1955 No. 946

The Milk Marketing Scheme (Amendment) Order, 1955

Made - - - - *27th June,* 1955

Whereas the Milk Marketing Board duly submitted to the Minister of Agriculture, Fisheries and Food (hereinafter called the Minister) certain amendments of the Milk Marketing Scheme, 1933(**a**), (as amended(**b**)) which amendments, as subsequently modified by him, are set forth in the Schedule hereto :

And Whereas the Minister laid before each House of Parliament the amendments numbered 1 to 7 in the said Schedule and the House of Commons resolved on the twenty-second day of June, 1955, and the House of Lords resolved on the fifteenth day of June, 1955, that they should be approved:

And Whereas the Minister was not required to lay before Parliament the amendments numbered 8 to 94 set forth in the Schedule hereto.

Now, therefore, the Minister, in pursuance of section 1 of the Agricultural Marketing Act, 1931(**c**), and Part II of the First Schedule to that Act (as amended by the Third Schedule to the Agricultural Marketing Act, 1933(**d**),) hereby makes the following Order :—

1. This Order may be cited as the Milk Marketing Scheme (Amendment) Order, 1955.

2. The amendments of the Milk Marketing Scheme, 1933, which are set forth in the Schedule hereto are hereby approved and shall come into force on the thirtieth day of June, 1955.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this twenty-seventh day of June, 1955.

(L.S.) *D. Heathcoat Amory,*

Minister of Agriculture, Fisheries and Food.

(a) S.R. & O. 1933/789 (Rev. I, p. 224: 1933, p. 20). (b) S.R. & O. 1936/767, 1937/228, 744, 1939/324 (Rev. I, at p. 225: 1936 I, p. 22; 1937, pp. 1, 2; 1939 I, p. 30); S.I. 1950/1029 (1950 I, p. 43). (c) 21 & 22 Geo. 5. c. 42. (d) 23 & 24 Geo. 5. c. 31.

SCHEDULE

The Milk Marketing Scheme, 1933, shall be further amended as follows:—

1. There shall be inserted a new paragraph 13 as follows:—

"13.—(1) No person shall be elected as a regional or special member of the Board unless he has been duly nominated in accordance with the provisions of this paragraph.

(2) A candidate for the office of regional member for any region shall be nominated in writing by at least twenty registered producers entitled to vote in that election or by a county branch of the National Farmers' Union in the region.

(3) A candidate for the office of special member shall be nominated in writing by at least forty registered producers or by a resolution of the Board.

(4) The nominations shall be delivered to the Board, at the address specified in the notice referred to in paragraph 12, by 6 p.m. on the closing date for nominations specified in the same notice.

(5) A candidate shall deposit with the secretary or other duly appointed officer of the Board, not later than 6 p.m. on the closing date for nominations, the sum of £20 in legal tender.

(6) If a candidate who has made the required deposit is not elected, and the number of votes polled by him does not exceed one-eighth of the total number of votes polled, or one-quarter of the number of votes polled by the candidate obtaining the highest number of votes, whichever is the less, the amount deposited shall be forfeited to the Board; but in any other case and in any case where the candidate dies before the completion of the election that amount shall be returned to the candidate or his personal representatives as soon as practicable after the result of the election is declared.

(7) Any nomination not received within the time aforesaid, or any nomination received within the time aforesaid but without the said deposit being made, shall be void.

(8) A candidate may withdraw from his candidature by giving written notice thereof to the Board, provided it is delivered at the address to which nominations are required to be delivered not later than 6 p.m. on the third day after the closing date for nominations; and in such case the said deposit shall be returned.

(9) No person shall be deemed to be duly nominated as a candidate for election as a regional member if, in connection with the then pending elections, he has been duly nominated as a candidate for election as a special member, and has not withdrawn from the last mentioned candidature in manner aforesaid.

(10) No person shall be deemed to be duly nominated as a candidate for election as a special member if, in connection with the then pending elections, he has been duly nominated as a candidate for election as a regional member and has not withdrawn from the last mentioned candidature in manner aforesaid.

(11) If at the end of the third day after the closing date for nominations there is no duly nominated candidate for any vacancy, the Board shall nominate a candidate for that vacancy.

(12) A retiring member of the Board or a member who resigns his office shall be eligible for election or re-election."

2. In paragraph 39 (as amended by S.R.O. 1937/744) for the words "one penny" there shall be substituted the words "three pence."

3. Immediately after paragraph 54 (so numbered by S.R.O. 1933/789) the following new paragraphs shall be inserted :—

" AGRICULTURE ACT, 1947

58.—(1) The Board shall exercise their powers under this Part of this Scheme subject to the provisions of any Order made under Part I of the Agriculture Act, 1947.

(2) For the purpose of securing for registered producers the benefits of any guarantee under Part I of the Agriculture Act, 1947, the Board may enter into any agreement with the appropriate Minister and pay or receive money in pursuance of any such agreement.

(3) The Board shall, before making any prescription under paragraphs 60 (*a*), 61, 64, 67 and 69, give notice to the Minister of any such prescriptions, and shall also, before entering into any contract for the sale of milk, notify the Minister of the proposed terms for that contract (including the price at which the milk is to be sold): Provided that nothing in this sub-paragraph shall apply to such classes of prescriptions and contracts as the Minister may from time to time specify in a written notification to the Board.

MISCELLANEOUS POWERS

59. The Board may :—

(*a*) buy milk ;

(*b*) produce from milk any of the commodities specified in the Second Schedule ;

(*c*) sell, grade, pack, store, adapt for sale, insure, advertise and transport milk or commodities produced therefrom by the Board ; provided that, in grading any milk, the Board shall not, without the consent of the Minister, use any designation other than such designations as may from time to time be authorised under the Food and Drugs Enactments ;

(*d*) buy from a Board administering any corresponding Scheme any milk the marketing of which is regulated by that Scheme and produce from any milk so bought any of the commodities specified in the Second Schedule and sell, grade, pack, store, adapt for sale, insure, advertise and transport any milk so bought and any commodities produced therefrom by the Board ;

(*e*) exercise as agents for a Board administering a corresponding Scheme any power of that Board to sell, grade, pack, store, adapt for sale, insure, advertise or transport any milk the marketing of which is regulated by that Scheme ;

(*f*) establish centres for the artificial drying of grass and forage crops and operate and maintain those centres and carry on any activity reasonably incidental thereto, and acquire any other thing required for the production, grading, packing, storing, adaptation for sale, transport or sale of milk, and sell or let for hire to registered producers and other persons anything manufactured or acquired under the foregoing provisions of this sub-paragraph and render to registered producers and other persons, on payment or otherwise, any service which is calculated to promote the more efficient production, grading, packing, storing, adaptation for sale, transport or sale of milk ; provided that any such thing sold or let for hire and any services rendered shall be sold or let for hire or rendered primarily in such circumstances as to be likely to be utilised mainly by registered producers or in connection with milk produced by them ;

