
Status: Point in time view as at 01/01/2006.

Changes to legislation: The Agricultural Marketing (Northern Ireland) Order 1982, Cross Heading: Special provisions as to Milk Marketing Board is up to date with all changes known to be in force on or before 08 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

STATUTORY INSTRUMENTS

1982 No. 1080

The Agricultural Marketing (Northern Ireland) Order 1982

PART II

AGRICULTURAL MARKETING SCHEMES

Special provisions as to Milk Marketing Board

Power to sell other products by retail delivery

25^{F1}. Subject to the approval of the Department, a scheme administered by the Milk Marketing Board for Northern Ireland may provide for empowering the Board to sell by retail delivery to domestic consumers in addition to milk such other products as may, in the opinion of the Board, conveniently be sold with milk.

F1 mod. by [1984 NI 12](#), SR 1995/103

Poll pursuant to Council Regulations (EEC) No. 1422/78

26^{F2}.—(1) If not less than 10 producers, not being disqualified producers, comprising at least 1 per cent. of the producers who sell milk to the Milk Marketing Board for Northern Ireland so request, the Board shall cause a poll to be taken in accordance with the relevant polling rules on the question specified in Article 2(2) of Council Regulation (EEC) No. 1422/78^{F3} (that is, whether the voter agrees to the Board's carrying on the activities and exercising the rights resulting from the Regulation) except where it is precluded from giving effect to the request by Article 3(2) of that Regulation.

(2) In this Article—
“disqualified producers” means producers who are disqualified from requesting or taking part in a poll on the question referred to in this Article by Article 3 (1) of the Regulation referred to in this Article; and “relevant polling rules” means, in addition to the rules in Article 2 of that Regulation, such rules in the scheme administered by the Board as relate to a poll on the question referred to in this Article.

(3) The Board shall as soon as may be inform the Department of—

- (a) any valid request for a poll under this Article, and
- (b) the results of any such poll.

F2 mod. by [1984 NI 12](#), SR 1995/103

F3 OJL 171, 28.6.78, p. 14

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Transitional provisions—the Milk Marketing Board for Northern Ireland

27^{F4}.—(1) The Milk Marketing Board for Northern Ireland shall, within the period of one year beginning with the date on which this Order is made, prepare and submit to the Department a milk marketing scheme.

(2) The Department, after consultation with the Milk Marketing Board for Northern Ireland and with representatives of any other interests appearing to the Department to be directly affected by the scheme, may make such modifications in a scheme submitted under paragraph (1) as it thinks proper.

(3) The Department shall make an order approving the scheme submitted to it under paragraph (1) (or that scheme as modified under paragraph (2), as the case may be).

(4) A scheme under this Article shall provide—

- (a) that the Milk Marketing Board for Northern Ireland shall continue in existence as constituted under the scheme;
- (b) that a person who immediately before the date on which the scheme comes into force is registered as a producer under the Milk Marketing Scheme (Northern Ireland) 1955^{F5} shall on that date be registered as a producer under the scheme;
- (c) for such other transitional provisions as appear to the Board or the Department (as the case may be) to be necessary or expedient in the circumstances.

(5) A scheme approved by an order under paragraph (3)—

- (a) shall come into force on such date as may be specified in the order;
- (b) shall, for the purposes of this Part, be treated as a substitutional scheme;
- (c) shall, for the purposes of this Part, have effect as if approved by an order under Article 4(6) and as if all the requirements of Articles 3 and 4(1) to (7) had been duly complied with.

(6) If the Milk Marketing Board for Northern Ireland does not comply with paragraph (1) within the period mentioned in that paragraph, the Department may by order revoke the Milk Marketing Scheme (Northern Ireland) 1955.

(7) In this Article—

“the Milk Marketing Board for Northern Ireland” means the Milk Marketing Board for Northern Ireland constituted under the Milk Marketing Scheme (Northern Ireland) 1955;

“milk marketing scheme” means a scheme for regulating the marketing of cows' milk.

F4 mod. by [1984 NI 12](#), SR 1995/103

F5 SR & O (NI) [1955 No. 43](#)

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