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## SCHEDULES

### SCHEDULE 1

#### THE MEAT AND LIVESTOCK COMMISSION

##### PART I

##### FUNCTIONS

- 1 (1) Promoting greater efficiency in the production of livestock by any means, including those in paragraphs 2 to 6 below, but subject to the exception in sub-paragraph (2) of this paragraph.
- (2) In performing their functions under this paragraph and paragraphs 2 to 5 below the Commission shall not concern themselves
  - (a) with the production of milk or milk products or fleece wool, or
  - (b) with the production of dairy cattle,except so far as matters within paragraphs (a) and (b) above are related to matters (such as the meat-producing characteristics of cattle) which are the Commission's concern, or so far as the Commission concern themselves with matters within paragraphs (a) and (b) above in assisting any Board or other person connected with those matters.
- 2 Promoting or undertaking arrangements for assessing the breeding qualities of livestock and the management of herds and flocks to which they belong on the basis of information derived from the keeping of records.
- 3 Promoting or undertaking performance testing, and progeny testing, of livestock, and acquiring and maintaining establishments where such testing may be carried out (whether by the Commission or by any person on their behalf).
- 4 Promoting or undertaking provision of services of artificial insemination of livestock.
- 5 Maintaining and publishing registers of cattle and pig herds and sheep flocks appearing to the Commission to be efficiently managed and to conform to the standards specified by the Commission.
- 6 Promoting the use for breeding purposes of sires of a quality approved by the Commission.
- 7 (1) Giving advice and information to the Central Council for Agricultural and Horticultural Co-operation—
  - (a) on matters relating to the commercial and technical aspects of livestock production and marketing, and
  - (b) for the purpose of assisting the Council in deciding whether to make grants in aid of co-operative activities in livestock production and marketing.

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- (2) Giving advice and information to livestock producers on the commercial and technical aspects of introducing and developing co-operative arrangements for the production and marketing of livestock.
- 8 (1) Advising on suitable and fair terms (other than financial terms) of contracts for the sale of livestock and meat, and preparing model or standard terms for inclusion in such contracts.
- (2) Giving advice and information to assist buyers and sellers of livestock and meat to make bargains and do business.
- 9 (1) Giving advice and information to those owning, conducting or using livestock auction markets on the efficient lay-out, design and operation of such markets, including in particular efficient methods of handling and penning livestock, and generally on matters conducive to efficiency.
- (2) Compiling standard codes of practice for any of the activities connected with livestock auction markets with a view to their efficient and equitable operation.
- 10 (1) Giving advice and information to those owning, conducting or using slaughterhouses—
- (a) on the efficient lay-out, design and operation of slaughterhouses and premises and appliances used in connection with slaughterhouses, and
- (b) on efficient techniques of slaughtering of livestock and of dressing carcasses, and generally on matters conducive to efficiency.
- (2) Giving to the Ministers advice and information on any matters connected with slaughterhouses for the purpose of assisting the Ministers to discharge any of their functions, and in particular their functions relating to the licensing of slaughterhouses and to slaughtering charges made at public slaughterhouses.
- [<sup>F1</sup>10A Functions under [<sup>F2</sup>regulation 10 of the Beef Carcase (Classification) Regulations 1991 (undertaking of classification etc of certain carcasses)] [<sup>F2</sup>regulation 9 of the Beef Carcase (Classification) (England) Regulations 2004 (classifications by the MLC)]. ]

#### Textual Amendments

- F1** Sch. 1 Pt. 1 para. 10A inserted (31.10.1991) by [The Beef Carcase \(Classification\) Regulations 1991 \(S.I. 1991/2242\)](#), regs. 1(a), **10(12)**
- F2** Words in Sch. 1 para. 10A substituted (E.) (7.6.2004) by [Beef Carcase \(Classification\) \(England\) Regulations 2004 \(S.I. 2004/1317\)](#), art. 1(1)**reg. 15**

- 11 (1) Disseminating in the livestock industry and livestock products industry information about, and advice based on information about—
- (a) the supplies of, and demand and market prices paid for, livestock and livestock products, whether produced in Great Britain or elsewhere, and
- (b) market situations and future supply, demand and market prices.
- (2) For that purpose—
- (a) undertaking the collection of information to supplement that available from official sources about supplies of, and demand and market prices paid for, livestock and livestock products and,

