COMMITTEE ON THE AGRICULTURAL MARKETING BILL.

Report.

At their meeting on the 29th of January, 1930, (Cabinet 5 (30), Conclusion 2) the Cabinet had before them a memorandum by the Minister of Agriculture (C.P.25 (30)) outlining his proposals for legislation in regard to the marketing of agricultural commodities, and agreed that a Cabinet Committee consisting of -

- The Minister of Agriculture and Fisheries (in the Chair)
- The President of the Board of Trade,
- The First Lord of the Admiralty,
- The Secretary of State for Scotland,

should examine the memorandum and prepare a Draft Bill for submission in the first instance to the Cabinet.

In accordance with the wishes of the Cabinet the Committee have had special regard to the need for safeguarding the interests of consumers and have had the benefit of an outline of the proposals of the President of the Board of Trade for setting up a Consumers' Council.

The deliberations of the Committee have mainly centered on this question of protecting the consumer and of securing that the bodies created under the Bill for the marketing of agricultural produce should not be able to act in restraint of trade, by withholding supplies from particular traders or organisations, a point to which the First Lord of the Admiralty, in the interests of the Co-operative Movement, attached great importance.

The Committee were at first disposed to recommend that
the Agricultural Marketing Bill should provide for the protection of the consumer through the machinery of the proposed Consumers' Council. In view, however, of the congestion in the Parliamentary programme and the consequent uncertainty as to the date when the legislation setting up the Council would become law, the Committee decided that self-contained provisions for the protection of the consumer should be inserted in the Bill. These are set out in Clause 3 of the Draft Bill, under which if a complaint is made to the Minister with regard to the operations of a body administering a scheme under the Bill, he may appoint an independent ad hoc Committee to investigate the complaint, and after such investigation the Minister is empowered by order to amend or revoke the scheme as he thinks fit or he may require the body administering the scheme to rectify the matter. In reaching this decision the Committee took into account the undesirability of putting in too many safeguards for the consumer, otherwise farmers would be apprehensive and be disinclined to formulate schemes for setting up marketing bodies.

On the suggestion of the First Lord of the Admiralty it has been made clear in the Bill (Clause 3(1) on page 7) that the machinery for the investigation of complaints can be invoked if a marketing body is acting contrary to the interests of any large body of consumers. This would enable the Consumers' Co-operative Movement to raise complaints not only as consumers but also in connection with attempts at restraints of trade or holding up of supplies by producers' organisations.

The Committee were impressed with the need for legislation to enable the formation of schemes to deal with the marketing of milk and potatoes, in order to avert a possible crisis in the dairy industry during the coming summer and avoid a repetition next season of the present disastrous slump in potato prices. The Committee understand that the farmers' representatives at the Agricultural Conference are displaying considerable interest
in the proposals outlined in the Bill which has been submitted to them confidentially, mainly because they foresee the possibilities of dealing with these two commodities at an early date.

7. Neither the machinery of the Companies Acts nor of the Industrial and Provident Societies Acts would be suitable for the incorporation of the administrative bodies for marketing purposes proposed to be set up under the Bill. The Bill therefore provides in Clause 2 special legislative provisions for incorporating these bodies under the Bill. This is on the analogy of certain Dominion legislation under which similar marketing organisations have been set up.

8. The financial provisions for creating Agricultural Marketing Funds for England and Wales and Scotland set out in Part 2 of the Bill are still under discussion with the Treasury as to details, but the Treasury are in agreement with the general principles. The Committee are satisfied with the financial provisions set out in the Draft Bill, subject to any detailed amendments which may be agreed between the Departments concerned.

Signed on behalf of the Committee.

N. BUXTON.

Chairman.

Ministry of Agriculture and Fisheries.

7th March, 1930.
Agricultural Marketing Bill.

ARRANGEMENT OF CLAUSES.

PART I.
AGRICULTURAL MARKETING SCHEMES.

