
STATUTORY INSTRUMENTS

2000 No. 1709

AGRICULTURE

The British Wool Marketing Scheme (Amendment) Order 2000

Made - - - - 22nd June 2000

Whereas the British Wool Marketing Board duly submitted to the Minister of Agriculture, Fisheries and Food, the Secretary of State for Northern Ireland, the National Assembly for Wales and the Scottish Ministers certain amendments to the British Wool Marketing Scheme, 1950(1), as amended(2);

And whereas, as required by section 2 of, and the First Schedule to, the Agricultural Marketing Act 1958(3), notice was duly published of the submission of the said amendments and of the time within which objections and representations with respect thereto might be made; and whereas no such objections were made to the said amendments which are set forth in the Schedule hereto;

Now therefore the Minister of Agriculture, Fisheries and Food, the Secretary of State for Northern Ireland and the National Assembly for Wales, acting jointly, in exercise of the powers conferred by section 2 of, and the First Schedule to, the said Act, and now vested in them (4), and of all other powers enabling them in that behalf, with the consent of the Scottish Ministers(5), hereby make the following Order—

1. This Order may be cited as the British Wool Marketing Scheme (Amendment) Order 2000.
2. The amendments to the British Wool Marketing Scheme, 1950, as amended, which are set forth in the Schedule hereto are hereby approved and shall come into force on 1st July 2000.

(1) The British Wool Marketing Scheme, 1950 is set out in the Schedule to S.I. 1950/1326.
(2) S.I. 1958/2125, 1962/622, 1966/828, 1977/1695, 1980/1238.
(3) 1958 c. 47.
(4) In respect of the Minister of Agriculture, Fisheries and Food, by virtue of S.I. 1978/272, 1999/672, 3141; in respect of the Secretary of State for Northern Ireland, by virtue of S.I. 1978/272, 1999/672; in respect of the National Assembly for Wales, by virtue of S.I. 1999/672, as read with S.I. 1978/272, in so far as they are exercisable in relation to Wales.
(5) By the Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999 (S.I. 1999/1319), made under s. 88(5) of the Scotland Act 1998 (c. 46), the British Wool Marketing Board was specified as a cross-border public authority for the purposes of that Act. By article 3 of, and paragraph 3 of Schedule 5 to, the Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) Order 1999 (S.I. 1999/1747, amended by S.I. 2000/1113) it was provided, in respect of any function exercisable by a Minister of the Crown under the Agricultural Marketing Act 1958 to make an Order approving an amendment (inter alia) of the Scheme approved by the British Wool Marketing Scheme (Approval) Order, 1950, that the Secretary of State for Scotland should cease to be a Minister of the Crown by whom any such function is exercisable, and that any such function should now be exercisable only with the consent of the Scottish Ministers.

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15th May 2000 *Hayman*
Minister of State, Ministry of Agriculture,
Fisheries and Food

8th June 2000 *Peter Mandelson*
Secretary of State for Northern Ireland

Signed on behalf of the National Assembly for Wales:

22nd June 2000 *Elis-Thomas*
Presiding Officer

We consent.

16th May 2000 *Ross Finnie*
A member of the Scottish Executive

SCHEDULE

The British Wool Marketing Scheme, 1950 shall be further amended as follows:

1. In paragraph 2—

(a) for the definition of “County” there shall be substituted the following definition—

““Relevant area” means an area listed in the second column of the First Schedule to this Scheme and described by reference to the county name or names applying immediately before 2nd August 1950; provided that if any question about the extent of any such area shall arise the Board’s decision thereon shall be accepted.”,

and for all references to “county” within the Scheme, unless otherwise amended by the following provisions, there shall be substituted a reference to “relevant area”;

(b) after the definition of “Regional Meeting” there shall be inserted the following definition—

““the first election” means the election of regional members held in the year 2000 following the coming into force of the British Wool Marketing Scheme (Amendment) Order 2000.”.

2. For paragraph 6 there shall be substituted the following paragraph—

“6. Subject to the provisions of Paragraph 10 hereof as to the filling of casual vacancies in the case of regional members, the Board shall, after 30th June 2000, consist of nine regional members, all of whom shall be elected as hereinafter provided, and not less than two members appointed by the Minister in accordance with section 3 of, and paragraph 2(1)(b) of the Second Schedule to, the Agricultural Marketing Act 1958; but until the results of the first election are known it shall continue to consist of those members who constituted it immediately prior to the coming into force of the British Wool Marketing Scheme (Amendment) Order 2000.”.

