



# Agricultural Marketing Act 1958

1958 CHAPTER 47 6 and 7 Eliz 2

## PART I

### AGRICULTURAL MARKETING SCHEMES

#### *Imposition of penalties, etc.*

#### **12 Enforcement of decisions of disciplinary committee and power to state cases.**

- (1) [<sup>F1</sup>Sections 45 and 69 of the Arbitration Act 1996 (which relate to the determination by the court of questions of law) and section 66 of that Act (enforcement of awards) apply] in relation to the hearing and determination of the matters which by virtue of any of the provisions of this Act are referred to the disciplinary committee of a board, and in relation to the enforcement of the decisions of that committee, as if the proceedings were [<sup>F1</sup>arbitral proceedings] under an arbitration agreement to which the board and the producer were parties and as if the disciplinary committee were the arbitrator or umpire appointed by the agreement.
- (2) Subsection (1) of this section shall not apply to Scotland and the following provisions shall have effect in Scotland in lieu thereof—
  - (a) the disciplinary committee of a board may, and if so directed by the Court of Session shall, state a case for the opinion of that Court on any question of law arising in the proceedings relating to any matter referred to the committee by virtue of any of the provisions of this Act, and an appeal shall lie with the leave of the Court of Session or of the [<sup>F2</sup> Supreme Court ] from any decision of the Court of Session under this paragraph and such leave may be given on such terms as to expenses or otherwise as the Court of Session or the [<sup>F2</sup> Supreme Court ] may determine;
  - (b) any decision of a disciplinary committee in such proceedings as aforesaid may be recorded for execution in the books of council and session, and shall be enforceable accordingly.

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*Changes to legislation: There are currently no known outstanding effects for the  
Agricultural Marketing Act 1958, Section 12. (See end of Document for details)*

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**Textual Amendments**

- F1** Words in s. 12(1) substituted (31.1.1997) by 1996 c. 23, s. 107(1), **Sch. 3 para. 12** (with s. 81(2)); S.I. 1996/3146, **art. 3**.
- F2** Words in s. 12(2)(a) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 9 para. 11**; S.I. 2009/1604, art. 2(d)

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Marketing Act 1958, Section 12.