(*g*) co-operate with any other person in doing any of the things which the Board are empowered to do by virtue of the foregoing provisions of this paragraph and do anything calculated to procure, promote or facilitate the doing by any other person of such things ;

(*h*) encourage, promote or conduct agricultural co-operation among producers of milk and research and education in connection with the production and marketing of milk and milk products ;

(*i*) lend or grant money to any other Board administering a Scheme under the Act of 1931 for any purpose which in the opinion of the Milk Marketing Board will be beneficial to registered producers under this Scheme;

(*j*) make payments to any persons in respect of the performance by them of such functions in relation to milk as in the opinion of the Board assist or may assist in the efficient distribution or use of milk or any commodity produced from milk, and enter into agreements with any such persons as to the terms and conditions on which such payments shall be made."

4. Paragraph 55 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be renumbered 60 and, in that paragraph, the number "(1)" shall be omitted;

the figure "56" shall be substituted for the expression "53 hereof";

the words "from time to time:—(*a*)" shall be inserted immediately before the words "Regulate sales of milk";

the words "for such period as may be fixed by the Board on the occasion of each prescription" shall be omitted;

the words "and the form of contract" shall be inserted immediately after the words "and the terms";

the expression "(*b*) By" shall be substituted for the words "(2) Subject as aforesaid the Board may by";

the following sub-paragraph shall be inserted immediately before the proviso—

"(*c*) By prescriptive resolution require registered producers to sell milk or any description thereof, or such quantity thereof or of any description thereof as may from time to time be prescribed by the Board, only to, or through the agency of, the Board.";

the words "after consultation with the Minister of Health" shall be omitted;

the words "under the Food and Drugs Enactments" shall be substituted for the words from "by the Minister of Health" to "(Amendment) Act, 1922,"; and

the figure "69" shall be substituted for the words "62 of the Scheme".

5. Paragraph 61 (as so re-numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be re-numbered 67 and, in sub-paragraph (1) of that paragraph, the words "during a period specified by him" shall be omitted;

the word "any" shall be inserted before the words "milk to be produced";

the words "all or any of the" shall be omitted;

the words "from time to time" shall be inserted after the words "cows in his possession";

the words "a farm specified in the notice" shall be substituted for the words "the date of the said notice,";

the words ", subject to the following provisions of this paragraph," shall be inserted after the words "duty of the Board";

the words "on the terms hereinafter mentioned, so far as it is produced on and after the eighth day after delivery of the said notice to the Board" shall be substituted for the words "during the said period pursuant to the power contained in paragraph 56 (1) of this Scheme, subject to the provisions of the following sub-sections of this paragraph.";

sub-paragraph (2) (*a*) shall be omitted;

immediately after sub-paragraph (1) there shall be inserted: "(2) The Board may refuse to purchase the said milk, or, as the case may be, they may cease to purchase it:—

(*a*) if the milk is not required by a prescription of the Board to be sold only to the Board and the Board are satisfied that a purchaser other than the Board is willing to purchase the milk and, if the terms of contracts for

sale by registered producers are for the time being prescribed by the Board under paragraph 60 (*a*) or 61, is willing to purchase it on those terms ; or " ;

in sub-paragraph 2 (*b*), the words " if the Board " shall be substituted for the words " if they " ;

sub-paragraph (2) (*c*) shall be omitted and the following new sub-paragraphs shall be inserted :—

" (*c*) if, within two years before the Board refuse to purchase the said milk or, as the case may be, cease to purchase it, the producer has on more than three occasions in any period of 90 days sold milk which did not comply with any warranty or condition subject to which it was sold, or has committed any other serious breach of the terms on which he sold milk ; or

(*d*) if the specified farm is not registered as a dairy farm or the sale of the said milk would for any other reason be contrary to the Food and Drugs Enactments ;

and may cease to purchase the said milk—

(*e*) if the producer sells any milk produced at the specified farm otherwise than to his farm workers for consumption in their households or to the Board, or uses any such milk in the manufacture of any milk products ; or

(*f*) if the producer purchases any milk."

sub-paragraphs (3), (5), (6) and (7) shall be omitted ;

sub-paragraph (4) shall be renumbered (3) and, in that sub-paragraph, the words from " In any other case " to the end of the sub-paragraph shall be omitted ; and immediately after the sub-paragraph so re-numbered (3) there shall be added the following :—

" (4) If the Board shall notify the producer that they will purchase the milk, they shall purchase it upon such terms and at such price as may from time to time be prescribed by the Board as the terms and price applicable to the purchase of milk pursuant to this paragraph, and without prejudice to the power of the Board to prescribe any other terms such terms may include the terms that the milk shall be delivered daily at the producer's expense at such place or places as the Board may from time to time in writing notify to the producer, that the purchase of any consignment shall be subject to any contingency beyond the control of the parties, that the Board may require the producer to retain the milk or any part thereof on his farm and that the price in such a case shall be reduced by such sum as the Board may from time to time prescribe as the realisation value of milk retained on the farm, and that the purchase of the milk may be terminated by notice ; provided that the Board shall not be entitled to terminate the purchase except in accordance with the provisions of sub-paragraph (2) of this paragraph."

6. At the end of the Second Schedule there shall be added the words " margarine and any other commodities of which milk is a substantial ingredient ;

Provided that at any time when the maximum amount of milk fat which may by law be contained in margarine is less than 20 per cent. of the margarine, nothing in this Scheme shall empower the Board to produce margarine by mixing butter with other substances ".

7. Paragraph 56 (so re-numbered by S.R.O. 1933/789) and its sub-heading " MISCELLANEOUS POWERS " and paragraph 83 (as so re-numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be omitted.