Clause.
1. Schemes for regulating the marketing of agricultural products.
3. Investigation of complaints as to schemes.
4. General powers of Minister to amend or revoke schemes.
5. Effect of scheme on contracts.
6. Administrative boards to register with Minister and to furnish information to Minister.

PART II.
AGRICULTURAL MARKETING FUNDS.

10. Agricultural Marketing Funds.
11. Agricultural Marketing Facilities Committee.
12. Short-term loans.

PART III.
GENERAL.

15. Interpretation.
16. Short title and extent.

SCHEDULE.

100–5  a
DRAFT OF A

BILL

To

Provide for regulating the marketing of agricultural products by the producers thereof, for the establishment of Agricultural Marketing Funds for England and Scotland respectively, for the making of advances out of those funds, to facilitate the marketing of agricultural products, and for purposes connected with the matters aforesaid.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.

AGRICULTURAL MARKETING SCHEMES.

1.—(1) Any persons, who appear to the Minister to be substantially representative of the persons producing in Great Britain or any part thereof any agricultural product, may submit to the Minister a scheme, framed in accordance with the provisions of this Part of this Act, regulating the marketing of that product by the persons producing it in Great Britain or that part of Great Britain, as the case may be, and, subject to the provisions of this section, the Minister may approve any scheme so submitted.

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(2) In determining for the purposes of the last foregoing subsection whether the persons submitting a scheme are substantially representative of the persons producing any product, the Minister shall have regard both to the number of persons represented and to the quantity of the product produced by them during any recent period.

(3) A scheme may be submitted to-and approved by the Minister regulating the marketing of two or more agricultural products, if it appears to the Minister that those products are so closely related that it is expedient that the marketing thereof should be regulated by one scheme.

(4) Before approving a scheme submitted under this section the Minister shall cause notice of his intention to approve the scheme, and of the place where copies of the scheme may be inspected, and of the time within which and manner in which representations with respect to the scheme may be made, to be published in the Gazette and in such other manner as he thinks best for informing persons affected that he proposes to approve the scheme.

(5) The Minister, after considering a scheme submitted under this section and any representations duly made with respect thereto, and after holding such inquiries (if any) as he thinks fit, may, if he is satisfied that the approval of the scheme would be in the national interest [and of national importance], by order, approve the scheme with or without modifications, and either generally or with respect to any part of the area specified therein:

Provided that before approving a scheme with modifications or with respect to any part of the area specified therein, the Minister shall give notice of the modifications which he proposes to make, or the part of the area in respect of which he proposes to approve the scheme, to the persons who submitted the scheme, and, if within three weeks after notice has been so given all those persons notify the Minister that they desire to withdraw the scheme, the Minister shall not approve it.

(6) The Minister, immediately after approving a scheme, shall publish the scheme and the order approving it in the Gazette and in such other manner as he thinks best for informing the persons affected thereby that the scheme has been approved.
(7) Every scheme shall come into force on such date, not being earlier than one month after the order approving the scheme was first published, as the Minister may specify in that order, and the Minister may specify different dates for different provisions of a scheme, and every scheme and provision of a scheme for the time being in force shall have effect as if it were enacted in this Act.

2.—(1) Every scheme approved under this Act shall constitute, as a body corporate with a common seal and power to hold lands without licence in mortmain, a board to administer the scheme (hereafter in this section referred to as “the board”), so however that the board shall, subject to the provisions of this Act, be composed—

(a) during such period as may be specified in the scheme, not being longer than six months after the scheme comes into force, of persons nominated by the Minister:

(b) after the expiration of that period, of representatives elected, in such manner as may be provided by the scheme, by registered producers.

(2) Every scheme approved under this Act shall provide for the following matters—

(a) for empowering the board—

(i) to buy, sell, grade, pack, store, adapt for sale, advertise and transport the regulated product, or arrange for the buying, selling, grading, packing, storing, adapting for sale, advertising or transporting thereof;

(ii) to take such measures as may be provided in the scheme for stabilising the price of the regulated product;

(iii) to encourage agricultural research and education;

(iv) to do all things necessary for or incidental to the exercise of their functions under the scheme;

(v) to borrow money for the purpose of exercising any of the powers aforesaid.
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PART I.
—cont.

