STATUTORY INSTRUMENTS

1965 No. 644 (S.26)

AGRICULTURE

AGRICULTURAL MARKETING

The Scottish Milk Marketing Scheme (Amendments) Approval Order 1965

Made - - - - *25th March* 1965
Coming into Operation *26th March* 1965

Whereas the Scottish Milk Marketing Board (hereinafter referred to as "the Board") submitted to the Secretary of State in accordance with the provisions of section 2 of and Schedule 1 to the Agricultural Marketing Act 1958(a), certain amendments to the Scottish Milk Marketing Scheme 1933, as amended, approved by the Scottish Milk Marketing Scheme (Approval) Order 1933(b), as amended (c):

And Whereas no objections were made to the amendments so submitted and the Board assented to certain modifications therein which the Secretary of State proposed to make by virtue of the powers conferred on him by subsection (4) of the said section 2 as applied by paragraph 1(4) of the said Schedule 1:

And Whereas the amendments so submitted and modified as aforesaid are set out in the Schedule to this Order:

Now therefore in exercise of the powers conferred on him by the said section 2 and Schedule 1, the Secretary of State hereby orders as follows:—

1.—(1) This Order may be cited as the Scottish Milk Marketing Scheme (Amendments) Approval Order 1965 and shall come into operation on 26th March 1965.

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

2. The amendments to the Scottish Milk Marketing Scheme 1933, as amended, set out in the Schedule to this Order are hereby approved.

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
25th March 1965.

(a) 6 & 7 Eliz. 2. c. 47.
(b) S.R. & O. 1933/479 (Rev. I, p. 263: 1933, p. 51).
(c) The relevant amending orders are S.R. & O. 1935/691, 1246, 1937/624, 818, 1938/1168 (Rev. I, p. 266: 1935 pp. 5, 6; 1937 pp. 21, 26; 1938 I, p. 5), S.I. 1950/2057. 1956/650 (1950 I, p. 46; 1956 I, p. 103).
(d) 52 & 53 Vict. c. 63.

SCHEDULE

Amendments of the Scottish Milk Marketing Scheme 1933

In section 25 (*Financial Provisions and Payment for Milk*)

At the end of the section add a new subsection in the following terms:—

"(13) *Power to raise a capital contribution.* The Board shall have power to require registered producers who sell milk to or through the agency of the Board to make contributions of such amounts as may be necessary for the operation of the Scheme towards the capital expenditure, or other capital purposes, of the Board. These contributions shall be payable in respect of every gallon of milk sold by them to or through the agency of the Board during such period or periods and at such rates per gallon as the Board may from time to time determine. Such contributions shall be payable on such dates as may be fixed by the Board and shall be a debt due by the registered producer to the Board and recoverable by the Board accordingly. Any contribution so payable by any registered producer may be deducted by the Board from any moneys payable by the Board to that producer."

In section 26 (*Sales by Retail and Semi-Retail*)

In subsection (1) delete "subsection (9)" and substitute therefor "subsections (9) and (13)".

Immediately after the existing subsection (3) add a new subsection (4) in the following terms:—

"(4) In addition to the powers conferred on the Board under subsections (2) and (3) hereof, the Board shall have power to require registered producers who sell milk of their own production, by retail or semi-retail, to make contributions of such amounts as may be necessary for the operation of the Scheme towards the capital expenditure or other capital purposes of the Board. These contributions shall be payable in respect of every gallon of milk of their own production sold by them by retail or semi-retail during such period or periods, and at such rates per gallon, as the Board may from time to time determine. Such contributions shall be payable on such dates as may be fixed by the Board and shall be a debt due by the registered producer to the Board and shall be recoverable by the Board accordingly. Any contributions so payable by any registered producer may be deducted by the Board from any moneys payable by the Board to that producer."

Re-number the existing subsection (4) as subsection (5).

In section 27 (*Sale of Certified Milk*)

In subsection (1) delete "subsection (9)" and substitute therefor "subsections (9) and (13)".

At the end of the section add a new subsection in the following terms:—

"(4) In addition to the powers conferred on the Board under subsections (2) and (3) hereof the Board shall have power to require registered producers who sell certified milk of their own production to make contributions of such amounts as may be necessary for the operation of the Scheme towards the capital expenditure or other capital purposes of the Board. These contributions shall be payable in respect of every gallon of certified milk of their own production sold by them during such period or periods and at such rates per gallon as the Board may from time to time determine. Such contributions shall be

payable on such dates as may be fixed by the Board and shall be a debt due by the registered producer to the Board and shall be recoverable by the Board accordingly. Any contributions so payable by any registered producer may be deducted by the Board from any moneys payable by the Board to that producer."

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order approves amendments to the Scottish Milk Marketing Scheme. The amendments empower the Board to raise contributions from registered producers towards the capital expenditure or other capital purposes of the Board.