8. Immediately after the heading "Scheme under the Agricultural Marketing Act, 1931, Regulating the Marketing of Milk" there shall be inserted the following:—

"*Paragraphs*

1–4	Part	I.	PRELIMINARY.
	Part	II.	THE BOARD AND COMMITTEES.
5–8			The Board and their general powers.
9–11			Members of the Board.
12–14			Nomination of candidates.
15–16			Election of members.
17–18			Casual vacancies.
19			Executive committee.
20			Other committees.
21–25			Proceedings of the Board.
26–27			Minutes.
28			The Seal.
29–30			Contracts.
31–37			Regional committees.
38–43	Part	III.	REGISTER OF PRODUCERS.
44–49	Part	IV.	POLLS.
50–54	Part	V.	FINANCIAL PROVISIONS.
	Part	VI.	PRINCIPAL POWERS OF THE BOARD.
55			Suspensory period.
56			Exemptions.
57			Prohibition of sales by unregistered producers.
58			Agriculture Act, 1947.
59			Miscellaneous powers.
60			General powers to regulate marketing.
61–62			Prescribed contracts.
63			Sales through the agency of the Board.
64			Sales to the Board.
65			Approval of factories and depots.
66			Consultation with purchasers' representatives.
67			Board's obligation to purchase milk.
68			Quality premiums.
69			Producer Retailers.
70			Accommodation and other special classes of sale.
71			Contributions on sales by retail and semi-retail.
72			Advances.
73			Surplus funds.
74			Compensation.
75 76			Information and inspection.
77			Penalties.

Paragraphs

78–88 Part VII. MEETINGS OF REGISTERED PRODUCERS.

89–92 Part VIII. AMENDMENT AND REVOCATION OF THE SCHEME AND WINDING UP OF THE BOARD.

93–96 Part IX. MISCELLANEOUS.

1st Schedule. Extent of regions.

2nd Schedule. Commodities which the Board may produce from milk.

3rd Schedule. Form of voting paper."

9. In paragraph 3 (as amended by S.R.O. 1937/744 and S.I. 1950/1029) there shall be inserted a new sub-paragraph as follows:—

"(1) Except where otherwise stated, a reference in this Scheme to a paragraph or to a Schedule shall be construed as a reference to a paragraph or to a Schedule in this Scheme.";

immediately before the words "In this Scheme" there shall be inserted "(2)";

for the definition of "The Act" there shall be substituted the words "" The Act of 1931 " means the Agricultural Marketing Act, 1931, and " the Act of 1949 " means the Agricultural Marketing Act, 1949; in each case as amended by any subsequent Act: ";

the definition of "Calendar Year" shall be omitted;

immediately before the definition of "Determined" there shall be inserted the following:—

"" Corresponding Scheme " means a scheme under the Act of 1931 or under corresponding legislation enacted by the Parliament of Northern Ireland, being a scheme for regulating the marketing of cows' milk not produced in England or Wales: ";

immediately after the definition of "Determined" there shall be inserted the following:—

"" Food and Drugs Enactments " means the Food and Drugs Acts, 1938 to 1954, as amended or consolidated by any subsequent enactment, and the Statutory Instruments for the time being in force thereunder: ";

at the end of the definition of "Prescriptive Resolution" the words "of this Scheme" shall be omitted;

immediately after the definition of "Registered" there shall be inserted the following:—

"" Retail " and " semi-retail " in relation to sales of milk mean respectively such class or classes of sales of milk as may from time to time be prescribed and defined by the Board as such: ";

immediately after the definition of "Secretary" there shall be inserted the following:—

"" Year " means a period of twelve consecutive months beginning on the first day of January.".

10. At the end of paragraph 4 the words "to this Scheme" shall be omitted.

11. In the heading of Part II of the Scheme the words "THE REGIONAL" shall be omitted.

12. In the sub-heading immediately before paragraph 5 after the words "THE BOARD" there shall be added the words "AND THEIR GENERAL POWERS".

13. In paragraph 6 before the words "The Board" there shall be inserted "(1)" and at the end of that paragraph there shall be inserted a new sub-paragraph as follows:—

"(2) The Board shall have an office at which communications and notices will at all times be received and shall notify the Minister of the address and of any change in the address thereof.".

14. Paragraph 7 shall be omitted and the following shall be inserted:—

"7. The Board may employ a secretary and such other officers as they think fit and may enter into such agreements, acquire such property and do such things as may, in their opinion, be necessary or desirable for the purpose of exercising or performing any of their powers or duties under this Scheme, and may sell or otherwise dispose of any property acquired by them which they do not need for such purpose.".

15. Immediately after paragraph 7 there shall be inserted a new paragraph as follows:—

"8. The Board may pay to any member of the Board any such travelling and out-of-pocket expenses as have, in the opinion of the Board, been reasonably incurred by him in connection with the business of the Board, and shall also pay to the members of the Board such remuneration (if any) as may be determined annually by the registered producers in general meeting.".

16. Immediately before paragraph 8 (as so numbered by S.R.O. 1933/789 and amended by S.I. 1950/1029) there shall be inserted the sub-heading "MEMBERS OF THE BOARD.".

17. Paragraph 8 (so numbered and amended as aforesaid) shall be renumbered 9, and, in this paragraph, for the words "paragraph 16 hereof" there shall be substituted the words "paragraph 18";

the words ", after the 30th day of June, 1934," shall be omitted;

for the words "the registered producers in general meeting and, until the 30th day of June, 1950, two persons co-opted to the Board by the elected members of the Board and, after that date," there shall be substituted the words "all registered producers and";

at the end of the paragraph, for the words "Agricultural Marketing Act, 1949" there shall be substituted the words "Act of 1949".

18. Paragraph 9 shall be renumbered 10.

19. Paragraphs 10 and 11, the sub-heading "ELECTION OF MEMBERS", paragraphs 12 and 13 and paragraph 14 (as amended by S.R.O. 1937/228) shall be omitted.

20. There shall be inserted a new paragraph 11 as follows:—

"11.—(1) In the year 1955 and from time to time thereafter the Board shall determine a retirement date, and every retirement date, after the first, shall be not less than ten and not more than fourteen months after the previous retirement date.

(2) The regional members for the north-western, eastern and south-eastern regions shall retire on the first retirement date; the regional members for the east-midland, South Wales, southern and mid-western regions shall retire on the second retirement date; and the regional members for the northern, west-midland, North Wales and far-western regions shall retire on the third retirement date.

(3) One special member shall retire on the first retirement date, one on the second and one on the third. They shall retire in the order in which they were elected.

(4) An election to fill the places of retiring regional members and special member shall be held shortly before each retirement date, and, save as aforesaid (and subject to casual vacancies) every regional member and special member of the Board shall hold office from the end of the retirement date, which immediately follows his election, until the end of the third retirement date after he takes office.".

21. There shall be inserted a new paragraph 12 as follows:—

"NOMINATION OF CANDIDATES.

12. Before each retirement date the Board shall publish, in such manner as the Board shall think fit, notice of the retirement date, the regions for which members are to be elected and the number of special members to be elected, the address or addresses at which the Board are prepared to receive nominations and deposits, and the last date (hereinafter called "the closing date for nominations") on which the Board are prepared to receive them; provided that the period between the publication aforesaid and the closing date for nominations shall not be less than fifteen days.".