(b) for the establishment of a fund (hereafter in this section referred to as "the fund") for the purposes of the scheme, for the administration and control of the fund by the board, in manner provided in the scheme, for the payment into the fund of all moneys received by the board, and for the payment out of the fund of any moneys required by the board for the exercise of their functions under the scheme;

(c) for the keeping of accounts by the board, for the annual audit of the accounts, for the drawing up of an annual return of the receipts, expenditure, funds and effects of the board as audited, and for supplying a copy of the return to any registered producer on his application;

(d) for enabling the board to be wound up under the provisions of Part X of the Companies Act, 1929, subject to the modifications and adaptations set out in the Schedule to this Act;

(e) for the registration by the board of any producer desiring to sell the regulated commodity and for prohibiting a producer from selling the regulated product unless he is so registered;

(f) for requiring every registered producer to contribute to the fund such sums as may from time to time be determined by the board to be necessary for the purpose of enabling the board to exercise their functions under the scheme, so however that on any such determination of the board, the contribution of each producer shall be calculated in proportion to the quantity of the regulated product sold by him, either generally or for use in any particular manner, during such period as may be fixed by the scheme, being a period beginning before or after the scheme comes into force and ending within six months before the determination; and for the collection of such contributions by or on behalf of the board;

(g) for the distribution to every registered producer, in proportion to the quantity of the regulated product sold or adapted for sale by him during such period as may be fixed in the scheme (being a period beginning before or after the
scheme comes into force and ending within six months before the distribution), of such moneys for the time being standing to the credit of the fund as in the opinion of the board are not required for the purpose of enabling the board to exercise their functions under the scheme;

(b) for securing that any producer who is aggrieved by any act or omission of the board may refer the matter to one or more independent arbitrators appointed in such manner as may be provided by the scheme, and for the manner in which any such reference is to be heard and determined;

(i) for the imposition on and recovery from any producer by the board of such monetary penalties as may be specified by the scheme in the event of that producer contravening or failing to comply with the scheme;

(j) for empowering the board to exempt any producer, or any class or description of producers, from all or any of the provisions of the scheme.

(3) Any scheme approved under this Act may provide for all or any of the following matters—

(a) for requiring registered producers to sell the regulated product to, or through the agency of, the board or persons authorised for the purpose by the board;

(b) for the determination from time to time by the board of the kind, variety or grade of the regulated product and the quantity of each kind, variety or grade, which may be sold by registered producers, either generally or for use in any particular manner, during such period as may be fixed by the board on the occasion of each determination, and for securing compliance with any such determination;

(c) for the determination from time to time by the board of the price at, below or above which, and the terms and conditions on which, the regulated product, or any kind, variety or grade thereof, is to be sold by registered producers, either generally or for use in any particular manner, during such period as may be fixed by
the board, on the occasion of each determination, and for securing compliance with any such determination;

(d) for the determination by the board of the manner in which the regulated product is to be graded, packed, stored, adapted for sale, insured, or transported by registered producers, or for requiring registered producers to deliver the regulated product to the board or to persons authorised by the board, for the purpose of grading, packing, storing, adapting for sale, insuring or transporting it;

(e) for empowering the board to advance to any registered producer, a part of the price which in the opinion of the board will be realised by the sale of any quantity of the regulated product produced or in course of production by him;

(f) for prohibiting a producer from making a contract for the sale of the regulated commodity over a period longer than six months without the approval of the board, and for the registration by the board of every contract so approved;

(g) for requiring registered producers to keep accounts and records in a form prescribed by the board;

(h) for requiring registered producers to furnish to the board or any person authorised by the board, such estimates, returns, accounts and other information as the board may consider necessary for the operation of the scheme;

(i) for empowering any person authorised by the board to inspect and take copies of any books, accounts or other documents kept by a registered producer relating to the regulated product;

(j) for empowering any person authorised by the board at any reasonable time to enter any land or premises occupied by a registered producer;

(k) for such matters as appear to the Minister to be incidental to, or consequential on, the foregoing provisions of this section, or to be necessary for giving effect to those provisions.
(4) In this section the expression "regulated product" means a product to which the scheme applies, and which is produced in the area to which the scheme applies, the expression "producer" means a person producing a regulated product, and the expression "registered producer" means a producer for the time being registered under the scheme.

