STATUTORY INSTRUMENTS

1974 No. 2030

AGRICULTURE

The Hops Marketing Scheme (Amendment) Order 1974

Made - - - 3rd December 1974

Whereas the Hops Marketing Board duly submitted to the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") certain amendments of the Hops Marketing Scheme 1932**(a)**, as amended**(b)**, and the Minister, as required by section 2 of, and Schedule 1 to, the Agricultural Marketing Act 1958**(c)** duly published notice 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 and the Minister made certain modifications, to which the said Board assented, in the said amendments which, as so modified, are set forth in the Schedule hereto;

Now, therefore, the Minister, in exercise of the powers conferred upon him by section 2 of the Agricultural Marketing Act 1958 and Schedule 1 to that Act, hereby makes the following order:—

1. This order may be cited as the Hops Marketing Scheme (Amendment) Order 1974.

2. The amendments of the Hops Marketing Scheme 1932, as amended, which are set forth in the Schedule hereto are hereby approved and shall come into operation on 1st July 1975, except that the amendments set forth in paragraphs 4, 6, 8, 9 and 13 of the Schedule shall come into operation on the expiration of 21 days beginning with the day on which this order is made.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 3rd December 1974.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

(a) S.R. & O. 1932/505 (Rev. I, p.203: 1932, p.24).

(b) S.R. & O. 1934/841, 1939/444, 1945/1486, S.I. 1948/642 (Rev. I, p.204: 1934 I, p.14; 1939 I, p.24; 1945 I, p.1; 1948 I, p.23), S.I. 1949/2456, 1950/655, 1955/464, 1965/406, 1972/1427 (1949 I, p.54; 1950 I, p.38; 1955 I, p.124; 1965 I, p.1113; 1972 III, p.4295).

(c) 1958 c.47.

SCHEDULE

The Hops Marketing Scheme 1932, as amended, shall be further amended as follows:—

1. By substituting in the definition of hop acreage in paragraph 2 thereof for the words "Hop Acreage" the words "Hop Area" and for the word "acres" in each place where it occurs the word "hectares".

2. By substituting in the definition of acre in paragraph 2 thereof for the words "'Acre' means four thousand eight hundred and forty square yards" the words "'Hectare' means ten thousand square metres" and for the word "acreage" the word "area".

3. By deleting from paragraph 2 thereof the words "'Cental' means 100 lbs.".

4. By substituting in paragraph 21 thereof for the words "two shillings" the words "ten new pence" and inserting the word "new" between the words "two" and "pence".

5. By substituting in paragraph 28 thereof for the word "acreage" the word "area".

6. By substituting in paragraph 33 thereof for the words "two shillings" the words "ten new pence".

7. By substituting in sub-paragraph (d) (i) of paragraph 39 thereof for the words "hundredweight (or per cental)" the words "fifty kilograms".

8. By substituting in sub-paragraph (b) of paragraph 41 (3) thereof for the words "in proportion to their respective non-quota valuations" the words "on such basis as the Board consider appropriate but so that the Board shall be under no obligation to pay for such hops for non-quota account as are not sold by the Board".

9. By inserting in paragraph 41 (4) thereof after the word "to" where that word occurs for the second time the words "sub-paragraph (3) (a) of".

10. By substituting in sub-paragraph (c) of paragraph 41 (5) thereof for the word "cental" the words "fifty kilograms" in each place where that word occurs.

11. By substituting in sub-paragraph (d) of paragraph 41 (5) thereof for the word "cental" the words "fifty kilograms".

12. By substituting in paragraph 42 thereof for the words "hundredweight (or cental)" the words "fifty kilograms".

13. By substituting in paragraph 42 thereof for the word "the", where that word occurs for the last time, the word "any".

14. By substituting in paragraph 44 thereof for the words "acre of his hop acreage" the words "hectare of his hop area" and for the words "one pound per acre" the words "two pounds fifty new pence per hectare".

15. By substituting in paragraph 48 (1) thereof for the words "two pounds in respect of each acre of his hop acreage" the words "five pounds in respect of each hectare of his hop area".

