STATUTORY INSTRUMENTS

1964 No. 14

RESTRICTIVE TRADE PRACTICES

The Agricultural and Forestry Associations (Exceptions) Amendment Order 1964

Made - - - -	3*rd January* 1964
Laid before Parliament	14*th January* 1964
Coming into Operation	15*th January* 1964

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Scotland and the Secretary of State for the Home Department (being the Secretaries of State respectively concerned with agriculture in Scotland and in Northern Ireland) acting jointly, in exercise of the powers conferred on them by section 1 of the Agricultural and Forestry Associations Act 1962(a) and of all other powers them enabling in that behalf, hereby make the following Order—

Citation and commencement

1. This Order may be cited as the Agricultural and Forestry Associations (Exceptions) Amendment Order 1964 and shall come into operation on the 15th January 1964.

Interpretation

2. The Interpretation Act 1889(b) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Amendment of Principal Order

3. The Agricultural and Forestry Associations (Exceptions) Order 1962(c) shall be amended by the substitution for Article 3(*a*) thereof of the following paragraph, that is to say—

"(*a*) a provision that the profits of the association, after providing for such return on share capital not exceeding 7½ per cent. per annum as may be specified in the memorandum or articles of association, shall, if and so far as they are divided among the members, be divided in proportion to the use made, during such period as may be so specified, by members (or, where a member is an association, by members of that association) of the facilities provided by the association or of such one or more of those facilities as may be so specified, the extent of such use being determined in such manner as may be so specified, not being a manner that takes account of or depends on the amounts of

(a) 10 & 11 Eliz. 2. c. 29. (b) 52 & 53 Vict. c. 63.
(c) S.I. 1962/1892 (1962 II, p. 2345).

share capital held by members or loans made by them to the association, and that any reserves that are distributed shall be divided in the like proportion."

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 1st January 1964.

(L.S.)

Christopher Soames,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 2nd January 1964.

(L.S.)

Michael Noble,
Secretary of State for Scotland.

Given under the hand of the Secretary of State for the Home Department on 3rd January 1964.

Henry Brooke,
Secretary of State for the Home Department.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the Agricultural and Forestry Associations (Exceptions) Order 1962 which (inter alia) prescribes certain provisions that must be contained in the memorandum or articles of association of a company in order that the Agricultural and Forestry Associations Act 1962 (exempting certain agreements from registration under the Restrictive Trade Practices Act 1956) may apply to the company. The amendment relates to the manner of distribution of the company's profits.

The Order comes into operation on 15th January 1964.