22. There shall be inserted a new paragraph 14 as follows:—

"14. Where no more candidates are duly nominated for any region or for the office of special member than there are vacancies to be filled, the secretary of the Board shall declare them duly elected and the result shall be published in such manner as the Board think fit, but in any other case an election shall be held as hereinafter provided.".

23. There shall be inserted a new paragraph 15 as follows:—

"ELECTION OF MEMBERS.

15.—(1) The following provisions shall have effect when an election of a regional or special member of the Board is required to be held after the 30th June, 1955; and an election of a regional or special member of the Board held on or before that date shall be held in accordance with the provisions which applied to such an election in 1954.

(2) Not later than the fifteenth day before the retirement date, the Board shall send to every registered producer entitled to vote in the election a voting paper stating the names of the duly nominated candidates, such questions as will enable the Board to ascertain the number of votes the producer is entitled to have, the address to which the voting paper is to be sent, and the date (not being less than ten days after the Board send the voting papers to registered producers as aforesaid) by which the voting paper is to be received by the Board.

(3) A voting paper shall not be counted unless it is received by the Board at the said address by 6 p.m. on the date by which it is required to be received, sufficiently completed and signed.

(4) A voting paper shall not be deemed to be sufficiently completed and signed if the voter purports to vote for more candidates than there are vacancies, or if he omits to state the number of milch cows in his possession where he is required to do so, or if it is not signed by the registered producer or his agent, being an agent whose signature the Board have previously been authorised by the registered producer in writing to accept; provided that the voting paper of a registered producer being a corporation aggregate may be signed by a member of the board of directors or other governing body of the corporation, or by its secretary or other permanent officer, and the voting paper of a registered producer being a partnership may be signed by one of the partners.

(5) If any question shall arise as to whether any voting paper is sufficiently completed and signed, the decision of the secretary of the Board shall be final.

(6) The Board shall cause the votes to be counted and shall, not later than the day before the retirement date, declare that candidate (or, as the case may be, those candidates) to be elected who received the most votes.".

24. There shall be inserted a new paragraph 16 as follows:—

"16.—(1) At the election of a regional member of the Board, only those registered producers who produce milk within the region shall be entitled to vote, and each of them shall have one vote plus one vote for every ten milch cows in his possession in the region at noon on the closing date for nominations; provided that, if the number of such cows is not an exact multiple of ten, it shall be treated as if it were the next higher multiple of ten; and provided also that if more than one member is to be elected for the region, the said number of votes shall be multiplied by the number of members to be elected, so however that no registered producer shall give more than the said number of votes for one candidate.

(2) At an election of a special member of the Board all registered producers shall be entitled to vote and each of them shall have one vote plus one vote for every ten milch cows in his possession in England and Wales at noon on the closing date for nominations; provided that, if the number of such cows is not an exact multiple of ten, it shall be treated as if it were the next higher multiple of ten.

(3) The Board may require a registered producer, who intends to vote at the election of a regional member or special member of the Board, to state on his voting paper the number of milch cows in his possession as aforesaid.".

25. In the sub-heading immediately before paragraph 15 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744 and S.I. 1950/1029) before the word "VACANCIES" there shall be inserted the word "CASUAL", that paragraph shall be renumbered 17, and, in that paragraph, sub-paragraphs (1), (2), (3), (4), (5) and (6) shall be re-designated (*a*), (*b*), (*c*), (*d*), (*e*) and (*f*) respectively; and in sub-paragraph (*e*) (as re-designated), for the words "Act; or" there shall be substituted the words "Act of 1931; or".

26. Paragraph 16 (as so numbered by S.R.O. 1933/789 and amended by S.I. 1950/1029) shall be renumbered 18 and, in that paragraph, sub-paragraph (1) shall be re-designated (*a*);

for the words in that sub-paragraph from "within" to "this Scheme," there shall be substituted the words "more than two years after the election of a regional member for that region (excluding elections to fill casual vacancies),";

sub-paragraph (2) shall be re-designated (*b*);

In that sub-paragraph after the words "shall be held," there shall be inserted the words "in accordance with the provisions of paragraphs 12 to 16 so far as they are applicable,"; and

all the words from "Elections of regional members" to the end of the paragraph shall be deleted.

27. Paragraphs 17 and 18 (so numbered by S.R.O. 1933/789) and the sub-heading "QUORUM" shall be omitted.

28. In paragraph 19 (as amended by S.R.O. 1937/744 and S.I. 1950/1029) for the words "the following paragraphs of Part II of this Scheme, namely, paragraphs 8, 10, 11, 12, 14, 15, 16, 18, 19, 20, 29, 30 and 34 and except their functions under Parts IV to" there shall be substituted the words "paragraph 3 and Parts II to";

after the words "(inclusive) of this Scheme;" there shall be inserted the words "provided that the Board may at their discretion so delegate all or any of the said excepted functions other than a power to impose penalties, and any power in connection with the borrowing of money. The quorum of the executive committee shall be fixed by the Board."; and

all the words from "A member of the Executive Committee" to the end of the paragraph shall be deleted.

29. In the sub-heading immediately preceding paragraph 20 before the word "COMMITTEES" there shall be inserted the word "OTHER"

30. In paragraph 20 (as amended by S.I. 1950/1029) after the words "every committee of the Board" there shall be inserted the words "appointed under this paragraph";

after the words "with their directions, and" there shall be inserted the words "its members";

for the words "next election of special members of the Board." there shall be substituted the words "beginning of the first meeting of the Board to be held after the annual general meeting of registered producers which occurs next after their appointment."; and

all the words from "The provisions of this paragraph" to the end of the paragraph shall be deleted.

31. In the sub-heading immediately following paragraph 20, for the word "MEETINGS" there shall be substituted the words "PROCEEDINGS OF THE BOARD.".

32. Immediately after that sub-heading there shall be inserted two new paragraphs as follows:—

"21. The quorum of the Board shall be seven or such other number, not being less than five, as the Board may fix, and the Board shall have power at all times to act notwithstanding any vacancy in their number.

22. The Board shall elect from amongst their members a chairman and vice-chairman, both of whom shall (provided they remain members of the Board) hold office until the beginning of the first meeting of the Board to be held after the annual general meeting of registered producers which occurs next after their election as chairman and vice-chairman.".

33. Paragraphs 21 and 22 (as so numbered by S.R.O. 1933/789 and amended by S.I. 1950/1029) shall be renumbered 23 and 24 respectively.

34. Paragraph 23 (so numbered by S.R.O. 1933/789) shall be renumbered 25 and, in that paragraph, after the words "any committee thereof" there shall be inserted the words "appointed under the provisions of paragraph 19 or paragraph 20".

