
STATUTORY INSTRUMENTS

1994 No. 2759

AGRICULTURE

**The Milk Marketing Board (Residuary
Functions) Regulations 1994**

Made - - - - 27th October 1994
Laid before Parliament 28th October 1994
Coming into force 1st November 1994

**THE MILK MARKETING BOARD (RESIDUARY
FUNCTIONS) REGULATIONS 1994**

PART I

PRELIMINARY

1. Title, extent and commencement
2. Interpretation; preservation of preliminary provisions of the old marketing scheme
3. Effect of provisions of the old marketing scheme as preserved, inserted or continuing in force

PART II

CONSTITUTION AND MEMBERSHIP OF THE BOARD

4. Restructuring of the Board's functions
5. Members of the Board
6. Official address of the Board
7. General powers and staff
8. Remuneration, allowances etc of members of the Board
9. Committees
10. Proceedings of the Board
11. Minutes
12. The seal
13. Contracts

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART III

REGISTER OF PRODUCERS

14. Maintenance of register
15. Inspection of register
16. Partnerships
17. Death etc of producers

PART IV

FINANCIAL PROVISIONS

18. Reserve funds
19. Borrowing
20. Administration, accounts and separation of commercial activities

PART V

FUNCTIONS OF THE BOARD

21. Functions
22. Prohibition on buying and selling milk etc
23. Assessment of sales
24. Information
25. Contraventions of the old marketing scheme

PART VI

MEETINGS OF REGISTERED PRODUCERS

26. Meetings

PART VII

FINAL LIQUIDATION OF THE BOARD

27. Completion of winding up and distribution of surplus
28. Voluntary solvent liquidation
29. Liquidation on application to court under the 1986 Act

PART VIII

MISCELLANEOUS

30. Arbitration
31. Service of documents
32. Cows which are in the possession of a producer
33. Prescriptive resolutions
34. Indemnity
Signature

SCHEDULE 1 — DISTRIBUTION ENTITLEMENT

1. Normal entitlement
2. Personal value
3. Milk sold to the Board

4. Milk sold otherwise than to the Board
5. Rounding
6. Exceptional hardship
7. Interpretation

SCHEDULE 2 — ELIGIBLE AND END YEAR PRODUCER CRITERIA

PART I — ELIGIBLE PRODUCER CRITERIA

1. An eligible producer is any person (other than an excluded...
2. Evidence that a person sold milk to the Board at...
3. Part III of this Schedule shall have effect to supplement...

PART II — END YEAR PRODUCER CRITERIA

1. An end year producer is any person who—
2. Part III of this Schedule shall have effect to supplement...

PART III — SUPPLEMENTAL

1. In this Schedule a person is the transferee of another...
2. The conditions mentioned respectively in paragraph 1(c)(ii) of Part I,...
3. The requirement mentioned in paragraph 2 above is—
4. Regardless of the date of the transfer, the entry of...
5. In this Schedule “excluded producer” means any producer who during...

SCHEDULE 3 — PROVISIONS OF THE OLD MARKETING SCHEME PRESERVED, INSERTED OR CONTINUING IN FORCE

PART I. — PRELIMINARY

3. (1) Except where the context otherwise requires, a reference in...

PART II. — THE BOARD AND COMMITTEES

6. THE BOARD AND THEIR GENERAL POWERS
7. The Board may employ a secretary and such other officers...
8. The Board may pay to any member of the Board...
- 8A The Board, to the intent that so far as practicable...
20. OTHER COMMITTEES
25. PROCEEDINGS OF THE BOARD
26. MINUTES
27. For the purpose of any proceedings a copy, purporting to...
28. THE SEAL
29. CONTRACTS
30. No contract to which the Board is a party shall...

PART III. — REGISTER OF PRODUCERS

39. (1) Any person shall be entitled, on payment of the...
41. (1) Registration of the name or style under which two...

PART V. — FINANCIAL PROVISIONS

52. The Board may, for the purpose of exercising any of...
- 52A The Board shall not make money or other financial benefits...
53. (1) The Board shall keep proper and separate accounts and...

PART VI. — PRINCIPAL POWERS OF THE BOARD

- 59A MISCELLANEOUS POWERS
- 59B The Board shall ensure that moneys received in payment for...
71. ASSESSMENTS OF SALES
75. INFORMATION AND INSPECTION
77. CONTRAVENTIONS

PART VII. — MEETINGS OF REGISTERED PRODUCERS

78. (1) Subject to paragraph (3) below, the Board shall at...
- 78A (1) The procedure referred to in paragraph 78(1B) shall operate...
79. (1) Subject to sub-paragraph (2) below, the chairman of every...

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- 80. Not later than the twenty-first day before the day fixed...
 - 80A (1) Notwithstanding having published notice of a general meeting under...
 - 81. At a meeting of registered producers no business shall be...
 - 81A Paragraph 81 shall not restrict any registered producer at any...
 - 82. At a general meeting every registered producer shall be entitled...
 - 83. At any meeting of registered producers the producers entitled to...
 - 84. Every question put before a meeting of registered producers shall...
 - 85. On a show of hands and also on a formal...
 - 87. Without prejudice to the provisions of this Part of this...
 - 88. At any meeting of registered producers the declaration of the...
- PART VIII. — AMENDMENT AND REVOCATION OF SCHEME AND
WINDING UP OF THE BOARD
- 91. Part V of the 1986 Act (which relates to the...
 - 91A (1) A petition for winding up of the Board may...
 - 91B In the event of the final liquidation of the Board...
 - 92. Contributions under paragraph 91B shall be assessed, in relation to...
- PART IX. — MISCELLANEOUS
- 93. (1) Any relevant producer who is aggrieved by an act...
 - 94. Any requirement of this Scheme that a document shall be...
 - 95. For the purposes of this Scheme except paragraph 69A every...

SCHEDULE 4 — B RESERVE FUND

- 1. (1) The Board shall maintain the B Reserve Fund in...
- 2. (1) The milk receipt retentions shall be payable to end...
- 3. No sum may be withdrawn from the B Reserve Fund...
- 4. (1) Subject to paragraph 3(b) above, and provided that the...
- 5. The condition mentioned in paragraph 4 above is that the...
- 6. Subject to paragraph 3(b) above, the Board shall withdraw all...
- 7. (1) Subject to the provisions of this paragraph, where—
- 8. Any net surplus or deficit in funds arising from the...
- 9. As long as moneys remain in the B Reserve Fund...
- 10. The Minister shall notify the Board of any amount by...
- 11. In this Schedule “milk receipt retentions” means the sum which...

SCHEDULE 5 — DISPOSAL OF DAIRY CREST SHARES

- 1. This Schedule shall apply to the extent that the Dairy...
- 2. As soon as practicable after Vesting Day the Board shall...
- 3. (1) In determining the feasibility of achieving a flotation of...
- 4. If the Board determine that it is feasible, and that...
- 5. The objective mentioned in paragraph 4 above is to implement...
- 6. In implementing the flotation of the company the Board may...
- 7. Nothing in paragraphs 2 to 6 above shall be construed...
- 8. Until such time as their entire interest in the share...
- 9. In this Schedule “company” means Dairy Crest Limited, Dairy Crest...

Explanatory Note