



Agricultural Marketing Act (Northern Ireland) 1964

1964 CHAPTER 13

EFFECT OF SCHEMES ON CONTRACTS

12 Effect of schemes on contracts.

- (1) Subject to subsection (2), a contract of which neither the making nor the performance was, at the time when the contract was made, prohibited by or under any scheme in force shall not, unless the terms of the contract otherwise provide, be void or unenforceable by reason that, at the time for the performance of any provision of the contract, the performance thereof is so prohibited.
- (2) Where the performance of any such contract as is referred to in subsection (1) is prohibited by or under any scheme in force, subsection (1) shall cease to apply to that contract upon the expiration of three months after the prohibition first takes effect, unless that contract is registered under section 13.
- (3) Where, in conformity with a scheme in force, any contract for the sale of the regulated product by a registered producer otherwise than to, or through the agency of, the board purports to confer on the board any right to receive from the purchaser the whole or any part of the purchase price payable under the contract or of any damages for which the purchaser may be liable in respect of a wrongful rejection of articles tendered in accordance with the contract, the board may enforce that right against the purchaser, notwithstanding that the board are not a party to the contract and notwithstanding that, as between the board and the purchaser, there is no consideration.
- (4) A person shall not be liable to any penalty in respect of a contravention of any scheme, if he proves that the contravention was necessary for the performance of a contract which, by reason of subsections (1) and (2), was not, at the time of the contravention void or unenforceable.

Changes to legislation:

There are currently no known outstanding effects for the Agricultural Marketing Act (Northern Ireland) 1964, Section 12.