35. Immediately after the paragraph so numbered 25 there shall be inserted the sub-heading "MINUTES.".

36. Paragraph 24 (so numbered by S.R.O. 1933/789) shall be renumbered 26.

37. Paragraph 24A (numbered by S.R.O. 1937/744) shall be renumbered 27 and, in that paragraph, the words "of the meeting" shall be omitted.

38. Paragraphs 25, 26, 27 and 28 (so numbered by S.R.O. 1933/789) shall be renumbered 28, 29, 30 and 31 respectively.

39. Paragraph 29 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be renumbered 32 and, in that paragraph, for the words "The procedure governing the nomination of candidates and the conduct of the election" there shall be substituted the words "Candidates shall be elected by post and the rules governing the nomination and election of candidates".

40. Paragraph 30 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be renumbered 33 and, in that paragraph, sub-paragraph (1) shall be omitted;

the words "(2) In May, 1938, at the end of a day to be fixed by the Board, all county representatives elected in previous years shall cease to hold office, and shall be succeeded by representatives elected on some previous day or days in May, 1938, to be fixed by the Board." shall be omitted;

immediately before the words " In the month of May " there shall be inserted " (1) " ;

for the words " in subsequent years," there shall be substituted the words " or such other month as the Board may decide from time to time," ;

sub-paragraph (3) shall be omitted ;

sub-paragraph (4) shall be renumbered (2) ;

sub-paragraph (5) shall be renumbered (3) and, in that sub-paragraph, for the words " Save as aforesaid and subject to paragraphs 31 and 32 " there shall be substituted the words " Subject to the next following paragraph ".

41. Paragraph 31 (so numbered by S.R.O. 1933/789) shall be renumbered 34 and, in that paragraph, before the words " A county representative " there shall be inserted " (1) " ;

sub-paragraphs (1), (2), (3), (4) and (5) shall be re-designated (*a*), (*b*), (*c*), (*d*) and (*e*) respectively ; and

at the end of sub-paragraph (*e*) (as re-designated) there shall be added the words " of 1931 ".

42. Paragraphs 32, 33, 34 and 35 (so numbered by S.R.O. 1933/789) shall be renumbered 34 (2), 34 (3), 35 (1) and 35 (2) respectively.

43. Paragraph 40A (so inserted by S.R.O. 1937/744) shall be renumbered 41 and, in that paragraph, after the words " the Act " there shall be inserted the words " of 1931 ".

44. Paragraph 41 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be renumbered 42 and sub-paragraph (3) of that paragraph shall be omitted.

45. Paragraph 41A (inserted by S.R.O. 1937/744) shall be renumbered 43 and, in that paragraph, the words " or Registrar " shall be omitted in the two places where they occur.

46. Paragraph 42 (so numbered by S.R.O. 1933/789) shall be renumbered 44.

47. Paragraph 43 (so numbered by S.R.O. 1933/789) shall be renumbered 45 and, in that paragraph, after the words " the Act " there shall be inserted the words " of 1931 ".

48. Immediately after the paragraph so renumbered 45 there shall be inserted new paragraphs as follows:—

" 46.—(1) The Minister shall appoint a person to be the returning officer for the purposes of the poll, whose remuneration and expenses shall be defrayed by the Board.

(2) The returning officer may by writing under his hand appoint any fit person or persons to be his deputy or deputies for all or any of the purposes of the poll.

(3) A deputy returning officer shall have all the powers and duties of the returning officer in relation to the matters in respect of which he is appointed to act as deputy.

(4) No member or servant of the Board and no registered producer shall be appointed as a returning officer or be appointed to be a deputy of the returning officer.

47. The Board shall furnish to the returning officer a list of the names and addresses of the registered producers who are entitled to vote on the poll.".

49. Paragraph 44 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be renumbered 48 (1) and, in that paragraph, for the word " Board " in the two places where that word occurs there shall be substituted the words " returning officer ".

50. Paragraph 45 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be renumbered 48 (2) and, in that paragraph, for the word " Board " there shall be substituted the words " returning officer ".

51. Paragraph 46 (so numbered by S.R.O. 1933/789) shall be renumbered 48 (3).

52. Immediately after the paragraph so renumbered 48, the following paragraph shall be inserted:—

" 49.—(1) The votes given on any poll shall be counted by the returning officer and his decision on any question arising with respect to a voting paper shall be final and conclusive.

(2) The returning officer shall draw up and deliver to the Board a certificate showing the result of the poll and including particulars of the number of voting papers sent out by the returning officer, the number of voting papers received by him in due time, the number of such papers which were rejected because they were not properly completed and the number of registered producers who voted in favour of the amendment or revocation, as the case may be, of the Scheme and against it respectively and the quantity of milk that they were capable of producing.

(3) The result of the poll as shown in the certificate given by the returning officer shall be declared at a meeting of the Board by the member acting as Chairman of that meeting, and that certificate (or such part thereof as the Minister may determine) shall be published by the Board in " The Times " newspaper and such other newspapers as the Board may think fit or, at the option of the Board, by sending a notice of the result to every registered producer.".

53. Paragraphs 47 and 49 (so numbered by S.R.O. 1933/789) shall be omitted and paragraph 48 (so numbered by S.R.O. 1933/789) shall be renumbered 50.

54. Immediately after the paragraph so renumbered 50, the following paragraph shall be inserted:—

" 51.—(1) The Board may obtain the whole or such part as they think fit of the money required for the operation of this Scheme (including the provision of reserves) from money received by the Board through the exercise of their powers under Part VI of this Scheme, and may obtain the balance (if any) of the money so required by contributions under the next following sub-paragraph.

(2) The Board may from time to time by prescriptive resolution require every registered producer to contribute to the fund such sum or sums as the Board may prescribe; so however that the total sums which any registered producer is required to pay pursuant to this sub-paragraph in any year shall not exceed the equivalent of one farthing per gallon of all milk produced and sold by him during the year. Every such sum shall be a debt due to the Board.

(3) The powers conferred by this paragraph are in addition to and not in substitution for the powers conferred by paragraph 71.".

55. Paragraph 50 (so numbered by S.R.O. 1933/789) shall be renumbered 52.

56. Paragraph 51 (as so numbered by S.R.O. 1933/789, and, as amended by S.R.O. 1937/744 and S.I. 1950/1029) shall be renumbered 53 and, in that paragraph, for the words " Corporation of Accountants Limited or of the London Association of Certified Accountants Limited " there shall be substituted the words " Association of Certified and Corporate Accountants ";

for the words " three months " there shall be substituted the words " six months "; and

for the words " paragraph 48 hereof " there shall be substituted the words " paragraph 50 ".