3.—(1) If a complaint is made to the Minister that any provision of a scheme for the time being in force under this Act, or anything done or omitted to be done by a board administering such a scheme, is contrary to the public interests, or contrary to the interest of any large body of consumers of the product to which the scheme applies, the Minister may appoint a committee to investigate the complaint.

(2) A committee appointed by the Minister for the purposes of this section shall consist of a chairman and four other members, one of whom shall be an accountant.

(3) The Minister shall not appoint as chairman, or as a member, of the committee a person who appears to him to have any pecuniary interest in the matter complained of, but for the purposes of this subsection a person shall not be deemed to have such an interest by reason only of the fact that the complaint relates to a product of which that person is a consumer.

(4) For the purpose of the investigation of a complaint under this section, the board administering the scheme with respect to which the complaint was made shall furnish the committee with such accounts and other information as the committee considers relevant to the investigation.

(5) After investigating the complaint the committee shall report to the Minister thereon, and the Minister, after considering the report—

(a) may by order make such amendments in the scheme as he considers necessary or expedient for the purpose of rectifying the matter complained of; or

(b) may revoke the scheme; or

(c) in the event of the matter complained of being an act or omission of an administrative board, may direct that board to rectify the matter;
and if the directions are not complied with, may by order make such amendments in the scheme as he considers necessary for securing that the directions will be complied with, and in particular may by such amendments provide that the board shall, for such period as may be specified in the amendments, be composed of persons nominated by the Minister.

(6) Any order made by the Minister under the foregoing provisions of this section shall be published forthwith after the making thereof in the Gazette and in such other manner as the Minister thinks best for bringing the order to the notice of persons affected thereby.

(7) The Minister may appoint a secretary to any committee appointed under this section, and may pay such remuneration to the secretary so appointed, and such subsistence and travelling allowances to the chairman and members of the committee, and such other expenses of the committee, as he may with the approval of the Treasury determine, and any expenses incurred by the Minister under this section shall be defrayed out of moneys provided by Parliament.

4.—(1) The Minister may, whether or not any complaint has been made under the last foregoing section, if he is of opinion that any provision of a scheme in force under this Act, or any act or omission of a board administering such a scheme, is contrary to the public interests, lay before each House of Parliament the draft of an order amending or revoking the scheme, and unless either House, before the expiration of the period of twenty days on which that House has sat next after the draft is laid before it, resolves that the order shall not be made, the Minister may make an order in the terms of the draft, to take effect on such date after the expiration of that period as may be specified in the order.

(2) The Minister shall by order revoke a scheme in force under this Act—

(a) if an order is made for the winding up of the board administering the scheme;

(b) in the case of a scheme regulating the marketing of any product which is in force in any area, if
A scheme regulating the marketing of that product in an area comprising the first-mentioned area, comes into force under this Act.

(3) The Minister may by order revoke a scheme in force under this Act if the board administering the scheme satisfy him that the revocation of the scheme is desired by more than half the producers for the time being registered under the scheme.

(4) In any case where the Minister revokes a scheme under this Act, except a case where an order has been made for the winding up of the board administering the scheme, the Minister shall by the order revoking the scheme, dissolve the board administering the scheme, but the provisions of the scheme relating to the winding up of the board shall remain in force notwithstanding the revocation of the scheme.

(5) Any order made by the Minister under the foregoing provisions of this section shall be published forthwith after the making thereof in the Gazette and in such other manner as the Minister thinks best for bringing the order to the notice of persons affected thereby and, except in a case where an order has been made for the winding up of the board administering the scheme, no such order shall take effect until the expiration of one month after the making thereof.

