

1990 No. 268

AGRICULTURE

**Agricultural Marketing (Committee of Investigation)
(Amendment) Regulations (Northern Ireland) 1990**

Made 19th July 1990

Coming into operation 30th August 1990

The Department of Agriculture, in exercise of the powers conferred on it by Article 21(5) of the Agricultural Marketing (Northern Ireland) Order 1982(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Agricultural Marketing (Committee of Investigation) (Amendment) Regulations (Northern Ireland) 1990 and shall come into operation on 30th August 1990.

(2) In these Regulations “the principal Regulations” means the Agricultural Marketing (Committee of Investigation) Regulations (Northern Ireland) 1984(b).

Amendment of the principal Regulations

2.—(1) In regulation 2 of the principal Regulations—

(a) for the definition of “complaint” there shall be substituted the following definition:—

“ “complaint” means a complaint to the Department as to the operation of any scheme which, in the opinion of the Head of the Department, could not be considered by the Council under Article 7 of the Order of 1984;”;

(b) after the definition of “complaint” there shall be inserted the following definition:—

“ “Council” means the General Consumer Council for Northern Ireland established under Article 3 of the Order of 1984;”;

(c) at the end of the definition of “the Order” for the full stop there shall be substituted “;” and after that definition there shall be added the following definitions:—

(a) S.I. 1982/1080 (N.I. 12) as amended by S.I. 1984/1822 (N.I. 12) Art 7(6) and Sch. 2 Pt III
(b) S.R. 1984 No. 133

“the Order of 1984” means the General Consumer Council (Northern Ireland) Order 1984(a); and

“report” means a report made by the Council under Article 7 of the Order of 1984.”

(2) In the Schedule to the principal Regulations—

- (a) in paragraphs 1(c), 2, 3 and 12 after the word “complainant” there shall be inserted the words “or the Council, as appropriate”;
- (b) in paragraphs 3 and 4 for the words “the representations referred to” there shall be substituted “representations as referred to”;
- (c) in paragraph 4 after the word “complainant” there shall be inserted the words “or the Council”; and
- (d) in paragraph 5 after the word “complaint” there shall be inserted “or report, as the case may be”.

Sealed with the Official Seal of the Department of Agriculture on 19th July 1990.

(L.S.)

L. Sinclair

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Under Article 21(1) of the Agricultural Marketing (Northern Ireland) Order 1982 ("the Order of 1982"), as amended, a committee of investigation appointed by the Head of the Department of Agriculture ("the Department") may consider and report to him on—

- (a) a report made by the General Consumer Council for Northern Ireland ("the Council") under Article 7 of the General Consumer Council (Northern Ireland) Order 1984; or
- (b) a complaint made to the Department, as to the operation of an agricultural marketing scheme which is for the time being in force under Part II of the Order of 1982. This includes the Milk Marketing Scheme (Northern Ireland) 1989 which came into operation on 1st April 1989.

The Agricultural Marketing (Committee of Investigation) Regulations (Northern Ireland) 1984 ("the principal Regulations") provide for certain matters relating to such a committee where a complaint made to the Department has been referred to it. These include provision for the distribution of the terms of reference, submission and exchange of written representations and the right of certain parties to be heard and submit evidence. These Regulations amend these provisions in the principal Regulations to take account of a referral to a committee of investigation of a report made by the Council.

The Regulations also effect minor drafting amendments to the principal Regulations.