57. Paragraph 51A (inserted by S.R.O. 1937/744) paragraph 52 (so numbered by S.R.O. 1933/789) and paragraph 53 (as so numbered and amended by S.R.O. 1937/744) shall be renumbered 54, 55 and 56 respectively.

58. Paragraph 54 (so numbered by S.R.O. 1933/789) shall be renumbered 57 and, in that paragraph, after the words " the Act " there shall be inserted the words " of 1931 ".

59. Paragraph 57 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be renumbered 61 and, in that paragraph, in sub-paragraph (*a*), the words " as agents of the registered producer " shall be omitted ;

at the end of sub-paragraph (*c*) the words " after such consultation as aforesaid " shall be omitted ;

in sub-paragraph (*d*) (ii) after the word " produced " there shall be inserted the words " or is consumed " ;

sub-paragraph (*d*) (iii) shall be omitted and the following shall be inserted :—

" (iii) may vary in accordance with the description, quality, or condition of the milk ;" ;

in sub-paragraph (*g*) for the words " and/or " there shall be substituted the word " and " ;

sub-paragraphs (*h*) and (*i*) shall be omitted ;

sub-paragraph (*j*) shall be re-designated (*h*) and, in that sub-paragraph, for the words " (hereinafter called Special Service Premiums) ; " there shall be substituted the words " including the delivery of milk in specified quantities at specified times ; " ;

sub-paragraph (*k*) shall be omitted ; and

sub-paragraph (*l*) shall be re-designated (*i*).

60. Immediately after paragraph 57 (so numbered by S.R.O. 1933/789) the following new paragraphs shall be inserted :—

" 62. If any registered producers shall sell milk in any wholesale accounting period on terms, prescribed by the Board for the sale of such milk, which include the term that the purchaser shall pay the price to the Board, then the moneys payable to the Board as the price of such milk, together with such other moneys (if any) as the Board shall think fit, but less such sums as in the opinion of the Board are required to provide reserves and to pay all, or such part as the Board think fit, of the Board's expenses, losses and outgoings of every description in that wholesale accounting period, shall be paid by the Board as soon as practicable to those producers in such proportions and in such manner as the Board shall from time to time prescribe. The expression " wholesale accounting period " means a year or such other period as shall be prescribed by the Board from time to time.

SALES THROUGH THE AGENCY OF THE BOARD.

63. If the Board shall by prescriptive resolution require registered producers to sell any milk only through the agency of the Board, no registered producer shall sell any such milk or any quantity or description of such milk except to such person or persons as the Board may from time to time direct.

SALES TO THE BOARD.

64. If the Board shall by prescriptive resolution require registered producers to sell any milk only to the Board, the Board shall from time to time prescribe the terms on which and the price at which such milk shall be sold to the Board and may also prescribe the form in which contracts for the sale of such milk to the Board shall be made. The Board may prescribe different terms, prices and forms for different classes of producers or classes of sale or descriptions of milk.".

61. Paragraph 58 (so renumbered by S.I. 1950/1029) shall be omitted.

62. Immediately before paragraph 59 (so renumbered by S.I. 1950/1029) there shall be inserted the sub-heading " APPROVAL OF FACTORIES AND DEPOTS.".

63. Paragraph 59 (as inserted by S.R.O. 1936/767 and so renumbered by S.I. 1950/1029) shall be renumbered 65 and, in that paragraph, for the words

" (1) If the Board in exercise of their powers under this Scheme prescribe as a term of any contract for the sale by a registered producer either " there shall be substituted the words:—

" (1) If any registered producer shall sell any milk, otherwise than to the Board, on terms which, pursuant to a prescription of the Board, include either of the terms (*a*) or (*b*) set out in this sub-paragraph or if he shall sell to the Board any milk, which is required by a prescription of the Board to be sold only to the Board, and the Board shall re-sell such milk on either of the said terms (*a*) or (*b*) then and, in either of such cases the provisions of sub-paragraphs (2) to (7) of this paragraph shall have effect except in relation to an approval which is stated to be an approval of premises as a collecting depot for a period ending with the 29th September next after the approval, or is stated to be an approval of factory premises for a period ending with the 29th September next after the approval and for the purpose only of making one or more of the following products, namely, cream, ice-cream, soft curd or cream cheese. The said terms (*a*) and (*b*) are:—";

at the end of sub-paragraph (1) (*a*) the word " or " shall be omitted;

in sub-paragraph (1) (*b*) the words " by the producer " shall be omitted;

all the words after " a collecting depot " to the end of sub-paragraph (1) shall be omitted;

in sub-paragraph (3) (*b*) the words " made in accordance with this Scheme " shall be omitted and, at the end of that sub-paragraph, there shall be added the words " from the Board or from any registered producer ";

at the end of sub-paragraph (3) the words " gives good grounds for withdrawing such approval." shall be omitted and there shall be substituted the words " or that the requirements of efficient marketing of milk, as agreed from time to time with the Joint Committee referred to in paragraph 66, give good grounds for withdrawing such approval.";

in sub-paragraph (6) after the word " Board " where that word occurs for the first time, there shall be inserted the words " or that the requirements of efficient marketing of milk agreed as aforesaid ";

for the word " gives " there shall be substituted the word " give ";

after the word " Board ", where that word occurs for the third time, there shall be inserted the words " or upon the requirements of efficient marketing of milk ";

for the words " the questions " there shall be substituted the words " the question ";

for the words " and whether there were such grounds; " there shall be substituted the words " which gives good grounds or whether the requirements of efficient marketing of milk agreed as aforesaid give good grounds; " and

for the words " Acts, 1889 and 1934," there shall be substituted the words " Act, 1950,".

64. Paragraph 60 (so numbered by S.R.O. 1933/789) and paragraph 60A (as inserted by S.R.O. 1937/744) shall be omitted.

65. There shall be inserted a new paragraph as follows:—

" CONSULTATION WITH PURCHASERS' REPRESENTATIVES.

66.—(1) The Board shall set up a committee (hereinafter called " the Joint Committee ") which shall consist of members appointed by the Board and

members appointed by the body established by buyers of milk and commonly known as the Central Milk Distributive Committee; provided that, if in the opinion of the Board that body has ceased to exist or has ceased to represent the views of buyers of milk, such last mentioned members shall be appointed by such other body or bodies as appear to the Board, after consultation with the Minister, to represent for the time being the views of buyers of milk otherwise than by retail.

(2) The Board shall consult the Joint Committee as to the description of milk which shall be sold by the Board, as to the delivery of milk sold by the Board, and as to the terms on which milk shall be sold by the Board, including the prices thereof, the amounts of any allowances to be made to the buyers, the classes of persons and premises to whom or in respect of which such allowances are to be made and the conditions on which such allowances are to be made.

