as the Joint Committee) consisting of not more than fourteen persons, of whom seven shall be nominated by such organisation or organisations as the Board think best qualified to represent the views of persons concerned with the marketing, processing and manufacture of wool, one shall be nominated by Co-operative Wool Societies and the remainder shall be members of the Board.

(2) The Chairman of the Joint Committee shall be a member of the Board who is also a member of the Joint Committee and shall be appointed by the Joint Committee.

(3) The Board shall consult the Joint Committee as often as they shall think fit and in any case not less than four times a year and the Board shall consult the Joint Committee before making any major change of principle in the handling and marketing of wool.

(4) The Board may set up and appoint other advisory committees for the purposes of assisting the Board to exercise its functions under this Scheme, and may appoint representatives to any advisory committee set up by any other persons or organisations.

### REGIONAL COMMITTEES

**34.** There shall be for each Region, a Committee (to be called a Regional Committee) whose duty it shall be to report to the Board from time to time on the operation of the Scheme in that region, and when consulted by the Board with respect to any proposal of the Board, to advise them as to the desirability of the proposal, in so far as it concerns producers in that region.

**35.** The Regional Committee for each region shall consist of (a) the regional member of the Board for the time being for the region, or, during the period of office of the first Board, such member of that Board as the Board may appoint, and (b) one representative of each of the counties in the region, except that there shall be three representatives for each of the counties of Devon and Cornwall and two representatives for each of the counties specified in the Second Schedule of this Scheme. Such representatives (hereinafter called “county representatives”) shall be registered producers in the county they represent, and shall be elected by the registered producers in that county.

**36.—**(1) An election of county representatives to the Regional Committee for each region shall be held on such day in the year 1950 as the Board may fix and in each third calendar year thereafter on such day as the Board may fix.

(2) The provisions of paragraphs 43 to 46 of this Scheme shall govern elections of county representatives to the Regional Committees.

**37.** A county representative shall cease to hold office:—

- (a) if he is appointed by the Board to any place of profit under this Scheme; or
- (b) if he is adjudged bankrupt or compounds with his creditors; or
- (c) if he becomes of unsound mind; or
- (d) if he is convicted of any offence under sub-section (2) of Section 17 of the Act of 1931; or
- (e) if the Regional Committee by resolution declare that he has been absent from six consecutive meetings of the Committee without reasonable excuse; or
- (f) if he delivers to the Secretary of the Regional Committee a written resignation of his office and the resignation is accepted by the Committee, or if not so accepted, is not withdrawn within seven days.

**38.** If a county representative dies or ceases to hold office under the preceding paragraph, the Regional Committee shall co-opt in his place a registered producer in the same county who shall hold office for so long as his predecessor would have held office.

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39. The quorum of any Regional Committee shall be such as the Committee may fix from time to time, but shall not be less than three.

40. Minutes shall be kept of the proceedings of each Regional Committee, and any such minutes shall, if signed by a person purporting to have acted as chairman of the meeting to which they relate or of a meeting at which they were read, be evidence of those proceedings, and the meeting to which any such minutes relate shall, until the contrary is proved, be presumed to have been regularly convened and constituted. A written report of the proceedings at every meeting of a Regional Committee shall be sent to the Board within fourteen days after the meeting.

41. The Chairman of a Regional Committee shall be appointed by the Committee from among their own number. In his absence from a meeting, the Committee shall appoint another Chairman from their own number to preside at the meeting.

42. The Board shall appoint a Secretary for each Regional Committee, and the Secretary shall convene a meeting of the Regional Committee whenever so required by the Chairman of the Board or of the Regional Committee.

*ELECTION OF REGIONAL AND SPECIAL MEMBERS OF THE BOARD  
AND COUNTY REPRESENTATIVES OF REGIONAL COMMITTEES*

43. When an election of a regional member to the Board or an election of county representatives to a Regional Committee is to be held, the Board shall notify the registered producers in the region or in the county as the case may be, by advertisement in the press or otherwise, as the Board deem fit, of the address of the Board to which written nominations of candidates are to be sent and the last day (which shall not be earlier than the fourteenth day after the day of publication or issue of the notice) on which such nominations shall be received; and no person shall be eligible to be elected unless he has been so nominated by at least ten registered producers in the region or in the county as the case may be, and the nominations have been received at the specified address by 6 p.m. on the specified day.

