

SCHEDULE

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

PART VI

MARKETING PROVISIONS AND PRINCIPAL POWERS OF THE BOARD

POWER TO REGULATE MARKETING

71.—(1) Subject to the provisions of sub-paragraph (2) of this paragraph, no registered producer shall sell any wool except through the agency of the Board, and the Board shall be entitled to receive the purchase price of all wool sold through their agency from the purchaser thereof.

(2) The Board may prescribe that registered producers or any class of registered producers shall sell wool or any description of wool only to the Board and if they so prescribe they may also (subject to the provisions of paragraph 72 of this Scheme) prescribe the terms on which such sales shall be made.

(3) Every registered producer shall comply with any directions of the Board as to the notice to be given to the Board of any wool for sale and as to the persons to whom and the places to which any wool for sale is to be delivered;

provided that the Board shall give due consideration to any application by registered producers (made upon such notice as the Board may require) as to the persons to whom or the places to which the wool is to be delivered.

(4) The Board may prescribe the manner in which wool for sale or any description or quantity thereof shall be adapted for sale, marked, packed, stored, transported or insured by registered producers.

(5) The Board may prescribe that no registered producer shall deliver any wool for sale or any description or quantity thereof except within such period after it is produced as the Board may prescribe, unless with the Board's consent. Any such consent may be given subject to such conditions, including payment of such charges not exceeding sixpence per pound as the Board shall think appropriate.

72.—(1) For the purposes of this paragraph, a “year” means a year beginning on the first day of May, and “duly tendered” means adapted for sale, marked, packed, stored, transported and insured in accordance with any prescriptions of the Board and notified and delivered in accordance with any directions of the Board.

(2) The Board shall accept for sale, or by way of sale, as the case may be, all wool duly tendered by any registered producer and shall sell the same at such time or times and in such manner and to or through such persons (including the Board) as the Board may think fit.

(3) If any wool shall be duly tendered by any registered producer but, by reason of any request or direction of the Board to that effect shall not have been duly tendered before the 1st September in the year of production, the Board shall pay to the registered producer interest, at such rate as the Board may prescribe, on the value of that wool from the said 1st September until delivery of the wool shall be permitted or directed by the Board.

(4) At or before the beginning of each year the Board shall publish a schedule of maximum prices at which wool of each class specified in that schedule will be valued for the purpose of the following sub-paragraphs.

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(5) As soon as practicable after any wool has been duly tendered by any registered producer or accepted for or by way of sale by the Board during the year the Board shall cause it to be valued having regard to the prescribed schedule of maximum prices and to the class or classes and the quality and condition of the wool and thereupon the Board shall notify the registered producer of the result of such valuation.

(6) The said valuation shall be conclusive as to the value of the wool unless within ten days after the receipt of the said notification the registered producer shall give notice of appeal against the valuation in such manner as the Board may prescribe, and in that case the matter shall be referred to a tribunal constituted in the manner described in paragraph 91 of this Scheme. The Tribunal shall thereupon decide the value and this decision shall be conclusive as to the value of the wool.

(7) When the value of the wool is finally decided the Board shall pay that amount to the producer.

(8) Subject to the provisions of any financial arrangement made with His Majesty's Government, the Board may if they think fit, pay to registered producers any supplementary sums for wool duly tendered during the year.

(9) The Board may deduct from and retain out of any sum payable to any registered producer any moneys due to the Board from that registered producer.

(10) The Board shall not be liable to account to any registered producer for the price of any wool except in accordance with the foregoing provisions of this paragraph, but subject to the provisions of any financial arrangement made with His Majesty's Government any sums received from the sale of wool remaining in the hands of the Board, after payment to registered producers of the amounts aforesaid and after payment of the Board's expenses and provision of any reserves deemed necessary by the Board, shall be taken into account by the Board in fixing the schedule of maximum prices for the following year.