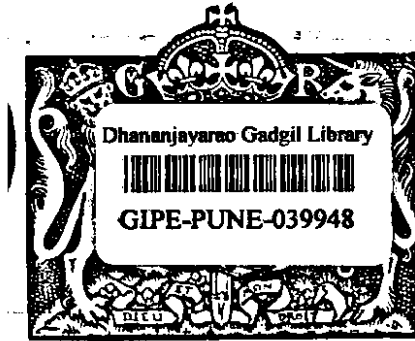


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Economic Series No. 37



(For list of other Reports in
this Series see inside of covers.)

MINISTRY OF AGRICULTURE AND FISHERIES

Report of the
REORGANISATION COMMISSION
FOR
PIGS AND PIG PRODUCTS

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LONDON

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MINUTE OF APPOINTMENT.

In accordance with Section 15 of the Agricultural Marketing Act, 1931, we hereby constitute—

COL. THE RT. HON. G. R. LANE FOX, P.C., J.P., D.L.,
 SIR WILLIAM S. HALDANE, W.S.,
 H. G. HOWITT, Esq., D.S.O., M.C., F.C.A.,
 LT.-COL. SIR WYNDHAM PORTAL, Bart., M.V.O., D.S.O., and
 THE HON. JASPER RIDLEY,

as an Agricultural Marketing Reorganisation Commission for Great Britain, and charge it with the duty of preparing, in accordance with the provisions of the Act, a scheme or schemes (applicable in England and Scotland) for regulating the marketing of pigs and any pig products, and we direct that the Commission, in the course of preparing any scheme as aforesaid, shall—

(a) investigate the extent to which its operation could be facilitated by co-operation between the board administering it and any corresponding body in Northern Ireland ;

(b) investigate the manner in which its operation could be facilitated by the quantitative regulation of imports of pigs and bacon and by similar or different measures affecting other pig products ;

(c) investigate the manner in which such regulation could best be undertaken in the public interest ;

(d) investigate any other matter affecting the operation of any such scheme ; and

(e) make recommendations with respect to the matters investigated.

We further appoint Col. The Rt. Hon. G. R. Lane-Fox, P.C., J.P., D.L., to be Chairman ; Mr. J. B. Baber, M.C., T.D., to be Secretary ; and Mr. A. R. Manktelow to be Assistant Secretary of the Commission.

(Signed) JOHN GILMOUR,
 Minister of Agriculture and Fisheries.

(Signed) ARCHIBALD SINCLAIR,
 Secretary of State for Scotland.

21st April, 1932.

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APPENDIX A.

DRAFT SCHEME

UNDER THE AGRICULTURAL MARKETING ACT, 1931 REGULATING THE MARKETING OF PIGS.

PART I—PRELIMINARY.

1. This Scheme may be cited as the Pigs Marketing Scheme, 1932, and applies to Great Britain.
2. In this Scheme, except where the context otherwise requires—
 - “The Act” means the Agricultural Marketing Act, 1931.
 - “Bacon” includes hams.
 - “Calendar year” means a consecutive period of twelve months beginning on the first day of January.
 - “Curer” means a person registered under any scheme in force under the Act regulating the marketing of bacon, or if no such scheme is in force, a person whose business consists, in whole or in part, in producing bacon in Great Britain, and who either—
 - (a) uses for the purpose machinery driven by mechanical power (including water); or
 - (b) occupies for the purpose any premises on which, in any consecutive period of two months commencing on or after the first day of October, 1932, more than seventy-five hundredweights of bacon were put into cure, whether by him or any other person, bacon put into cure otherwise than for the first time being left out of account.
 - “Pigs” means pigs produced in Great Britain.
 - “Producer” means a producer of pigs.
 - “Registered” means registered under this Scheme and “registration” shall be construed accordingly.
 - “Secretary” includes any person for the time being authorized by the Board to act as their secretary.
3. The Interpretation Act, 1889, shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

PART II—THE BOARD.

4. The Board to administer this Scheme shall be called the Pigs Marketing Board, and shall be a body corporate with a common seal and power to hold land without license in mortmain.
5. Until the Board shall consist of the
following persons :—

Two persons nominated by the Minister in accordance with the proviso to subsection (1) of section two of the Act ;
and thereafter the Board shall consist of eight district members elected one for each of the local districts specified in the First Schedule to this Scheme by the registered producers of that district, and three special members elected by the registered producers in general meeting.