3. For paragraph 7 there shall be substituted the following paragraph—

“7. For the purposes of this Scheme, there shall be nine regions constituted in accordance with the First Schedule to this Scheme. One regional member of the Board shall be elected for each region by the registered producers in that region. Every election of regional members after the first election shall be held in the month of March on such day as may be fixed by the Board.”.

4. For paragraph 8 there shall be substituted the following paragraph—

(a) “8. (1) Elections of regional members for the English Southern, the Welsh Northern and the Scottish Southern regions shall be held in the year 2000, 2002 and every third calendar year thereafter;

(b) elections of regional members of the English Central, the English Northern and the Northern Ireland regions shall be held in the year 2000, 2003 and every third calendar year thereafter;

(c) elections of the regional members of the English South Western, the Welsh Southern and the Scottish Northern regions shall be held in the year 2000, 2004 and every third calendar year thereafter.

(2) A regional member elected in the first election shall hold office from the date of his election until—

(a) in the case of a regional member for the English Southern, the Welsh Northern or the Scottish Southern region, 31st March 2002;

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(b) in the case of a regional member for the English Central, the English Northern or the Northern Ireland region, 31st March 2003;

(c) in the case of a regional member for the English South Western, the Welsh Southern or the Scottish Northern region, until 31st March 2004.

(3) Every regional member of the Board shall, subject as aforesaid and to the provisions of this Scheme, hold office from the first day of April following the day on which he is elected until the last day of March in the third year after the year of his election.

(4) A regional member of the Board who, by resignation or on completion of a term of office, ceases to hold office, shall be eligible for re-election to the Board subject to Paragraph 37A.

(5) The provisions of Paragraphs 43 to 46 of this Scheme shall govern elections of regional members to the Board.”.

5. In paragraph 9, the words “or special member” shall be deleted.

6. In paragraph 10, in sub-paragraph (1) the last sentence shall be deleted.

7. For paragraph 35 there shall be substituted the following paragraph—

“35. The Regional Committee for each region shall consist of:

(a) the regional member of the Board for the time being for the region, and

(b) the respective representatives for each relevant area in that region, the number of whom is specified in respect of each relevant area in the third column of the First Schedule to this Scheme. A representative (hereinafter called a “county representative”) shall be a registered producer in the relevant area he represents, and shall be elected by the registered producers in that relevant area.”.

8. After paragraph 37 there shall be inserted the following paragraph—

“37A. No person shall be entitled to be elected as a regional member of the Board or as a county representative if prior to the commencement of his tenure of office he will be 65 years of age or older. If any person, being a regional member of the Board or a county representative, attains the age of 65 during the course of his tenure of office, then such tenure may be completed but such person shall not be eligible to seek re-election to that office.”.

9. For paragraph 44 there shall be substituted the following paragraph—

“44.—(1) If for any region or relevant area not more than one candidate (or, in the case of county representatives, not more than the number specified in respect of the relevant area in question in the third column of the First Schedule to this Scheme) is (or are) duly nominated, the candidate (or candidates) so nominated shall be deemed to be elected.

(2) If for any region or relevant area no candidate is duly nominated (or, in the case of county representatives, fewer than the number specified in respect of the relevant area in question in the third column of the First Schedule to this Scheme) the Board shall fill the vacancies thus arising with its own nominees.

(3) If more than one candidate is duly nominated for any region or relevant area (or, in the case of county representatives, more than the number specified in respect of the area in question in the third column of the First Schedule to this Scheme), a vote shall be taken by post, and the Board shall for that purpose send to every registered producer in the region or relevant area (as the case may be) a voting paper in such form as the Board thinks proper, stating the names and addresses of the candidates and specifying the address of the Board to which the voting papers are to be sent and the last day (which shall not be earlier than the tenth day after the day on which the voting papers are sent by the Board) on which the voting papers will be received; and no voting paper shall be taken into account unless it is

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received at the specified address by 6 p.m. on the specified day. In the event of the loss of a voting paper, the Board may supply a duplicate.”.

10. In paragraph 45, for sub-paragraphs (1) and (2) there shall be substituted the following sub-paragraphs—

“(1) In voting at an election for regional members of the Board, each registered producer in the region shall have one vote plus one additional vote for every 50 kg of wool produced by him in that region between such dates as the Board may determine for the purpose of that election.