(3) The Board shall consult the Joint Committee before prescribing any of the following matters; the description of milk, and the prices at, below or above which, and the terms and the form of contract on which, milk may be sold by registered producers to persons other than the Board; and the persons other than the Board to or through the agency of whom milk may be sold by registered producers.

(4) The Board shall consult the Joint Committee on the method of allocating supplies of milk to different categories of buyers (including the Board) engaged in the distribution of milk or the manufacture of milk products therefrom, in accordance with an agreed marketing policy.

(5) If the Joint Committee are unable to agree upon any matter on which the Board are required to consult them as aforesaid, then the Joint Committee shall consult a third person thereon, such person being appointed by the Joint Committee in agreement or failing agreement nominated by the Minister. All questions to be decided by the Committee shall be decided by resolution upon which the members appointed by the Board and the members appointed by the Central Milk Distributive Committee or other body or bodies aforesaid shall each collectively have one vote. The committee shall not be taken to have agreed unless both such votes shall have been cast in the same direction.".

66. For the sub-heading "UNSOLD MILK." immediately preceding paragraph 61, (so numbered by S.R.O. 1933/789) there shall be substituted the sub-heading "BOARD'S OBLIGATION TO PURCHASE MILK.".

67. There shall be inserted a new paragraph as follows:—

"QUALITY PREMIUMS.

68. For the purpose of promoting or maintaining the purity and good quality of milk, the Board may pay premiums to registered producers in respect of milk produced by them and may prescribe the conditions subject to which such premiums will be paid. The Board may prescribe different premiums and different conditions for different classes of milk and for different classes of sale.".

68. Paragraph 62 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744 and S.I. 1950/1029) shall be renumbered 69 and, in that paragraph, for the words "class of registered producers" in sub-paragraph (1) there shall be substituted the words "registered producer of any class specified in the resolution";

at the end of sub-paragraph (2) (*a*) there shall be added the words "; provided that such period may expire at a date specified in the licence, or at a date to be prescribed by the Board;";

in sub-paragraph (2) (*c*) (v) for the words "paragraph 70 of this Scheme" there shall be substituted the words "paragraph 76";

there shall be inserted a new sub-paragraph (2) (*c*) (vi) as follows:—

"(vi) compliance by the licensed retailer with the provisions of the Food and Drugs Enactments.";

at the end of sub-paragraph (3) the words "of this Scheme" shall be omitted; and

in sub-paragraph (4) all the words after "reasonable control or" to the end of the paragraph shall be omitted and there shall be substituted the words:—

"(*b*) owes the Board a debt exceeding £20, or (*c*) is not registered as a dairy farmer under the Food and Drugs Enactments.".

69. Paragraph 62A (as inserted by S.R.O. 1937/744) shall be renumbered 70.

70. The sub-heading "ACCREDITED AND OTHER SPECIAL MILK", paragraphs 63 and 63A, the sub-heading "THE REGIONAL FREIGHT POOLS", paragraph 64A, the sub-heading "TRADING ACCOUNTS" and paragraph 64B (all of which were inserted by S.R.O. 1937/744), shall be omitted.

71. The sub-heading "APPLICATION OF MONIES" and paragraph 64 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be omitted.

72. Paragraph 65 (as inserted by S.R.O. 1937/744 and amended by S.R.O. 1939/324) shall be renumbered 71 and, in that paragraph, for the words "the sums" in sub-paragraph (1) there shall be substituted the words "such sum";

all the words in that sub-paragraph from "following, namely:—" to "Provided further that" shall be omitted and there shall be substituted the words:—

"as the Board may from time to time prescribe, and, unless the Board otherwise prescribe, the retailer's contribution shall be 1½d. The Board may prescribe different retailer's contributions for different descriptions of milk.

The Board may also prescribe—

(*a*) that if during any accounting period a registered producer sells milk otherwise than by retail or semi-retail (except on contracts carrying level delivery premiums), then his retailer's contribution shall be increased by such sum as may be specified in the prescription for every gallon of milk which he sells by retail or semi-retail during that accounting period:

(*b*) that"; and

sub-paragraphs (4) and (5) shall be omitted and the following shall be inserted:—

"(4) If the Board think fit, having regard to any arrangements which are in operation by virtue of any enactment and which have as one of their objects the provision of guaranteed prices or an assured market for milk, the Board may pay to registered producers, in respect of milk which they have produced and sold by retail or by semi-retail during any accounting period, such sum per gallon as the Board may prescribe and the Board may prescribe different sums for different classes of milk or classes of sale and may prescribe the conditions subject to which any such sums shall be paid.

(5) In this paragraph the expressions "accounting period" and "accounting day" mean respectively such periods and such days as the Board may from time to time prescribe, and the expression "contracts carrying level delivery premiums" means such contracts as the Board by prescriptive resolution may from time to time define as such.".

73. Paragraphs 66, 67, 68, 69 and 70 (so numbered by S.R.O. 1933/789) shall be renumbered 72, 73, 74, 75 and 76 respectively.

74. Immediately before paragraph 71 (as so numbered by S.R.O. 1933/789 and amended by S.I. 1950/1029) there shall be inserted a new sub-heading

"PENALTIES.", that paragraph shall be renumbered 77 and, for sub-paragraph (1) thereof, there shall be substituted the following:—

"(1) (*a*) If any registered producer—

(i) contravenes any prescription of the Board under paragraph 60 or 61; or

(ii) sells milk in contravention of a direction of the Board given under paragraph 63;

then, subject to the provisions of the Act of 1931 with respect to existing contracts, the disciplinary committee hereinafter described shall impose upon him and the Board shall recover from him such monetary penalty (not exceeding £100 plus half of the price for which the milk was sold) as that committee think just:

(*b*) If any registered producer sells milk by retail or by semi-retail in contravention of any prescription of the Board under paragraph 69, the disciplinary committee shall impose upon him and the Board shall recover from him such monetary penalty (not exceeding £100) as that committee think just.

(*c*) If any registered producer—

(i) fails without reasonable excuse to comply with any demand made by the Board under paragraph 75, or knowingly makes any false statement in reply thereto; or

(ii) obstructs or interferes with any person duly authorised by the Board under paragraph 76; or

(iii) knowingly makes in any statement that may be required by the Board under paragraph 16 (3) or paragraph 86 a false statement as to the number of milch cows in his possession for the purpose of voting in an election of a regional or special member of the Board or of voting at any general or regional meeting of registered producers; then the disciplinary committee shall impose upon him and the Board shall recover from him such monetary penalty (not exceeding £20) as that committee think just.

(*d*) No such penalty shall be imposed in respect of such a contravention as aforesaid which constitutes an offence under any Act other than the Act of 1931.".