6. An election of district members for the South Western, South Eastern, Eastern and East Midland districts shall be held in the year 1933 and every second calendar year thereafter, and an election of district members for the other districts shall be held in the year 1933, the year 1934, and every second calendar year thereafter. Every election of district members shall be held in the month of Every district member shall, subject to the provisions of this Scheme, hold office until the expiration of the day on which the next district election for his district takes place.

7. An election of special members shall be held in 1933 in the month of and in every subsequent calendar year at such a time as the Board may fix ; but in the year 1934 and every second calendar year thereafter only one special member shall be elected, and in the year 1935 and every second calendar year thereafter only two special members shall be elected. Of the special members elected in 1933 one (to be selected by lot) shall, subject to the provisions of this Scheme, hold office until the expiration of the day on which the election of special members in 1934 takes place but, save as aforesaid, every special member shall, subject to the provisions of this Scheme, hold office only until the expiration of the day on which the election of special members is held in the second calendar year after the calendar year in which he was elected.

8. A member of the Board who ceases to hold office shall be eligible for election or re-election.

9. A member of the Board shall cease to hold office—

- (a) if he delivers to the Board a written resignation of his office and the resignation is accepted by the Board or, if not accepted, is not withdrawn within seven days ; or
- (b) if he is detained for more than seven days in any place under any enactment in force in any part of the United Kingdom relating to persons of unsound mind ; or
- (c) if he is adjudged bankrupt or enters into a composition with his creditors.

10. If a member of the Board dies or ceases to hold office under the last preceding paragraph, the Board shall co-opt a person in his place, and any person so co-opted shall, unless he dies or ceases to hold office as aforesaid, hold office for so long as his predecessor would have held office.

11. The Board shall at all times have power to act notwithstanding any vacancy among their members, and may appoint committees out of their own number and may, subject to the provisions of this Scheme with respect to the application of the common seal of the Board, delegate any of their powers, other than any power to impose penalties and any power in connexion with the borrowing of money, to any committee so appointed. A Committee shall not hold office beyond the next election of special members of the Board and shall report their proceedings to, and obey any directions of, the Board,

12. The quorum of the Board and of any committee thereof shall be such as the Board may from time to time determine but in the case of the Board, shall, until otherwise determined, be five, and shall not be less than that number, and in the case of any committee, shall in no case be less than three. Questions arising at any meeting of the Board or a committee shall be decided by a majority of the votes of the members present, and in the case of an equality of votes at such a meeting the member acting as chairman shall have a second or casting vote. Any member of the Board may, and the Secretary on the request of any member of the Board shall, convene a meeting of the Board.

13. All acts done at any meeting of the Board or of any committee thereof shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment, election or qualification of a person purporting

to be a member of the Board or the committee, be as valid as if that defect had not existed.

14. Minutes shall be kept of the proceedings of the Board or of any committee thereof, and any such minutes shall, if signed by a person purporting to have acted as chairman of the meeting to which they relate or of a meeting at which they were read, be evidence of those proceedings, and the meeting to which any such minutes relate shall be presumed, until the contrary is proved, to have been regularly convened and constituted.

15. The common seal of the Board shall not be applied to any document except at a meeting of the Board, and its application shall be attested by the member acting as chairman and at least one other member and the Secretary

16. Contracts and instruments which would not in the case of a private person require to be under seal may be entered into or executed on behalf of the Board by any person authorized in that behalf by the Board.

17. The Board—

- (a) may employ a secretary and such other officers, servants and agents as they think fit;
- (b) shall have an office at which communications and notices will at all times be received, and shall notify the Minister of the address thereof and of any change in that address;
- (c) 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 any of their powers or performing any of their duties under this Scheme.

18. The Board may pay to any member of the Board any such travelling and hotel expenses as have in their opinion been reasonably incurred by him in connexion with the business of the Board, and shall also pay to each member of the Board such remuneration (if any) as may be prescribed annually by the registered producers in general meeting.

