

*Status: Point in time view as at 01/01/2006.*

*Changes to legislation: There are currently no known outstanding effects for the Agricultural Marketing Act (Northern Ireland) 1964, SCHEDULE 1. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1 <sup>F1</sup>

Section 2(1) (5).

#### APPROVAL, REVOCATION AND CESSER OF SCHEMES

**F1** Mod., [1982 NI 12](#)

### PART I

#### APPROVAL OF SCHEMES

- 1 Before approving a scheme, the Ministry shall cause to be published, in the Belfast Gazette and in such other manner as the Ministry thinks best for informing persons affected, notice of the framing of the scheme, of the place where copies thereof may be obtained (on payment of such fee as may be specified in the notice) and inspected, and of the time (which shall not be less than six weeks after such publication in the Belfast Gazette) within which objections and representations with respect to the scheme may be made.
- 2 Every objection must be sent to the Ministry in writing and must state the grounds of objection and the specific modifications required.
- 3 Where an objection has been duly made to a scheme by a person affected thereby and has not been withdrawn, the Ministry, unless it considers the objection to be frivolous or unless it has modified the scheme as required by the objection, shall, before taking any further action under this Act in relation to the scheme, direct a public inquiry to be held and shall consider the report of the person who held the inquiry.
- 4 The Ministry may by regulations provide for such matters as it thinks necessary regarding an inquiry held under paragraph 3 and section 65 of and Schedule 7 to the Health Services Act (Northern Ireland) 1948 <sup>F2</sup> shall, in their application to any such inquiry by virtue of section 23 of the Interpretation Act (Northern Ireland) 1954, be subject to the provisions of any regulations made under this paragraph.

**F2** [1971 c.1 \(NI\)](#); [1972 NI 14](#)

- 5 After considering any objections and representations duly made with respect to the scheme as framed and after holding such inquiries, if any, as it thinks fit or is required to hold under paragraph 3, the Ministry may make such modifications in the scheme as it thinks proper.

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## PART II

### REVOCATION AND CESSER OF SCHEMES

- 6 Where a scheme is revoked by a subsequent scheme approved by an order of the Ministry, the subsequent scheme may provide for the transfer to the new board of the whole or any part of the property, rights and liabilities of the existing board, for the continuation by or against the new board of any legal proceedings pending by or against the existing board, and for the dissolution, without winding up, of the existing board.
- In this paragraph the expression “new board” means the board administering the subsequent scheme, and the expression “existing board” means the board administering the scheme revoked.
- 7 The Ministry shall revoke a scheme
- (a) if an order is made for the winding up of the board administering the scheme; or
  - (b) if either House of Parliament passes a resolution under this Act for the revocation of the scheme.
- 8 The board administering a scheme shall not be deemed to be dissolved by reason only that the scheme has been revoked, or has ceased to have effect by virtue of this Act, and (except where the board is dissolved under paragraph 6) so much of the scheme as relates to the winding up of the board shall continue in force notwithstanding such revocation or cesser.

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