

1962. No. 162

[C]

## AGRICULTURAL MARKETING

## Milk

ORDER, DATED 27TH DAY OF AUGUST, 1962, MADE BY THE MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND UNDER SECTION 1(4) OF THE AGRICULTURAL MARKETING ACT (NORTHERN IRELAND), 1933(a).

The Ministry of Agriculture for Northern Ireland, after such consultation as is required and in exercise of the powers conferred by sub-section (4) of Section 1 of the Agricultural Marketing Act (Northern Ireland), 1933, hereby makes the following Order:—

*Citation and Commencement*

1. This Order may be cited as the Milk Marketing Scheme (Northern Ireland) (Amendment No. 7) Order, 1962, and shall come into operation on the 1st day of September, 1962.

*Amendments to the Milk Marketing Scheme*

2. The Milk Marketing Scheme (Northern Ireland), 1955, as approved by the Milk Marketing Scheme (Northern Ireland) (Approval) Order, 1955(b), shall be amended as follows:—

(1) For Part IX thereof the following Part shall be substituted:—

## “PART IX

## CONSULTATION WITH BUYERS REPRESENTATIVES

36.—(1) The Board shall set up a committee (hereinafter called “the Joint Committee”) which shall consist of members appointed by the Board and members appointed by the body established by buyers of milk and commonly known as the Northern Ireland Milk Alliance; provided that, if in the opinion of the Board (after consultation with the Minister) that body has ceased to exist or has ceased to represent the views of buyers of milk, such last mentioned members shall be appointed by such other body or bodies as appear to the Board, after consultation with the Minister, to represent for the time being, the views of buyers of milk otherwise than by retail.

(2) The Joint Committee may appoint a sub-committee of its members and such sub-committee, if the Joint Committee so agrees, may consider any questions referred to the Joint Committee.

(3) The Board in relation to the sale of milk by wholesale (save in the case of sale by wholesale to sub-distributors) shall consult the Joint Committee:—

(a) as to the description of milk which shall be sold by the Board; as to the times of delivery at buyers’ premises of milk sold by the Board under the terms of the Board/Buyer contract, and as to the terms on which milk shall be sold by the Board, including the prices thereof; the amounts of any allowances to be made to the

(a) 23 & 24 Geo. 5, c. 22 (N.I.).

(b) S.R. & O. (N.I.) 1955, No. 43.

buyers; the classes of persons and premises to whom or in respect of which such allowances are to be made and the conditions on which such allowances are to be made;

- (b) before prescribing any of the following matters:—  
the description of milk and the prices at, below or above which, and the terms and the form of contract on which the Board may sell milk under this Scheme;
- (c) as to—  
(i) the allocation of supplies of milk between the milk industry other than the Board, and the Board;  
(ii) the allocation of supplies of milk between the liquid and manufacturing market; and  
(iii) the allocation of supplies of milk for the manufacture of butter.

Provided that the Board shall not be required to consult the Joint Committee on the quantity of milk sold or to be sold to individual buyers of milk.

(4) The Board shall consult the Joint Committee on any proposal by the Board to sell milk by retail, semi-retail or wholesale to sub-distributors for human consumption in liquid form other than the sale of milk in a catering establishment for consumption on the premises provided that where such proposal involves the acquisition of any business engaged in the sale of milk by retail, semi-retail or wholesale to sub-distributors, the Board shall not be required to disclose the name of the business or the terms on which they propose to acquire it.

(5) The Board shall consult the Joint Committee on any proposal by the Board to enter the manufacture of any milk product other than butter, skim milk, skim milk powder, buttermilk, buttermilk powder, fresh cream and dairy ice-cream, provided that if such proposal involves the acquisition of any business the Board shall not be required to disclose the name of the business or the terms on which they propose to acquire it.

(6) The Northern Ireland Milk Alliance may refer to the Board questions relating to the prices and terms on which milk and fresh cream are sold by the Board by wholesale to sub-distributors, semi-retail and retail for human consumption in liquid form and questions relating to the allocation of supplies of milk for the manufacture of various milk products. On any such reference being made the Board shall, if the question cannot otherwise be resolved, consult the Joint Committee on the matter contained in the reference.

(7) The Board may consult the Joint Committee on any matter of mutual interest to the Board and the Northern Ireland Milk Alliance.

(8) All questions to be decided by the Committee shall be decided by resolution upon which the members appointed by the Board and the members appointed by the Northern Ireland Milk Alliance, or other body or bodies as aforesaid, shall each collectively have one vote. The Committee shall not be taken to have agreed unless both such votes shall have been cast in the same direction.

(9) If the Joint Committee are unable to agree on any matter on which the Board are required to consult them as aforesaid, then the Board shall consult the Minister of Agriculture for Northern Ireland."

(2) A new Part X, paragraph 37 shall be inserted therein as follows:—

“PART X

CONSULTATION WITH THE FEDERATION OF PRODUCER CO-OPERATIVE CREAMERIES

37.—(1) Notwithstanding the provisions of paragraph 36(1) above, the Board shall set up a Committee to provide for consultation between the Board and the Federation of Producer Co-operative Creameries on matters concerning the purchase of milk by Producer Co-operative Creameries. The Committee shall be known as the Consultative Committee on Producer Co-operative Creameries.

(2) The Committee shall be composed of members representing the Board and the Federation of Producer Co-operative Creameries.

(3) The Board shall consult the Committee on questions relating to the purchase of milk by Producer Co-operative Creameries.

(4) The Board may consult the Committee on any matter of mutual interest to the Board and the Federation of Producer Co-operative Creameries.”

(3) Parts X to XV thereof shall respectively be re-numbered Parts XI to XVI.

(4) Paragraphs 37 to 46 thereof shall respectively be re-numbered paragraphs 38 to 47.

(5) In sub-paragraph (6) of paragraph 38 of Part XI thereof, as re-numbered by this Order, after the words “Milk Alliance” there shall be inserted the words “members of the Federation of Producer Co-operative Creameries”.

(6) In sub-paragraph (2) of paragraph 39 of Part XII thereof, as re-numbered by this Order, after the words “Milk Alliance” there shall be inserted the words “members of the Federation of Producer Co-operative Creameries”.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 27th day of August, nineteen hundred and sixty-two.

(L.S.)

W. A. V. Sanderson,  
Assistant Secretary.

EXPLANATORY NOTE

*(This note does not form part of the Order but is intended to indicate its general purport.)*

This Order makes some changes in the procedure for consultation between the Milk Marketing Board and the representatives of the buyers of milk.

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As this Order has been classified as local it is not printed at length in this volume. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading URBAN DRAINAGE.