19. No contract to which the Board is a party shall be avoided by reason only that a member of the Board is also a party thereto or is interested therein, and a member of the Board who is a party to or interested in such a contract shall not, by reason only that he is a member of the Board, be liable to account to the Board for any profit realized by him by reason of the contract; but a member of the Board must forthwith disclose to the Board any interest which he has or acquires in any contract concluded or proposed to be concluded by the Board and shall not vote upon any question relating to the contract, and if he does vote, his vote shall not be counted:

Provided that a member of the Board shall not be precluded from voting on a question relating to the general policy of the Board with respect to any matter by reason only that the determination of that question will or may affect contracts which have been, or may thereafter be, entered into by him with the Board.

PART II.—REGISTER OF PRODUCERS.

20. The Board shall keep a register of producers, and every producer shall, on application to the Board, be entitled to be registered therein.

21. The register of producers shall be open for inspection at the office of the Board from 10 a.m. to 4 p.m. on weekdays other than Saturdays, except on Christmas Day, Good Friday and any Bank Holiday. Any person shall be entitled to be supplied with a copy of the register or any part thereof on payment of a fee not exceeding one halfpenny for each entry copied, or to take extracts therefrom for his own use free of charge. The Board administering any scheme under the Act regulating the marketing of bacon

shall on demand be entitled once in each calendar year to be supplied with a copy of the register free of charge.

22. Any producer who desires neither to sell pigs to curers nor to require, in accordance with the provisions of Part VI of this Scheme, the Board to buy pigs from him, shall be exempt from registration and from the operation of this Scheme :

Provided that a producer who has entered into a contract with the Board in pursuance of such a request as aforesaid shall not be entitled to exemption so long as anything remains to be done by him under that contract.

23. The Board, on being satisfied that a person who is registered has ceased to be a producer or is exempt from registration, shall remove his name from the register :

Provided that the name of a person shall not be removed from the register without his consent by reason only that he is exempt from registration.

PART IV.—POLLS.

24. On the coming into force of this Scheme, a poll of the registered producers shall be taken on the question whether this Scheme is to remain in force. The said poll (in this Scheme referred to as "the initial poll") and any poll held in connexion with a proposal for the amendment or revocation of this Scheme shall be taken in accordance with the succeeding provisions of this Part of this Scheme.

25. The producers who are entitled to vote on the poll shall be the producers who are registered on the qualifying date, that is to say :—

(a) in the case of the initial poll, the date specified in the notice to be published in accordance with sub-section (1) of section four of the Act, being a date not less than seven days after the date to be fixed by the Minister for the latest publication of any such notice ;

(b) in the case of any other poll, on such day as may be determined by the Board.

26. The poll shall be conducted by post, and the Board shall, not later than the seventh day after the qualifying date, send a voting paper to every producer entitled to vote. In the event of the loss of a voting paper so sent, the Board may supply a duplicate voting paper.

27. The voting paper shall be in the form set out in the Second Schedule to this Scheme, and only voting papers which are properly completed and which reach the office of the Board on or before the fourteenth day after the qualifying date shall be taken into account ; and any person who knowingly makes any false statement in a voting paper shall be liable on summary conviction to be imprisoned for a period not exceeding three months, or to a fine not exceeding £100, or to both such imprisonment and fine.

28. For the purposes of any poll, the quantity of pigs which a producer is capable of producing shall be taken to be proportionate to the number of live pigs in his possession in Great Britain at noon on the qualifying date.

29. The Board shall cause the votes to be counted, and the result of the poll shall be declared at a meeting of the Board by the member acting as chairman at that meeting, and shall be published in the *Times* newspaper or, at the option of the Board, by sending a notice thereof, in the case of the initial poll, to every person who is known to the Board to be a producer, and in the case of any other poll, to every registered producer.

PART V.—FINANCIAL PROVISIONS.

30. There shall be established a fund (in this Scheme referred to as "the fund") which shall be administered and controlled by the Board. All moneys received by the Board shall be paid into the fund, and any moneys required by the Board for the operation of this Scheme shall be paid out of the fund. Any moneys for the time being standing to the credit of the fund may be left on current or deposit account in any bank or invested in any securities in which a trustee might lawfully invest trust moneys under the powers of section one of the Trustee Act, 1925, as extended by any subsequent enactment.

31. The Board may borrow money in such manner, on such terms and on such security as may be arranged by them with the person from whom the money is borrowed.