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- (b) collating, analysing and interpreting official and other information on those subjects.
- 12 Giving advice and information to the Ministers about current and prospective supplies of livestock and livestock products from all sources.
- 13 Promoting or undertaking investigations and research as to—
- (a) the production, marketing and distribution of livestock,
  - (b) the production, processing, manufacture, marketing and distribution of livestock products,
  - (c) the demand (whether in Great Britain or elsewhere) for livestock and livestock products and connected matters, including prices paid for livestock and livestock products,
- and disseminating in the livestock industry and the livestock products industry information about, and advice based on, the results of the investigations and research.
- 14 Collecting the results of investigations and research carried out on any matters relating to the livestock industry or the livestock products industry and disseminating in those industries information about, and advice based on, the results of the investigations and research.
- 15 Promoting or undertaking arrangements for advertising the merits, and increasing the sales (whether in Great Britain or elsewhere), of livestock and livestock products produced in Great Britain.
- 16 Disseminating information and advice useful to consumers of livestock products, and in particular information as to their availability, use, identification and choice.
- 17 (1) In sections of the livestock industry or livestock products industry for which no industrial training board has been established, encouraging and promoting the training of employees.
- (2) Co-operating with the industrial training board for any other section of either industry in the improvement of the training of employees in that section of the industry.
- 18 Accepting, whether as a trustee or otherwise, responsibility for carrying out any trust for purposes connected with the Commission's functions or the intentions of any person making a gift or bequest for any of those purposes.
- 19 Giving financial assistance to any person in order to achieve the objects of the Commission.
- 20 Making available to persons concerned, in a form which does not disclose anything concerning the private affairs of particular persons or undertakings, any information on matters with which the Commission are concerned in the performance of any of their functions, and in particular information collected by the Commission in the performance of their functions.
- 21 Any functions incidental or ancillary to any of the functions specified above in this Part of this Schedule.
- 22 The Commission may engage in any form of collaboration or co-operation with other persons in performing any of their functions, and shall enter into such consultations with other authorities and persons as appear to them required to ensure that duplication of research, advisory services and other activities is avoided so far as practicable.

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## PART II THE COMMISSION

- 1 The Commission shall be a body corporate with perpetual succession and a common seal.
- 2 (1) It shall be within the capacity of the Commission 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 sub-paragraph (1) above—
- (a) where in the performance of any of their functions the Commission render any services to any person, they may make such charges in respect of those services as may be agreed between the Commission and that person, and
- (b) the Commission may borrow money and pledge, mortgage or charge any of their property (including the proceeds of the charges imposed under a levy scheme).
- (3) The Commission may, with the consent of the Ministers, delegate any functions conferred on them by Part I of this Act, or a scheme or order under Part I of this Act, but, in the case of a development scheme, only so far as the development scheme so provides.

### Modifications etc. (not altering text)

**C1** Sch. 1 Pt. II para. 2(3) modified (23.10.2002) by The Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) Order 1999 (S.I. 1999/1747), Sch. 16 Pt. IV para. 7(2) (as inserted by The Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) (Amendment) Order 2002 (S.I. 2002/2636), **art. 3(c)**)

- 3 The validity of any proceedings of the Commission shall not be affected by any vacancy among the members of the Commission or by any defect in the appointment or any disqualification of any of the members of the Commission.

### Modifications etc. (not altering text)

**C2** Sch. 1 pt. II para. 3 extended (14.3.2001) by S.I. 2001/935, **art. 2, para. 12** of Scheme

- 4 (1) Subject to the following provisions of this paragraph, a member of the Commission and the chairman and deputy chairman shall hold and vacate office as such in accordance with the terms of his appointment, and previous tenure of any such office shall not affect eligibility for re-appointment.
- (2) If the chairman or deputy chairman ceases to be a member of the Commission, he shall also cease to be chairman or deputy chairman.
- (3) A member of the Commission may at any time, by notice in writing addressed to the Ministers or either of them, resign his membership, and the chairman or deputy chairman may, by the like notice, resign his office as such.

### Modifications etc. (not altering text)

**C3** Sch. 1 pt. II para. 4(1)(2) extended (14.3.2001) by S.I. 2001/935, **art. 2, para. 12** of Scheme

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- 5 (1) A member of the Commission shall, if he is in any way directly or indirectly interested in a contract made or proposed to be made by the Commission, disclose the nature of his interest at a meeting of the Commission as soon as possible after the relevant circumstances have come to his knowledge.
- (2) Any disclosure made by a member under the foregoing subparagraph shall be recorded in the minutes of the Commission, and that member shall not take part after the disclosure in any deliberation or decision of the Commission with respect to that contract, but may, nevertheless, be taken into account for the purpose of constituting a quorum of the Commission.

**Modifications etc. (not altering text)**

C4 Sch. 1 pt. II para. 5 extended (14.3.2001) by S.I. 2001/935, art. 2, para. 12 of Scheme

- 6 In the case of an equality of votes at any meeting of the Commission, the person who is chairman at that meeting shall have a second or casting vote.

