



Agriculture Act 1993

1993 CHAPTER 37

PART IV

MISCELLANEOUS AND SUPPLEMENTARY

Other miscellaneous provisions

56 Commercial activities of milk marketing boards: distribution of profits.

- (1) It shall be deemed to be an overriding requirement of a milk marketing scheme that any distribution in respect of profits attributable to any relevant commercial activities shall be made so as not to discriminate, as between persons who are registered as producers under the scheme—
 - (a) by reference to the identity of the person to whom milk is sold, or
 - (b) by reference to whether milk is sold in the form of milk or in the form of a product which is wholly or partly derived from milk or which includes milk as an ingredient.
- (2) The powers conferred by a milk marketing scheme on the board administering the scheme shall be deemed to include whatever powers are necessary for the purpose of giving effect to the requirement under subsection (1) above.
- (3) For the purposes of subsection (1) above, the following are relevant commercial activities, namely—
 - (a) the separation of milk,
 - (b) the heat treatment of milk,
 - (c) the retail packaging of milk,
 - (d) the manufacture of milk products, and
 - (e) the provision of services for reward, otherwise than under the arrangements for the sale of milk to the board.
- (4) In that subsection, the reference to a milk marketing scheme is to a scheme having effect under—

Status: Point in time view as at 22/07/2004.

Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1993, Cross Heading: Other miscellaneous provisions. (See end of Document for details)

- (a) the ^{M1}Agricultural Marketing Act 1958, or
 - (b) the ^{M2}Agricultural Marketing (Northern Ireland) Order 1982,
- for the marketing of milk.

(5) This section shall apply in relation to any distribution the amount of which is declared on or after the passing of this Act, irrespective of when the profits concerned were made.

Marginal Citations

M1 1958 c. 47.

M2 S.I. 1982/1080 (N.I. 12).

57 British Wool Marketing Board: power to grant relief.

For the purposes of section 727 of the ^{M3}Companies Act 1985 and Article 675 of the ^{M4}Companies (Northern Ireland) Order 1986 (power of court to grant relief in certain cases), the British Wool Marketing Board shall be treated as a company and its members shall be treated as officers of it.

Marginal Citations

M3 1985 c. 6.

M4 S.I. 1986/1032 (N.I. 6).

58 Annual report on matters relevant to price support.

(1) The Ministers shall publish an annual report on such matters relevant to price support for agricultural produce as they consider appropriate and include in the report such account as they consider appropriate of developments in agricultural policy, so far as relevant to such matters.

(2) In subsection (1) above, the reference to agricultural policy includes policy relating to agriculture and the environment.

(3) In this section—

“agriculture” and “agricultural” shall be construed in accordance with section 109(3) of the ^{M5}Agriculture Act 1947; and

“the Ministers” means the Minister of Agriculture, Fisheries and Food and the Secretaries of State concerned with agriculture in Scotland, Wales and Northern Ireland acting jointly.

Marginal Citations

M5 1947 c. 48.

^{F1}59 Quota areas under the Potato Marketing Scheme.

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Textual Amendments

F1 S. 59 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 2](#) Group 1

60 Agricultural development councils: levies.

- (1) Section 4 of the ^{M6}Industrial Organisation and Development Act 1947 (levies by development councils) shall, in the case of a development council order relating to agriculture, have effect subject to the following modifications.
- (2) In subsection (1)—
 - (a) after the words “made on” there shall be inserted “ such persons as may be specified in the order, being ”, and
 - (b) the words “on persons”, in the second place where they occur, shall be omitted.
- (3) After subsection (2) there shall be inserted—

“(2A) An order providing for such charges may contain provision—

 - (a) authorising such of the persons on whom the charges are imposed as may be specified in the order to recover all or part of the charges imposed on them from such other persons carrying on business in the industry as may be so specified; and
 - (b) authorising the deduction from the charges payable by the persons with such a right of recovery, or the repayment to them, of—
 - (i) such amounts as may be determined by or under the order in respect of expenses incurred by them in exercising that right, and
 - (ii) any sums which are, in accordance with provision made by or under the order, to be treated as irrecoverable.”
- (4) In subsection (3), after “incidence of the charges” there shall be inserted “, taking into account any provision made under subsection (2A) of this section, ”.
- (5) For the purposes of subsection (1) above, a development council order shall be taken to relate to agriculture if any of the activities that are to be treated as constituting the industry to which the order relates is an agricultural activity.
- (6) In this section—

“agriculture” has the same meaning as in the ^{M7}Agriculture Act 1947, and “agricultural” shall be construed accordingly; and

“development council order” means an order under the ^{M8}Industrial Organisation and Development Act 1947 establishing a development council.

Marginal Citations

M6 1947 c. 40.
M7 1947 c. 48.
M8 1947 c. 40.

Status:

Point in time view as at 22/07/2004.

Changes to legislation:

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