32. The Board shall keep proper accounts and in particular shall annually make out a balance-sheet and either a profit and loss account or, if the Board does not trade for profit, an income and expenditure account, and shall cause them to be audited by a Chartered or Incorporated Accountant nominated by the registered producers in general meeting, and as soon as may be after the auditor has reported thereon, and in any case within three months of the close of the period covered by the profit and loss or income and expenditure account, shall send to the Minister and to every registered producer a copy thereof and of the report of the auditor thereon, and also a report by the Board as to the working of this Scheme in the period covered by the profit and loss or income and expenditure account.

33. The Board shall, on the demand of any person and on payment by him of such fee, not exceeding one shilling, as may be fixed by the Board, furnish to him a copy of any of their balance-sheets.

PART VI.—PROVISIONS AS TO MARKETING AND PRINCIPAL POWERS OF THE BOARD.

34. The provisions of this Part of this Scheme shall come into force at the expiration of the suspensory period, that is to say, at the expiration of a period of one month commencing on the date on which the result of the initial poll is declared to be favourable to the continuance in force of this Scheme.

35. Subject to the provisions of the Act with respect to existing contracts and to the provisions of this paragraph, a producer who is neither registered nor exempt from registration shall not sell any pigs :

Provided that sales of pigs otherwise than to the Board or any curer shall be exempt from the provisions of this paragraph.

36. The Board may regulate sales of pigs by any registered producer by determining, for such period as may be fixed by the Board on the occasion of each determination, all or any of the following matters, that is to say, the kinds, varieties and grades of pigs which may be sold, and the prices at, below, or above which, and the terms on which, pigs or any kind, variety, grade or quantity of pigs may be sold :

Provided that any sale of pigs to the Board or to a person who is not a curer shall be exempt from the operation of every such determination.

If any registered producer sells any pig in contravention of this paragraph, then, subject to the provisions of the Act with respect to existing contracts and to the provisions of this Part of this Scheme, the Board shall by resolution impose upon, and shall recover from, him such monetary penalty (not exceeding ten pounds in respect of each pig so sold) as they think just.

37. The Board may—

- (a) buy pigs ;
- (b) produce from pigs any of the commodities specified in the Third Schedule to this Scheme ;
- (c) sell, grade, pack, store, adapt for sale, insure, advertise and transport any pigs bought or commodities produced by them as aforesaid ;
- (d) for the purpose of producing from pigs bought by them any such commodities as aforesaid, establish slaughterhouses ;
- (e) buy, and sell or let for hire to registered producers, anything required for the production of pigs ;
- (f) co-operate with any other person in doing any of the things previously mentioned in this paragraph ;
- (g) do such things as appear to the Board to be calculated to encourage co-operation among producers of pigs or research and education in connexion with the production and marketing of pigs and commodities produced from pigs, and in particular (but without prejudice to the generality of the foregoing provisions) may provide or join in providing for producers the services known as "pig-recording" and "litter-testing," and any services for similar purposes.

Where in pursuance of sub-paragraph (g) of this paragraph the Board render any services to any producer, they may make such charges in respect thereof as they consider reasonable.

38. Without prejudice to the generality of the powers conferred on the Board by the foregoing provisions of this Part of this Scheme, the Board shall from time to time, after consulting the persons who are for the time being members of the board administering any scheme under the Act regulating the marketing of bacon, or, if there is no such board, after consulting such other persons as they think best qualified to express the views of curers, prescribe the descriptions under which, the terms on which, and the prices at which, they will, when requested so to do in accordance with the provisions of this paragraph, sell pigs to curers, and subject to the provisions of this paragraph, it shall be the duty of the Board, on the joint request of a registered producer who desires to sell, and a curer who desires to buy, any number of pigs under any prescribed description, to contract with the producer to buy, and to contract with the curer to sell, that number of pigs under that description, on the prescribed terms and at the prescribed price :

Provided that—

- (a) the Board may from time to time prescribe a limit on the quantity of pigs, or pigs of a specified description, which they will sell to curers under this paragraph for delivery within a specified period, and the Board shall not enter into any contract under this paragraph if, in their opinion, the effect of so doing would be that any limit so prescribed would be exceeded ;
- (b) the Board shall not be bound to enter into any contracts in any case in which they have reasonable cause to believe that either the producer or the curer will not fulfil his contract ;
- (c) the terms of the contract between the Board and the producer shall, in such classes of cases as may from time to time be prescribed by the Board, differ from the terms of the contracts between the Board and the curer in such respects as may be so prescribed, and in any case where the terms of the contracts so differ, the price payable by the Board to the producer shall also differ from the price payable by the curer to the Board to the extent so prescribed.

