

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Cereals Marketing Act 1965 (repealed), SCHEDULE 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

PROVISIONS AS TO HOME-GROWN CEREALS AUTHORITY

- 1 The Authority shall be a body corporate with perpetual succession and a common seal.
- 2 (1) It shall be within the capacity of the Authority as a statutory corporation to do such things and to enter into such transactions as are incidental or conducive to the performance of any of their functions.
(2) Without prejudice to the generality of the preceding sub-paragraph, where in the performance of any of their functions the Authority render any services to any person they may make such charges in respect of those services as may be agreed between the Authority and that person.
- 3 For the purposes of the [^{F1}Restrictive Trade Practices Act 1976], the definition of “trade association” in [^{F1}section 43(1)] of that Act shall be construed as not including the Authority.

Textual Amendments

F1 Words substituted with saving by [Restrictive Trade Practices Act 1976 \(c. 34, SIF 124:1\)](#), s. 44, [Sch. 5](#)

Marginal Citations

M1 [1976 c. 34\(124:1\)](#).

- 4 The validity of any proceedings of the Authority shall not be affected by any vacancy among the members of the Authority or by any defect in the appointment of any of the members of the Authority.
- 5 (1) Subject to the following provisions of this paragraph, a member of the Authority, and the chairman and deputy chairman, shall hold and vacate office as such in accordance with the terms of his appointment.
(2) If the chairman or deputy chairman ceases to be a member of the Authority, he shall also cease to be chairman or deputy chairman.
(3) A member of the Authority may at any time, by notice in writing addressed to the secretary of the Authority, resign his membership, [^{F2}and in a case where there is another person eligible to be appointed as chairman, the chairman, and the deputy chairman] may, by the like notice, resign his office as such.

Textual Amendments

F2 Words substituted by [Agriculture Act 1986 \(c. 49, SIF 2:1\)](#), [Sch. 3 para. 2\(d\)](#)

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- 6 (1) A member of the Authority shall, if he is in any way directly or indirectly interested in a contract made or proposed to be made by the Authority, disclose the nature of his interest at a meeting of the Authority as soon as possible after the relevant circumstances have come to his knowledge.
- (2) Any disclosure made by a member under the preceding sub-paragraph shall be recorded in the minutes of the Authority, and that member shall not take part after the disclosure in any deliberation or decision of the Authority with respect to that contract, but may, nevertheless, be taken into account for the purpose of constituting a quorum of the Authority.
- 7 In the case of an equality of votes at any meeting of the Authority, the person who is chairman at that meeting shall have a second or casting vote.
- 8 Subject to paragraphs 6 and 7 of this Schedule, the Authority may determine their own quorum and procedure and the quorum and procedure of any committee of the Authority.
- 9 (1) The Authority may appoint a secretary and such other officers and such servants as the Authority may determine.
- (2) The Authority shall—
- (a) pay to their officers and servants such remuneration and such travelling or other allowances as they may determine, and
- (b) as to any officers or servants in whose case the Authority may determine to do so, pay to or in respect of them such pensions and gratuities, or provide and maintain for them such pension schemes (whether contributory or not), as the Authority may with the approval of the Ministers determine.
- 10 (1) [^{F3}Subject to sub-paragraph (1A) below,] the Authority may appoint such advisory committees as they think fit, to consider such matters with which the Authority are concerned as the Authority may determine and to report on those matters to the Authority; and any such committee may include persons who are not members of the Authority.
- [^{F4}(1A) The Authority shall appoint a committee to determine programmes for and report on research and development in connection with home-grown cereals and shall, if the Ministers so direct, appoint a committee to determine programmes for and report on the encouragement of the marketing of such cereals.
- (1B) Different committees may be appointed under this paragraph in respect of different kinds of cereals.]
- (2) The Authority may pay to members of any such committee, who are not members of the Authority, such allowances as the Ministers may, with the approval of the Treasury, determine.

Textual Amendments

F3 Words inserted by [Agriculture Act 1986 \(c. 49, SIF 2:1\)](#), **s. 4(6)(a)**

F4 Sub-para. (1A)(1B) inserted by [Agriculture Act 1986 \(c. 49, SIF 2:1\)](#), **s. 4(6)(b)**

Modifications etc. (not altering text)

C1 [Sch. 1 para. 10\(2\)](#) continued (1.7.1999) by [S.I. 1999/672, art. 2](#), **Sch. 1**

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11 The application of the seal of the Authority shall be authenticated by the signatures of two members of the Authority and of the secretary of the Authority or some other person authorised by the Authority to do so in his place.

12 F5

Textual Amendments

F5 Sch. 1 para. 12 repealed so far as applying in relation to disqualification for membership of the House of Commons by [House of Commons Disqualification Act 1975 \(c. 24, SIF 89\)](#), s. 10(2), **Sch. 3** and repealed so far as applying in relation to disqualification from membership of the Northern Ireland Assembly by [Northern Ireland Assembly Disqualification Act 1975 \(c. 25, SIF 29:3\)](#), s. 5(2), **Sch. 3 Pt. I**

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