(6) If the board administering any scheme for the time being in force under this Act submit to the Minister an amendment of the scheme, the Minister may by order approve the amendment, so, however, that the provisions of this Act relating to the approval of schemes shall apply to the approval of any amendment under this subsection.

5.—(1) A contract for the sale of an agricultural product shall not be void or unenforceable as between the parties thereto by reason only that it cannot be performed without contravening or failing to comply with a scheme in force under this Act, if the contract—

(a) was made before the date when the Minister first published notice of his intention to approve the scheme; or

(b) has been registered in accordance with the provisions of the scheme by the board administering the scheme.
A.D. 1930.

PART I.
—cont.

Administrative boards to register with Minister and to furnish information to Minister.

Powers of administrative boards in England to raise agricultural short-term credits.

(2) In the case of a contract which, at the date when it is made, can be performed without contravening any scheme in force at that date under this Act and which subsequently, by reason of an amendment of such a scheme, cannot be performed without contravening the amended scheme, the last foregoing subsection shall have effect as if for the reference therein to the notice of the Minister's intention to approve the scheme there were substituted a reference to the order making the amendment.

6.—(1) The Minister shall keep a register of the boards administering schemes for the time being in force under this Act.

(2) Every such board shall have an office to which all communications and notices may be addressed and shall send to the Minister particulars of the situation of the office and of every change therein, and the Minister shall enter the particulars in the register aforesaid.

(3) It shall be the duty of every such board to furnish to the Minister a copy of its annual return forthwith after the drawing up thereof and such other returns, accounts, and information within its power as the Minister may at any time require.

(4) The board administering any scheme for the time being in force under this Act shall produce the books and accounts relating to the scheme to any person authorised for the purpose by the Minister at all reasonable times, and allow that person to inspect and take copies of such books and accounts.

7.—(1) A debenture issued by a board administering a scheme for the time being in force under this Act, which has its office in England, creating in favour of a bank a floating charge on property consisting of agricultural products or farming stock may be registered in like manner as an agricultural charge under Part II of the Agricultural Credits Act, 1928, and section nine of that Act shall apply to such a charge in like manner as it applies to an agricultural charge, and the charge, if so registered, shall as respects such property be valid notwithstanding anything in the Bills of Sale Acts, 1878 and 1882, and shall not be deemed to be a bill of sale within the meaning of those Acts.
(2) Any such debenture may create a floating charge on any agricultural products the property in which is vested in the administrative body.

(3) In this section the expressions "bank" and "farming stock" have the same meanings as in Part II of the Agricultural Credits Act, 1928.

8. Part II of the Agricultural Credits (Scotland) Act, 1929, shall apply to a board administering a scheme for the time being in force under this Act which has its office in Scotland, subject to the following modifications:

9. The Minister shall in the year nineteen hundred and thirty-one, and each subsequent year, lay before Parliament a report upon the operation of all the schemes for the time being in force under this Act.

PART II.

AGRICULTURAL MARKETING FUNDS.

10.—(1) For the purposes of this Act, there shall be established and maintained—

(a) a fund to be called "the Agricultural Marketing Fund" (hereafter in this section referred to as "the English fund"), which shall be administered and controlled by the Minister of Agriculture and Fisheries; and

(b) a fund to be called "the Agricultural Marketing (Scotland) Fund" (hereafter in this section referred to as "the Scottish fund") which shall be administered and controlled by the Secretary of State.
(2) There shall be paid out of moneys provided by Parliament into the English and Scottish funds such sums as Parliament may from time to time determine:

Provided that—

(a) the sums so paid into the English fund shall not, subject to the provisions of this section, exceed in the aggregate five hundred thousand pounds; and

(b) the sums paid into the Scottish fund shall not, subject to the provisions of this section, exceed pounds.

(3) Any sums received by way of interest on any loan advanced under this Act out of either fund shall be paid to the Treasury, and any sums received by way of repayment of the principal of any such loan shall be paid into the fund out of which the loan was advanced.

