



Agricultural Marketing Act 1958

1958 CHAPTER 47

PART IV

GENERAL AND SUPPLEMENTARY

52 Interpretation

(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

" agricultural product " includes—

- (a) any product of agriculture or horticulture ;
- (b) any article of food or drink wholly or partly manufactured or derived from any such product; and
- (c) fleeces (including all kinds of wool, whether from a living animal or from a dead animal or from the skin of a dead animal) and the skins of animals ;

" board " means a board administering a scheme and, in relation to any scheme, means the board administering that scheme;

" contravention " includes, in relation to a provision of this Act or of a scheme, a failure to comply with the provision, and the expression " contravene " shall be construed accordingly;

" the Gazette " means—

- (a) in relation to a scheme applicable in both England and Wales, or in either England or Wales, the London Gazette, and includes, in relation to a scheme applicable as aforesaid which is also applicable in both Scotland and Northern Ireland or in either Scotland or Northern Ireland, the Edinburgh Gazette and the Belfast Gazette, the Edinburgh Gazette or the Belfast Gazette, as the case may be;
- (b) in relation to a scheme applicable in Scotland, the Edinburgh Gazette, and includes, in relation to a scheme applicable as aforesaid which is also applicable in Northern Ireland, the Belfast Gazette ;

Status: This is the original version (as it was originally enacted).

" initial poll ", in relation to a scheme, means the first poll of registered producers taken on the question whether the scheme shall remain in force ;

" the Minister " means—

- (a) in relation to any of the matters specified in Part I of the Third Schedule to this Act, the Ministers;
- (b) in relation to any of the matters specified in Part II of that Schedule, the Minister of Agriculture, Fisheries and Food and the Secretary of State concerned with agriculture in Scotland, acting jointly;
- (c) in relation to any of the matters specified in Part III of that Schedule, the said Minister and the Secretary of State concerned with agriculture in Northern Ireland, acting jointly ;
- (d) in relation to any of the matters specified in Part IV of that Schedule, the said Secretaries of State, acting jointly;
- (e) in relation to any of the matters specified in Part V of that Schedule, the said Minister ;
- (f) in relation to any of the matters specified in Part VI of that Schedule, the Secretary of State concerned with agriculture in Scotland;

" the Ministers " means the Minister of Agriculture, Fisheries and Food and the Secretaries of State concerned with agriculture in Scotland and Northern Ireland respectively, acting jointly;

" producer " means, in relation to any scheme, any person who produces the regulated product;

" registered producer " means, in relation to any scheme, a producer registered under the scheme ;

" regulated product " means, in relation to any scheme, any product the marketing of which is regulated by the scheme, but does not (except in the expression "consumers of the regulated product") include any product in so far as it is produced outside the area to which the scheme is applicable ;

" requisite majority", in relation to a poll of registered producers, means a majority comprising—

- (a) not less than two-thirds of the total number of registered producers voting on the poll, and
- (b) such number of registered producers as are together capable of producing not less than two-thirds of the quantity of the regulated product which all the registered producers voting on the poll are together capable of producing ;

" scheme " means a scheme under this Act;

" substitutional scheme " means a scheme which revokes one or more existing schemes, and is such that at the time when it comes into force—

- (a) every person is entitled to be registered as a producer thereunder who was entitled to be registered as a producer under the existing scheme or one or more of the existing schemes ; and
- (b) no person is entitled to be registered as a producer thereunder who was not entitled to be registered as a producer under the existing scheme or any of the existing schemes ;

" suspensory period ", in relation to a scheme, means a period beginning on the date when the scheme is approved and ending at the expiration of such period (not being less than one month or more than two months) beginning on

the date of the declaration of the result of the initial poll, as may be provided by the scheme.

- (2) A declaration by the Minister, contained in an order approving a scheme, that the scheme is a substitutional scheme shall be conclusive evidence of that fact.
- (3) For the purposes of a scheme regulating the marketing of livestock of any kind, every person whose business it is to keep livestock of that kind for the purpose of breeding from it or selling it in an improved condition shall, except in so far as the scheme otherwise provides, be deemed to produce it.
- (4) For the purposes of Part III of this Act, any branch of industry which is engaged in the production of an agricultural product shall be deemed to be a branch of the agricultural industry.
- (5) Any reference in this Act to any enactment shall, except in so far as the context otherwise requires, be construed as a reference to that enactment as amended by or under any other enactment.