For the purposes of this paragraph the Board may, either generally or in relation to particular circumstances or particular descriptions of pigs, prescribe alternative terms for the sale of pigs by the Board to curers or for the sale of pigs by producers to the Board, or for both, and in any case in which any such alternatives are available, any request under this section must specify which of the available alternatives is desired to be adopted.

39. There shall be made from any sum payable by the Board under any contract for the sale of pigs to them by a registered producer such deduction by way of contribution to the fund as may be specified in a scale to be from time to time fixed by the Board.

40. The Board may, at any time within the three months immediately succeeding the expiration of the suspensory period, by resolution require every registered producer to contribute to the fund the sum of two shillings and sixpence plus, in the case of a registered producer who validly voted on the initial poll, a sum not exceeding threepence for every pig stated by him to have been in his possession at noon on the qualifying date. The amount of any such contribution shall be a debt due to the Board from the registered producer in question.

41. Any moneys standing to the credit of the fund which, in the opinion of the Board, are not required for the operation of this Scheme shall be distributed among the registered producers in proportion to the total sums respectively contributed by them to the fund under the two last preceding paragraphs.

42. The Board may lend to a registered producer, on such security (if any) and on such terms as to interest and otherwise as they think fit, sums not exceeding in all two-thirds of the total sum which they estimate that he will receive from the sale to them of pigs which are in the course of being produced by him.

43. Any registered producer who satisfies the Board or establishes by arbitration in accordance with Part IX of this Scheme that the Board have in any respect given an undue preference to any other registered producer, shall be entitled to receive from the Board such sums by way of compensation as may be necessary to make good any damage suffered by him by reason of the undue preference.

44. The Board may, whenever they consider it necessary for the operation of this Scheme so to do, serve on any registered producer a demand in writing requiring him to furnish to them such estimates, returns and other information relating to pigs as may be specified in the demand and if without reasonable excuse he fails to comply with the demand or if he knowingly makes any false statement in reply thereto, then, subject to the provisions of this Part of this Scheme, the Board shall by resolution impose upon, and shall recover from, him such monetary penalty not exceeding twenty pounds as they think just.

45. Any person authorized in writing by the Board may, for the purpose of securing compliance with this Scheme, enter and inspect, at any reasonable time and on production of his authority, any part of the land or premises occupied by a registered producer (being a producer specified in the authority) which the person so authorized has reason to believe is used for producing pigs.

46. The following provisions shall have effect with respect to the imposition of penalties by the Board on registered producers under the preceding provisions of this Part of this Scheme and the recovery thereof:—

- (a) no penalty shall be so imposed in respect of any act or omission which constitutes an offence under any Act other than the Act;
- (b) every penalty so imposed shall, subject as hereinafter provided, be a debt due to the Board and recoverable accordingly;

- (c) immediately on the passing of any resolution imposing a penalty notice of the resolution shall be sent to the registered producer in question and he may within fourteen days from the day on which the notice was so sent to him give notice to the Board referring the matter to arbitration under the provisions of Part IX of this Scheme ; and if the matter is so referred, no proceedings shall be taken by the Board otherwise than in or for the purposes of the arbitration or to enforce the award of the arbitrator ; and the arbitrator may award payment of such penalty, if any (not exceeding the maximum penalty which could have been imposed by the Board), as he thinks just.

PART VII.—MEETINGS OF REGISTERED PRODUCERS.

47. Whenever an election of district members of the Board is to be held or anything is to be done by a district meeting of registered producers, the Board shall arrange for the holding of a district meeting at such time and place within the district as they may appoint, and whenever an election of special members of the Board is to be held or anything is to be done by the registered producers in general meeting, the Board shall arrange for the holding of a general meeting at such time and place as the Board may appoint.