(4) Any moneys standing to the credit of either fund may, with the approval of the Treasury, be invested in any Government securities.

(5) The Minister of Agriculture and Fisheries as respects the English fund, and the Secretary of State as respects the Scottish fund, shall cause an account to be prepared and transmitted to the Comptroller and Auditor General for examination on or before the day of in every year, showing the receipts into and issues out of the English and Scottish fund, as the case may be, in the financial year ending on the thirty-first day of March preceding, and the Comptroller and Auditor General shall certify and report upon the account, and the account and report shall be laid before Parliament by the Treasury on or before the thirty-first day of January in the following year if Parliament is then sitting, and if Parliament is not then sitting, then within one week after Parliament is next assembled.

(6) If it appears to the Minister of Agriculture and Fisheries or the Secretary of State that a sum representing the whole or any part of the principal of any loan advanced out of the fund administered by him is not likely to be recovered, he shall transmit to the Comptroller and Auditor General with the account mentioned in the foregoing subsection a statement giving full particulars
of the circumstances in which the loan is advanced and the reason why it appears that the sum is not likely to be recovered, and the Comptroller and Auditor General shall include in his report under the last foregoing subsection a report on that statement and if the Comptroller and Auditor General reports that the sum aforesaid should be written off from the account of the assets of the fund, there may be paid into the fund out of moneys provided by Parliament an amount equal to that sum.

11. For the purposes of this Act, there shall be appointed, after consultation with the Treasury, an Agricultural Marketing Facilities Committee for England by the Minister of Agriculture and Fisheries, and an Agricultural Marketing Facilities Committee for Scotland by the Secretary of State, and any expenses incurred by the Minister of Agriculture and Fisheries or the Secretary of State in connection with the said committees shall, up to an amount approved by the Treasury, be paid out of moneys provided by Parliament.

12. — (1) On the approval of any scheme under this Act the Minister may on the recommendation of the Agricultural Marketing Facilities Committee advance out of the Marketing Fund to the board administering the scheme such sum as he may think necessary for the purpose of providing for expenses incurred in connection with the incorporation of that board and the initial working of the scheme.

(2) Any sums advanced under this section shall be repaid within two years, unless the advance is renewed as hereinafter provided, and any such advance may be made free of interest for that period and on such other terms and conditions as the Minister, with the approval of the Treasury, may prescribe.

(3) An advance made under this section shall not be renewed unless the renewal is recommended by the Agricultural Marketing Facilities Committee, and that committee shall not recommend the renewal unless they are satisfied—

(a) that the board is in a position to repay forthwith the sum advanced;

(b) that the renewal is required to provide for additional services which the board propose to undertake; and
A.D. 1930.

PART II.
—cont.

Long-term loans.

13. If it appears to the Minister that it is expedient that there should be made to a board administering a scheme for the time being in force under this Act advances which shall not be repayable until the expiration of a period exceeding two years, he may, on the recommendation of the Agricultural Marketing Facilities Committee, advance out of the Marketing Fund to that board such sums as he may think fit, and any such advance shall be made on such terms and subject to such conditions and secured in such manner as the Minister, with the approval of the Treasury, may prescribe:

Provided that the amount advanced under this section shall not at any time exceed in the aggregate one-fifth of the sums paid into the fund out of moneys provided by Parliament.

PART III.

GENERAL.

14.—(1) In relation to a scheme which applies, or is proposed to be applied, to the whole of Great Britain or to England only or to any area wholly comprised in England and in relation to any board administering such a scheme—

"The Minister" means the Minister of Agriculture and Fisheries;

"The Gazette" means the London Gazette;

"The Marketing Fund" means the Agricultural Marketing Fund;

"The Agricultural Marketing Facilities Committee" means the Agricultural Marketing Facilities Committee for England.

(2) In relation to any scheme which applies or is proposed to be applied to Scotland only or to any area
wholly comprised in Scotland and in relation to any board administering such a scheme—

"The Minister" means the Secretary of State;

"The Gazette" means the Edinburgh Gazette;

"The Marketing Fund" means the Agricultural Marketing (Scotland) Fund;

"The Agricultural Marketing Facilities Committee" means the Agricultural Marketing Facilities Committee for Scotland.

