



Hops Marketing Act 1982

1982 CHAPTER 5

2 Succession to rights etc. of Hops Marketing Board.

- (1) The Hops Marketing Board (in this Act referred to as " the Board") shall cause a poll of the producers registered under the Scheme to be taken on the question whether the property, rights and liabilities of the Board should on the appointed day be transferred to such person or persons respectively as may be specified by the Board in the voting paper for the poll.
- (2) If—
 - (a) the result of the poll under subsection (1) above shows that the requisite majority of registered producers is in favour of the proposal that the property, rights and liabilities of the Board should be transferred as mentioned in that subsection; and
 - (b) at any time before the appointed day a resolution is passed by the Board incorporating the terms of that proposal and confirming the Board's approval of it,the property, rights and liabilities of the Board shall on that day and by virtue of this Act become the property, rights and liabilities of such person or persons respectively as are specified in the resolution.
- (3) In subsection (2)(a) above " the requisite majority " means a majority comprising—
 - (a) not less than two-thirds of the total number of registered producers voting on the poll; and
 - (b) such number of registered producers as are together capable of producing not less than two-thirds of the quantity of hops produced in England which all the registered producers voting on the poll are together capable of producing.
- (4) Paragraphs 25(b), 25A to 29 and 79 of, and the First Schedule to, the Scheme shall apply in relation to the poll under subsection (1) above as they apply in relation to polls held under the Scheme, except that the reference in paragraph 29(2) to the number of registered producers voting in favour of or against the amendment or revocation of the Scheme shall be construed as a reference to the number of registered producers voting in favour of or against the proposal that the property, rights and liabilities of the Board should be transferred as mentioned in subsection (1) above.

Status: This is the original version (as it was originally enacted).

- (5) The Board shall cause the poll under subsection (1) above to be taken as soon as practicable after the passing of this Act, and if the result of the poll under that subsection is such that subsection (2) (a) above does not apply, the Board may at any time before the appointed day cause a further poll or polls of registered producers to be taken under this section; and subsections (1) to (4) above shall apply in relation to any such further poll as if it were the poll required to be taken under subsection (1) above.
- (6) Nothing in section 47(2) of the Agricultural Marketing Act 1958 (restriction on disclosure of information) shall preclude the disclosure of any information reasonably required by a person in connection with any property, rights or liabilities transferred to him by virtue of this Act.
- (7) For the purposes of the Employment Protection (Consolidation) Act 1978 there shall be deemed to have been no break in the employment of any person who is transferred by virtue of this Act from the employment of the Board to that of another person.