48. The chairman of every meeting shall be appointed by the Board :

Provided that if the person appointed by the Board to be chairman is not present within fifteen minutes of the time appointed for the meeting, the meeting shall choose a chairman.

49. At least ten days before the day fixed for the holding of a meeting the Board shall send to every registered producer who is entitled to vote at the meeting a written notice stating—

- (a) the time and place appointed for the holding of the meeting ;
- (b) the business to be transacted ;
- (c) the name of the chairman ;
- (d) in the case of a general meeting at which an election is to take place, the time by which nominations of candidates must be received at the office of the Board ;
- (e) in the case of a district meeting at which an election is to take place, the name and address of the person to whom nominations of candidates are to be sent and the time by which such nominations must be received at that address.

50. No business shall be transacted at any meeting other than the business of which notice has been given as aforesaid by the Board.

51. At a general meeting every registered producer shall be entitled to vote and at a district meeting those registered producers shall be entitled to vote who are producing pigs in the district :

Provided that no registered producer shall be entitled to vote at an election of district members of the Board more than once in 1933 or more than once in any two consecutive calendar years subsequent to 1933.

52. At any meeting, registered producers may vote either personally or by proxy. The instrument appointing a proxy shall be in writing in such form as the Board may require, under the hand of the registered producer or his attorney, or, if the registered producer is a limited company, either under their seal or under the hand of a person duly authorized by them in that behalf. The said instrument and the power of attorney or other authority (if any) under which it is signed (or a notarily certified copy thereof) shall

be deposited at the office of the Board not later than the end of the third day before the day fixed for the meeting, and in default the instrument shall be treated as invalid.

The proxy of a limited company need not be a registered producer.

53. Every question put before a meeting of registered producers (not being a question as to who is to be elected a member of the Board) shall be decided on a show of hands unless, either before or immediately after the show of hands, a formal vote is demanded by or on behalf of at least three registered producers entitled to vote, in which case a formal vote shall forthwith be taken.

54. The following provisions shall have effect with respect to elections of members of the Board :—

- (a) no person shall be qualified to be elected a district member unless he has been nominated in writing as a candidate by at least twenty registered producers entitled to vote in that district and the nomination has, not later than the end of the third day before the day fixed for the holding of the election, been received at the address designated in that behalf by the Board ;
- (b) no person shall be qualified to be elected a special member unless either he has been nominated as a candidate by a resolution of the Board or he has been nominated in writing by at least forty registered producers, and, in the latter case, the nomination has, not later than the third day before the day fixed for the holding of the election, been received at the office of the Board ;
- (c) where no more candidates are duly nominated than there are vacancies to be filled, those candidates shall be declared elected, but in any other case a formal vote shall forthwith be taken and the candidates who receive the most votes shall be declared elected.

55. On the taking of a formal vote a registered producer shall, except in the case of an election, have the standard number of votes and in the case of an election shall have the standard number of votes multiplied by the number of members to be elected at the meeting, but shall not give more than the standard number of votes in favour of any one candidate.

In this paragraph, the expression " the standard number of votes " means in relation to each registered producer one vote plus one vote for every twenty pigs contracted to be sold by him to the Board for delivery during the calendar year in which the election takes place, and where that number of pigs is not an exact multiple of twenty the producer shall have the same number of votes as if the number of pigs had been the next highest multiple of twenty.

Where under any contract of sale the period allowed for the delivery of any pigs does not fall wholly within any one calendar year, those pigs shall, for the purpose of this paragraph, be deemed to have been sold for delivery during the calendar year within which the period commences.

56. Without prejudice to the provisions of this Part of this Scheme relating to proxies, a registered producer who is a limited company may exercise any of their rights at a meeting by any one of their directors and a registered producer who is a partnership may exercise any of their rights at a meeting by any of their partners.

57. At any meeting the declaration of the chairman as to the result of any vote or show of hands shall be final ; and in the event of an equality of votes the chairman shall, in addition to his other votes (if any) have a casting vote.

58. Without prejudice to any other provisions of this Scheme, the Board may convene a general or district meeting of registered producers to discuss any question which, in the opinion of the Board, should be discussed at such a meeting.

PART VIII.—AMENDMENT AND REVOCATION OF SCHEME AND WINDING UP OF THE BOARD.