75. The sub-heading "GENERAL" and paragraphs 72, 73, 74 and 75 (so numbered by S.R.O. 1933/789) shall be omitted.

76. Immediately after the sub-heading "PART VII—MEETINGS OF REGISTERED PRODUCERS." there shall be inserted a new paragraph as follows:—

"78.—(1) The Board shall in each year hold a general meeting of registered producers as their annual general meeting and shall specify the meeting as such in the notices calling it, and not more than fifteen months shall elapse between the date of one annual general meeting and the next.

(2) The Board may hold other general meetings of registered producers at such times as the Board think fit.

(3) The Board may hold regional meetings of registered producers in any region at such times as the Board think fit.".

77. Paragraph 77 (so numbered by S.R.O. 1933/789) shall be renumbered 79.

78. Paragraph 78 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be renumbered 80 and, in that paragraph, for the words "a meeting" where those words occur for the first time there shall be substituted the words "an annual general meeting, and not later than the fourteenth day before the day fixed for the holding of any other meeting";

sub-paragraphs (1), (2), (3) and (4) shall be re-designated (*a*), (*b*), (*c*) and (*d*) respectively; and

for the words in sub-paragraph (*c*), there shall be substituted the words "the name of the chairman;".

79. Paragraphs 79 and 80 (so numbered by S.R.O. 1933/789) shall be renumbered 81 and 82 respectively.

80. Paragraph 81 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be renumbered 83 and, in that paragraph, for the words from "his attorney" to the end of the paragraph there shall be substituted the words "his agent whose signature the Board have previously been authorised and requested by the registered producer in writing to accept, or, if the registered producer is a corporation aggregate, either under its seal or under the hand of a member of the board of directors or other governing body of the corporation or of its secretary or other permanent officer. The said instrument and the authority (if any) under which it is signed (or a notarially certified copy thereof) shall be deposited with the Board at such place as may be indicated in the form not later than six p.m. on the third day before the day fixed for the meeting, and in default the instrument shall be treated as invalid.

A proxy need not be a registered producer, but shall not be a person employed on the staff of the Board.".

81. Paragraph 82 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be renumbered 84 and, in that paragraph, the words "(not being a question as to who is to be elected a member of the Board or of a regional committee)" shall be omitted and after the words "decided on a show of hands" there shall be inserted the words "(a proxy may show his hand)".

82. Paragraph 84 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be renumbered 85 and, in that paragraph, for the words from "except in the case" to the words "in relation to any producer" there shall be substituted the word "have", and the words "or in the county" shall be omitted.

83. Paragraph 84A (as inserted by S.R.O. 1937/744) shall be renumbered 86 and, in that paragraph, after the words "taken at any" there shall be inserted the words "general or regional";

after the words "meeting of producers" there shall be inserted the words "the Board may require that"; and

after the words "provided by the Board" there shall be inserted the words "signed by the registered producer or his agent whose signature the Board have previously been authorised by the registered producer in writing to accept)".

84. Paragraph 85 (so numbered by S.R.O. 1933/789) shall be renumbered 87 and, in that paragraph, for the word "company" there shall be substituted the words "corporation aggregate";

for the words "their rights" where those words occur for the first time there shall be substituted the words "its rights";

for the words "any one of their directors," there shall be substituted the words "a member of the Board of directors or other governing body of the corporation, or by its secretary or other permanent officer,".

85. Paragraph 86 (so numbered by S.R.O. 1933/789) shall be renumbered 88.

86. Paragraph 87 (so numbered by S.R.O. 1933/789) shall be omitted.

87. Paragraphs 88 and 89 (so numbered by S.R.O. 1933/789) shall be renumbered 89 and 90 respectively.

88. Paragraph 90 (so numbered by S.R.O. 1933/789) shall be renumbered 91 and, in that paragraph, for the words "Part X of the Companies Act, 1929" there shall be substituted the words "Part IX of the Companies Act, 1948" and at the end there shall be added the words "of 1931".

89. Paragraph 91 (so numbered by S.R.O. 1933/789) shall be renumbered 92 and, in that paragraph, after the words "the Act" there shall be inserted the words "of 1931";

after the words "in England" there shall be inserted the words "and Wales"; and

after the words "one pound" there shall be inserted the word "sterling".

90. Paragraph 92 (as so numbered by S.R.O. 1933/789 and amended by S.R.O. 1937/744) shall be renumbered 93 and, in that paragraph, the number (1) shall be omitted ;

for the words " Arbitration Acts, 1889 and 1934," there shall be substituted the words " Arbitration Act, 1950," ; and

sub-paragraph (2) shall be omitted.

91. In paragraph 94 (as amended by S.R.O. 1937/744 and S.I. 1950/1029) for the words " paragraph 71 (2) hereof " there shall be substituted the words " paragraph 77 " and, after the word " Board " there shall be inserted the words " or by a returning officer ".

92. In sub-paragraph (4) of paragraph 96 (as inserted by S.R.O. 1937/744) the words " published by the Board " shall be deleted and, at the end, there shall be added the words ", which is published by the Board or by the Board jointly with some other person.".

93. In the Third Schedule, in each of the side notes numbered (1), (2), (3) and (5), for the words " The Board " wherever those words occur there shall be substituted the words " The returning officer " ;

for the side note (4) there shall be substituted the following :—

" (4) The returning officer must fill in the address of the office to which the form is to be returned." ;

after the words " on the following question " there shall be inserted the words " to which voters must answer " Yes " or " No "," ;

the words " Do you wish this question to be answered " Yes " or to be answered " No " ? " shall be omitted ;

the words " the offices of the Milk Marketing Board " shall be omitted ;

the words " For the Milk Marketing Board," shall be omitted and, for the word " Secretary." there shall be substituted the words " Returning Officer.".

94. The Fourth and Fifth Schedules (both of which were inserted by S.R.O. 1937/744) shall be omitted.

EXPLANATORY NOTE

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

This Order approves the amendments of the Milk Marketing Scheme, 1933, that are set out in the Schedule. The principal amendments provide for—

(1) the election of members of the Milk Marketing Board by postal vote instead of at meetings ;

(2) the conduct of future polls by a returning officer (appointed by the Minister of Agriculture, Fisheries and Food) instead of by the Board ;

(3) the conferment on the Board of certain additional powers including power to deal in milk produced by, and to act as agents for, other milk marketing boards, to supply goods and services required for the production etc. of milk, to produce from milk a wider range of products and to require registered producers to sell their milk only to, or through the agency of, the Board ;

(4) the removal of the former pooling provisions and the substitution of other provisions for determining the prices receivable by producers ; and

(5) consultation with distributors' representatives on the exercise of the Board's main marketing powers.