**Modifications etc. (not altering text)**

C5 Sch. 1 pt. II para. 6 extended (14.3.2001) by S.I. 2001/935, art. 2, para. 12 of Scheme

- 7 (1) Subject to paragraphs 5 and 6 of this Part of this Schedule, the Commission may determine their own quorum and procedure and the quorum and procedure of any committee of the Commission.
- (2) Subject to Part III of this Schedule, this paragraph applies in relation to . . . <sup>F3</sup>the Consumers Committee as it applies in relation to any committee set up by the Commission.

**Textual Amendments**

F3 Words repealed by Agriculture (Miscellaneous Provisions) Act 1976 (c. 55), Sch. 4 Pt. II

**Modifications etc. (not altering text)**

C6 Sch. 1 pt. II para. 7(1) extended (14.3.2001) by S.I. 2001/935, art. 2, para. 12 of Scheme

- 8 (1) The Commission may appoint such officers and servants as the Commission may determine
- (2) The Commission 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 Commission may determine to do so, pay to or in respect of them such pensions, or provide and maintain for them such pension schemes, as the Commission may . . . <sup>F4</sup>determine.

**Textual Amendments**

F4 Words repealed by Superannuation Act 1972 (c. 11), s. 29(4), Sch. 8

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- 9 (1) It shall be the duty of the Commission, except in so far as the Commission are satisfied that adequate machinery exists for achieving the purposes of this paragraph, to seek consultation with any organisation appearing to the Commission to be appropriate with a view to the conclusion between the Commission and that organisation of such agreements as appear to the parties to be desirable with respect to the establishment and maintenance of machinery for—
- (a) the settlement by negotiation of terms and conditions of employment of persons employed by the Commission, with provision for reference to arbitration in default of such settlement in such cases as may be determined by or under the agreements, and
  - (b) the promotion and encouragement of measures affecting the safety, health and welfare of persons employed by the Commission and the discussion of other matters of mutual interest to the Commission and such persons, including efficiency in the discharge of the Commission's functions.
- (2) The Commission shall send to the Ministers and to [<sup>F5</sup>the Secretary of State for Employment] a copy of any agreement concluded in pursuance of this paragraph, and of any instrument varying the terms of any such agreement.

**Textual Amendments**

**F5** Words substituted by virtue of [S.I. 1968/729](#), [arts. 2,3\(2\)](#) and 1970/1537, art. 3

- 10 The application of the seal of the Commission shall be authenticated by the signatures of two members of the Commission and of the chief officer of the Commission or some other person authorised by the Commission to do so in his place.

**[<sup>F6</sup>PART IIA]**

CLASSES OF PERSONS FOR PURPOSES OF SECTION 1A

**Textual Amendments**

**F6** [Sch. 1 Pt. IIA](#) inserted by [Agriculture \(Miscellaneous Provisions\) Act 1976 \(c. 55\)](#), [s. 3\(3\)](#)

Cattle, pig and sheep producers.

Persons employed in livestock production.

Livestock traders.

Livestock auctioneers.

Local authorities operating slaughterhouses and livestock and meat markets.

Persons engaged in animal by-products trades.

Wholesalers of meat and importers of meat (excluding bacon).

Producers of bacon and other edible livestock products except meat.

Retailers of meat and other edible livestock products.

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Persons employed in the marketing and distribution of livestock or the production, processing, manufacture, marketing and distribution of livestock products.

### [<sup>F7</sup>PART III]

#### THE COMMISSION'S COMMITTEES

##### Textual Amendments

- F7** Sch. 1 Pt. III substituted with saving by Agriculture (Miscellaneous Provisions) Act 1976 (c. 55), s. 3(4), Sch. 1 para. 4

##### *The Consumers Committee*

- 1 (1) The Consumers Committee shall consist of a chairman appointed by the Ministers and six other members.
- (2) The chairman of the Committee shall be a member of the Commission, and the six other members shall be persons appointed by the Ministers as capable of representing the interests of the consumers.
- (3) If the chairman of the Committee ceases to be a member of the Commission, he shall also cease to be the chairman, and a member, of the Committee.

##### *Payment of members of committees*

- 2 The Commission—
- (a) may pay to members of the Consumers Committee and any other of the Commission's committees such remuneration as they may, with the consent of the Ministers given with the approval of the Minister for the Civil Service, determine; and
- (b) shall pay to members of any of those committees such travelling and other allowances as the Ministers may, with the approval of the Minister for the Civil Service, determine.

##### *Procedure*

- 3 Paragraphs 3, 4 and 5 of Part II of this Schedule shall apply in relation to the Consumers Committee, and paragraphs 3, 4(1) and (2) and 5 of the said Part II shall apply in relation to any other of the Commission's committees, as they apply in relation to the Commission.

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