



Sea Fish Industry Act 1970

1970 CHAPTER 11

PART II

HERRING INDUSTRY

Herring Industry Schemes

31 Schemes for reorganisation, development and regulation of the herring industry

- (1) The Ministers may by order make a scheme with a view to effecting or better effecting the reorganisation, development and regulation of the herring industry, and any scheme so made may contain any provisions which the Ministers in their discretion think expedient with a view to effecting or better effecting those purposes.
- (2) Any such scheme may confer on the Board powers for all or any of the purposes mentioned in Part I of Schedule 5 to this Act, but nothing in the said Part I shall be construed as limiting the provisions that may be contained in any such scheme and in particular as limiting the powers that may be conferred on the Board by any such scheme to purchase herring or to fix prices of herring or products of herring.
- (3) The provisions of Part II of Schedule 5 to this Act shall have effect with respect to the making of any such scheme.
- (4) If it appears to the Ministers, after consultation with the Board, that any such scheme ought to be revoked (otherwise than for the purpose of being replaced by a new scheme) they may by order revoke that scheme and provide for the winding up of the Board, but an order shall not be made under this subsection unless a draft thereof has been laid before Parliament and approved by resolution of each House.

32 Consumers' committee and committee of investigation

- (1) The Ministers shall appoint a consumers' committee and a committee of investigation.
- (2) A consumers' committee shall—

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- (a) consist of a chairman and of not less than six other members, who shall be such persons as appear to the Ministers, after consultation with the Board of Trade and, as to one member, with the Co-operative Union, to represent the interests of the consumers of herring and their products ; and
 - (b) be charged with the duty of considering and reporting to the Ministers on—
 - (i) the effect of any scheme in force under this Part of this Act on consumers of herring and their products; and
 - (ii) any complaint made to the committee as to the effect of a scheme in force under this Part of this Act on consumers of herring and their products.
- (3) A committee of investigation shall—
 - (a) consist of a chairman and four other members, and
 - (b) be charged with the duty, if the Ministers in any case so direct, of considering and reporting to the Ministers on any report made by a consumers' committee and any complaint made to the Ministers as to the operation of a scheme in force under this Part of this Act which, in the opinion of the Ministers, could not be considered by a consumers' committee under subsection (2) above.
- (4) For the purpose of enabling a consumers' committee or a committee of investigation to consider any matter which it is their duty to consider, the Board shall furnish the committee with such accounts and other information relating to the affairs of the Board as the committee may reasonably require, and shall be entitled to make representations to the committee with respect to the matter in such manner as may be prescribed by regulations made by the Ministers under subsection (9) below with respect to the procedure of the committee.
- (5) If a committee of investigation reports to the Ministers that any provision of a scheme in force under this Part of this Act, or any act or omission of the Board, is contrary to the interests of consumers of herring and their products, or is contrary to the interests of any person affected by the scheme, and is not in the public interest, the Ministers shall consider the report with a view to making such amendments in the scheme as they consider necessary or expedient for the purpose of rectifying the matter or to revoking the scheme; and in the event of the matter being one which it is within the power of the Board to rectify, may by order direct the Board to take such steps to rectify the matter as may be specified in the order, and thereupon it shall be the duty of the Board forthwith to comply with the order.
- (6) In considering for the purpose of this section whether any person represents the interests of consumers of herring and their products or whether any provision of a scheme in force under this Part of this Act or any act or omission of the Board is contrary to the interests of consumers of herring and their products, regard shall be had to the interests of persons who purchase herring and their products for their own consumption or use and not to the interests of persons who purchase herring and their products for the purpose of any trade or industry carried on by them.
- (7) The Ministers may appoint a secretary to a committee and a committee may employ such officers, agents and servants as the Ministers may, with the approval of the Minister for the Civil Service, determine.
- (8) The chairman and other members of a committee shall be appointed by the Ministers for such period and subject to such conditions as may be determined by them, and the meetings, quorum and procedure of a committee shall be regulated in accordance with

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regulations made by the Ministers for the purpose, and a committee shall have power to act notwithstanding any vacancy among the members thereof.

- (9) Orders and regulations made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (10) In this section " products " has the same meaning as in Part I of this Act.