16. By substituting in paragraph 57 B (2) thereof for the words "the hop acreage" the words "the hop area".

17. By substituting in paragraph 65 thereof for the word "acreage", wherever that word occurs, the words "hop area".

18. By substituting in sub-paragraph (ii) of paragraph 66 thereof for the word "acreage" the words "hop area".

19. By substituting for paragraph 67 thereof the following paragraph:—

"(1) Subject to the provisions of sub-paragraph (2) of this paragraph, on the taking of a vote on the basis of hop area a registered producer shall, except in the case of an election, have ten votes in respect of each hectare of his hop area. In the case of an election of the four special members he shall have forty votes in respect of each hectare of his hop area but shall not give more than ten votes per hectare in favour of any one candidate. In the case of an election of district members he shall have ten, twenty or thirty votes in respect of each hectare of his hop area in that district according as there are one, two or three members to be elected but shall not give more than ten votes per hectare in favour of any one candidate.

(2) Where the hop area of a registered producer does not consist of an exact number of hectares, the odd fraction of a hectare shall be deemed to be one or more tenths of a hectare, as the case may require, any fraction of one-tenth of a hectare being reckoned as one-tenth of a hectare; and the producer shall have one additional vote in respect of each such tenth of a hectare."

20. By substituting in paragraph 72 thereof for the words "hop acreage of two thousand five hundred acres" the words "hop area of one thousand hectares".

21. By substituting in paragraph 74 thereof for the words "hop acreage" the words "hop area" and for the words "one shilling per acre" the words "$12\frac{1}{2}$ new pence per hectare".

22. By substituting for sub-paragraph (a) of paragraph 76 thereof the following sub-paragraph:—

"(a) any rights or liabilities depend on the number of hectares of land in England on which any person is, or was, growing hops or on the number of hectares of land in any district on which any person is, or was, growing hops, and the land in question does not consist of an exact number of hectares, the odd fraction of a hectare shall be deemed to be one or more tenths of a hectare, as the case may require, any fraction of one-tenth of a hectare being reckoned as one-tenth of a hectare,".

23. By substituting for the First Schedule thereof the following schedule:—

THE FIRST SCHEDULE

FORM OF VOTING PAPER

The Hops Marketing Board

(1) The Returning Officer must fill in the name and address of registered producer.

To (1) .....

.....

.....

A poll is being held under the Hops Marketing Scheme, 1932, on the following question, viz.:

(2) The Returning Officer must fill in the question on which the poll is being taken.

(2) .....

.....

(Answer Yes or No).....

(3) The Returning Officer must fill in the qualifying date.

What was your total area to nearest one-tenth of a hectare under hops in England (3) on the
of

Signature of registered producer .....

Address .....

.....

N.B.—Your vote will not count unless this paper, properly filled in and signed, reaches the offices of the Returning Officer

(4) The Returning Officer must fill in the address of his office.

at (4) .....

.....

(5) The Returning Officer must fill in the fourteenth day after the qualifying date.

on or before 6 p.m. on (5) .....

If you wilfully mis-state the area which you are asked to state above, you will render yourself liable to imprisonment or a fine or both.

Notes.—In computing area you must include headlands and other land which by reason of the cultivation of the hop plants is (apart from temporary intercropping) incapable of being used for any other crop including land which cannot be so used by reason of the existence of wiring or stays.

If your total area is not an exact number of hectares, you should treat the odd fractions of a hectare as one or more tenths of a hectare, as the case may require, any fraction of one-tenth of a hectare being reckoned as one-tenth of a hectare.

.....

Returning Officer

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order approves the amendments to the Hops Marketing Scheme 1932, as amended, which are set forth in the Schedule. The amendments would give the Board greater discretion in paying for non-quota hops so that it would not be obliged to pay for such hops if they were not sold by the Board. The amendments would also bring the Scheme into line with the decimalisation of the currency and metrication of quantity and area measurements.

SI 1974/2030
ISBN 0-11-042030-6

