



# Agricultural Marketing Act 1958

## 1958 CHAPTER 47

### PART I

#### AGRICULTURAL MARKETING SCHEMES

##### *Relations of Boards with Ministers, etc.*

#### **21 Temporary directions by Ministers**

(1) Where—

- (a) the Minister serves any such notice as is provided for by subsection (3) of the last foregoing section, or
- (b) the Minister, under subsection (3) of section nineteen of this Act, directs a committee of investigation to consider a report made by a consumers' committee or any complaint made to him as to the operation of any scheme,

the Minister, if he considers it necessary to take immediate action for the purpose of preventing injury to the public interest from any change made or intended to be made by the board in their course of action in any matter which is relevant to the subject of the notice or, as the case may be, of the report or complaint, may, at or after the time of the giving of the notice or direction, make a temporary order giving to the board such directions as to their course of action in that matter as he may think necessary for that purpose, and it shall be the duty of the board to comply with the order:

Provided that nothing in this subsection shall be construed as authorising or requiring the board to do anything which they have no power to do under the scheme.

- (2) A temporary order under this section made by the Minister in connection with the service of such a notice as is provided for by subsection (3) of the last foregoing section shall be limited so as to expire on such date as may be specified in the order, not being later than four months after the date of the making thereof :

Provided that if there is any such reference to a committee of investigation as is provided for by the last foregoing section and, at the date so specified in the order, not more than three months have elapsed since the publication by the Minister of the

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*Status: This is the original version (as it was originally enacted).*

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conclusions of the committee, then, subject to the following provisions of this section, the temporary order shall not expire until the expiration of the said period of three months.

- (3) A temporary order under this section made in connection with a direction given by the Minister to a committee of investigation under subsection (3) of section nineteen of this Act shall be limited so as to expire not later than twenty-eight days after the date on which the Minister gives to the board such a notice of the action which he intends to take as is provided for by subsection (6) of that section; and where a temporary order is made under this section in connection with such a direction as aforesaid to a committee of investigation, it shall be the duty of the Minister, not later than two months after the publication by the Minister of the conclusions of the committee, either to give such a notice or to revoke the temporary order.
- (4) The Minister may by order revoke or vary a temporary order under this section but not so as to extend the operation thereof beyond the periods prescribed by subsections (2) and (3) of this section.
- (5) Any order under this section shall state the general nature of the reasons for the making thereof and shall be subject to annulment in pursuance of a resolution of either House of Parliament.