(3) Where it is proposed that a scheme under this Act should apply to an area comprised partly in England and partly in Scotland, the following provisions of this subsection shall have effect—

(a) the scheme shall be submitted both to the Minister of Agriculture and Fisheries and to the Secretary of State;

(b) the Minister of Agriculture and Fisheries and the Secretary of State shall, after consultation with each other, decide which of the two is to deal with the scheme and shall notify the persons who submitted the scheme accordingly, and whichever is so decided is hereafter in this section referred to as the "responsible Minister;"

(c) for the purpose of the provisions of this Act other than provisions relating to the submission of a scheme, the following expressions have, in relation to any such scheme and the board administering any such scheme, the following meanings—

"The Minister" means the responsible Minister;

"The Gazette" means the London Gazette and Edinburgh Gazette;

"The Agricultural Marketing Fund" means the Agricultural Marketing Fund administered by the responsible Minister;

"The Agricultural Marketing Facilities Committee" means the Agricultural Marketing Facilities Committee appointed by the responsible Minister.
15. For the purposes of this Act the following expressions have the meanings hereby respectively assigned to them:

"Adapting for sale" includes subjecting to any process of manufacture or treatment.

"Agricultural product" means—

(a) a primary agricultural product, that is to say, a product brought into existence by the cultivation of the soil, and a product or animal brought into existence by the breeding or maintaining of horses, cattle or other livestock or poultry or the cultivation of bees; and

(b) a secondary agricultural product, that is to say, a product derived from any primary agricultural product by any process of treatment commonly carried out by persons bringing that primary product into existence as aforesaid.

"Functions" includes powers and duties.

"Marketing" in relation to an agricultural product includes selling, grading, packing, storing, adapting for sale, insuring, advertising and transporting.

"Producing" in relation to any agricultural product means bringing into existence a primary agricultural product as hereinbefore in this section defined or deriving a secondary agricultural product as so defined from a primary agricultural product, and the expressions "producer" and "production" shall be construed accordingly.

16.—(1) This Act may be cited as the Agricultural Marketing Act, 1930.

(2) This Act shall not extend to Northern Ireland.
MODIFICATIONS AND ADAPTATIONS OF PART X OF THE
COMPANIES ACT, 1929 (HEREAFTER IN THIS
SCHEDULE REFERRED TO AS "THE ACT") TO BE
MADE IN THE CASE OF THE WINDING-UP OF
ADMINISTRATIVE BOARDS.

1. For the purpose of section three hundred and thirty-eight
of the Act, the principal place of business of an administrative
board shall be deemed to be the office, particulars whereof are
for the time being entered in the register kept by the Minister
under this Act.

2. Sub-paragraph (ii) of paragraph (e) of subsection (1)
of section three hundred and thirty-eight shall not apply, and sub­
paragraph (iii) of that paragraph shall apply as if the words
" or any member thereof as such " were omitted.

3. A petition for winding up an administrative board may
be presented by the Minister as well as by any person authorised
under the other provisions of the Act to present a petition for
winding up a company.

4. For the purpose of subsection (1) of section three hundred
and thirty-nine of the Act, every producer who, during the
period of one year immediately before the commencement of the
winding up, was registered under the scheme shall be liable to
contribute to the payment of the debts and liabilities of the
board and to the payment of the costs and expenses of the
winding-up such proportion as may be provided in the scheme
of the aggregate sum paid or payable to him in respect of the
sale of the regulated product during that year.
Agricultural Marketing.

DRAFT OF A BILL

To provide for regulating the marketing of agricultural products by the producers thereof, for the establishment of Agricultural Marketing Funds for England and Scotland respectively, for the making of advances out of those funds, to facilitate the marketing of agricultural products, and for purposes connected with the matters aforesaid.

LXIII. (5.)

8th March 1930.