44.—(1) If for any region or county not more than one candidate (or, in the case of county representatives, three for Devon or Cornwall or two for any of the counties specified in the Second Schedule of this Scheme) is duly nominated, the candidate (or candidates) nominated shall be deemed to be elected.

(2) If for any region or county no candidate is duly nominated (or, in the case of county representatives, less than three for Devon or Cornwall or less than two for any of the counties specified in the said Second Schedule are nominated) the Board shall fill the vacancies thus arising by its own nominees.

(3) If more than one candidate is duly nominated for any region or county (or, in the case of county representatives, more than three for Devon or Cornwall or more than two for any of the counties specified in the said Second Schedule) a vote shall be taken by post and the Board shall for that purpose send to every registered producer in the region or county a voting paper in such form as the Board think proper, stating the names and addresses of the candidates and specifying the address of the Board to which the voting papers are to be sent and the last day (which shall not be earlier than the tenth day after the day on which the voting papers are sent by the Board) on which the voting papers will be received; and no voting paper shall be taken into account unless it is received at the specified address by 6 p.m. on the specified day.

In the event of the loss of a voting paper, the Board may supply a duplicate voting paper.

45.—(1) In voting at elections of regional members of the Board each registered producer in the region shall have one vote plus one additional vote for every ten sheep which are over four months

old and are in his possession and in the region on such date as the Board may determine for the purpose of any election.

(2) In voting at elections of county representatives of Regional Committees each producer in the county shall have one vote plus one additional vote for every ten sheep which are over four months old and are in his possession and in the county on such date as the Board may determine for the purpose of any election provided that producers in the counties of Devon and Cornwall shall have three times the said number of votes and producers in any of the counties specified in the Second Schedule of this Scheme shall have twice the said number of votes but shall not give more than a third or a half, as the case may be, of their total votes in favour of one candidate.

(3) Each person voting shall sign his voting paper and add his address. If a voting paper is unsigned or the address of the voter is not given, or if the voter purports to vote for more candidates than there are persons to be elected, the voting paper shall not be taken into account.

(4) Subject as aforesaid, the votes of a person entitled to vote shall not be rejected by reason of any defect in the manner in which he has filled up the voting paper.

(5) Where it does not clearly appear from a voting paper whether or not the voter intended to vote in favour of any particular candidate, he shall be taken not to have voted in favour of that candidate.

(6) The Board shall cause the votes to be counted, and the candidates who receive the most votes shall be declared elected, and the Board shall publish the result.

**46.** If a person duly elected to a Regional Committee is also elected a regional member of the Board, he shall hold office on the Regional Committee only by virtue of his position as regional member of the Board and if a person duly elected to a Regional Committee is also elected a special member of the Board he shall retire from the Regional Committee and the Committee, as constituted for the time being, shall in either case co-opt another person to fill the vacancy in the membership of the Committee.

**47.** The provisions of paragraphs 43 to 46 of this Scheme shall, subject to such variation as the nature of the case requires, be applicable to elections of special members of the Board; provide that:

- (a) a person shall not be eligible for election as a special member of the Board unless he has been so nominated by the Board, or at least one hundred registered producers;
- (b) when one special member is to be elected, each registered producer shall have one vote plus one additional vote for every ten sheep which are over four months old and are in his possession on such date as the Board may determine for the purpose of any election;
- (c) when two special members are to be elected, each registered producer shall have twice the said number of votes, but shall not give more than half of his total votes in favour of one candidate.

#### *EXPENSES OF MEMBERS OF COMMITTEES*

**48.** The Board may pay to members of the Committees of the Board, members of Regional Committees and valuation appeal tribunals as constituted in accordance with the provisions of paragraph 91, and members of any Advisory Committee set up by the Board, or to any person appointed by the Board to represent them on an Advisory Committee set up by any other persons or organisations, such travelling or other expenses as have in the opinion of the Board been reasonably incurred by them in the performance of their duties.