(2) In voting at an election for county representatives of Regional Committees, each producer in the relevant area shall have one vote plus one additional vote for every 50 kg of wool produced by him in that relevant area between such dates as the Board may determine for the purpose of that election; provided that where two county representatives are specified in respect of the relevant area in the third column of the First Schedule to this Scheme, producers in that relevant area shall have twice the said number of votes but shall not give more than one half of their total votes in favour of one candidate.”.

11. In paragraph 46, the words “and if a person duly elected to a Regional Committee is also elected a special member of the Board he shall retire from the Regional Committee” and the words “in either case” shall be deleted.

12. Paragraph 47 shall be deleted.

13. For the First Schedule and the Second Schedule there shall be substituted the following Schedule—

“FIRST SCHEDULE

REGIONS, RELEVANT AREAS, AND COUNTY REPRESENTATIVES

<i>Region</i>	<i>Relevant Areas in Region</i>	<i>Number of county representatives on Regional Committee</i>
1. English South Western	— Cornwall	2
	— Devon	2
	— Dorset	1
	— Somerset	1
2. English Southern	— Berkshire, Buckinghamshire, Oxfordshire	1
	— Sussex	1
	— Gloucestershire	1
	— Hampshire, Surrey (inc. Middlesex)	1
	— Herefordshire	1
	— Isle of Wight	1
	— Kent	1
	— Wiltshire	1

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<i>Region</i>	<i>Relevant Areas in Region</i>	<i>Number of county representatives on Regional Committee</i>
	— Worcestershire	1
3. English Central	— Bedfordshire, Essex, Hertfordshire	1
	— Cambridgeshire, Huntingdonshire, Norfolk, Suffolk	1
	— Derbyshire	1
	— Leicestershire, Rutland	1
	— Lincolnshire, Nottinghamshire	1
	— Northamptonshire	1
	— Shropshire	1
	— Staffordshire, Cheshire	1
	— Warwickshire	1
4. English Northern	— Cumberland	1
	— Durham	1
	— Lancashire	1
	— Northumberland	1
	— Westmorland	1
	— East Riding of Yorkshire	1
	— North Riding of Yorkshire	1
	— West Riding of Yorkshire	1
5. Welsh Northern	— Anglesey	1
	— Caernarvon	1
	— Denbigh	1
	— Flint	1
	— Merioneth	1
	— Montgomery	1
6. Welsh Southern	— Brecon	1
	— Cardigan	1
	— Carmarthenshire	1
	— Glamorgan	1
	— Monmouth	1
	— Pembroke	1

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<i>Region</i>	<i>Relevant Areas in Region</i>	<i>Number of county representatives on Regional Committee</i>
	— Radnor	1
7. Scottish Southern	— Berwick, East Lothian	1
	— Peebles, Selkirk	1
	— Roxburgh	1
	— Dumfries	2
	— Kirkcudbright	1
	— Wigtown	1
	— Argyll	2
	— Ayr, Bute	2
	— Renfrew, Dunbarton	1
	— Lanark	1
	— Stirling, Clackmannan, West Lothian, Midlothian	1
	— Perthshire	2
	— Angus	1
	— Kinross, Fife	1
8. Scottish Northern	— Aberdeen, Kincardine	2
	— Banff, Moray, Nairn	1
	— Caithness	1
	— Inverness	2
	— Orkney	1
	— Ross & Cromarty	2
	— Sutherland	1
9. Northern Ireland	— County Antrim	1
	— County Armagh	1
	— County Down	1
	— County Fermanagh	1
	— County Londonderry	1
	— County Tyrone	1”.

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on 1st July 2000, approves further amendments to the British Wool Marketing Scheme, 1950, as amended, which are set out in the Schedule. The principal changes made by these amendments—

- (a) reduce the number of regional members of the British Wool Marketing Board (“the Board”) from eleven to nine, and lay down details as to the timing etc. of their election (paragraphs 2, 3, 4 and 9 of the Schedule);
- (b) describe the nine new regions (English South Western, English Southern, English Central, English Northern, Welsh Northern, Welsh Southern, Scottish Southern, Scottish Northern, Northern Ireland), and the number of county representatives to sit on the regional committee of each (paragraphs 3 and 7 of the Schedule);
- (c) introduce an age limit beyond which no person may stand for election to either the Board or a regional committee (paragraph 8 of the Schedule);
- (d) describe how the number of votes each registered producer is to have in elections of regional members to the Board and of county representatives to the regional committees is to be ascertained (paragraph 10 of the Schedule).

No Regulatory Impact Assessment has been prepared in respect of this Order.