59. Before submitting a substitutional Scheme or amendment of this Scheme to the Minister, the Board shall publish the proposed Scheme or amendment by serving notice thereof on every registered producer.

60. A poll on the question whether or not a substitutional Scheme or an amendment of this Scheme shall be submitted to the Minister may, within one month from the publication thereof, be demanded in writing by any 200 registered producers, and a poll on the question whether or not this Scheme is to be revoked may be demanded at any time in the said manner by any 500 registered producers; but no poll shall without the consent of the Board be taken on the question whether or not this Scheme is to be revoked within one year of the declaration of the result of a previous poll on that question.

61. Part X of the Companies Act, 1929 (which relates to the winding up of unregistered companies) shall apply in relation to the Board subject to the modifications set out in paragraphs four to eight of the Second Schedule to the Act.

62. Contributions under paragraph seven of the Second Schedule to the Act shall be assessed proportionately to the total number of pigs (if any) contracted to be sold to the Board by each contributor for delivery at any time during the relevant period and shall not in any case exceed five shillings per pig.

Where under any contract of sale the period allowed for the delivery of any pigs does not fall wholly within the relevant period, those pigs shall, for the purposes of this paragraph, be deemed to have been sold for delivery on the first day of the period allowed by the contract for the delivery thereof.

PART IX.—MISCELLANEOUS.

63. Any producer who is aggrieved by any act or omission of the Board may refer the matter to the arbitration of a single arbitrator to be agreed upon between him and the Board or in default of agreement to be nominated by the Minister, and the arbitrator may make such order in the matter as he thinks just.

Every such arbitration shall be conducted in accordance with the law of England, and the Arbitration Act, 1889, shall apply in relation thereto.

64. Any requirement of this Scheme that a document shall be sent to or served on a person by the Board shall be deemed to have been complied with if within the period (if any) limited for the sending or service of the document the document is dispatched to him by post, properly addressed and with the postage prepaid.

FIRST SCHEDULE.

DISTRICTS.

There shall be eight districts bearing respectively the names set out in the first column of the following Table and each district shall consist of the areas specified opposite thereto in the second column of that Table :—

1. SOUTH WESTERN	Somersetshire. Dorsetshire. Devonshire. Cornwall.
2. SOUTH EASTERN	Kent. Surrey. Middlesex and London (including the City). Sussex. Berkshire. Hampshire (including the Isle of Wight). Oxfordshire. Buckinghamshire. Bedfordshire. Wiltshire.
3. EASTERN	Norfolk. Suffolk. Essex. Hertfordshire.
4. EAST MIDLAND	Lincolnshire. Nottinghamshire. Derbyshire. Leicestershire. Rutland. Northamptonshire (including the Soke of Peterborough). Huntingdonshire. Cambridgeshire (including the Isle of Ely).
5. WEST MIDLAND	Cheshire. Shropshire. Staffordshire. Warwickshire. Worcestershire. Gloucestershire. Herefordshire.
6. NORTHERN	Cumberland. Northumberland. Durham (the whole County). Westmorland. Lancashire. Yorkshire.
7. WALES	Wales and Monmouthshire.
8. SCOTLAND	Scotland.

SECOND SCHEDULE.
FORM OF VOTING PAPER.

The Pigs Marketing Board.

(1) The Board must fill in the name and address of the registered producer. To (1)

A poll is being held under the Pigs Marketing Scheme, 1932, on the following question, viz. (2)

(2) The Board must fill in the question on which the poll is being taken. Do you wish this question to be answered "Yes" or to be answered "No"? (Answer Yes or No)

(3) The Board must fill in the qualifying date. How many live pigs were in your possession in Great Britain at noon on (3).....?

*Are you likely to desire either to sell pigs to curers (as defined in the Scheme) or to require the Board, in accordance with Part VI. of the Scheme, to buy pigs from you? (Answer Yes or No).....

Signature of registered producer.....
Address

N.B.—Your votes will not count unless this paper, properly filled in and signed, reaches the office of the Pigs

(4) The Board must fill in the address of their office. Marketing Board (4)..... on or before (5)

(6) The Board must fill in the fourteenth day after the qualifying date. fully mis-state the number of live pigs in your possession you will render yourself liable to imprisonment or a heavy fine or both.

For the Pigs Marketing Board,
.....
Secretary.

Note.—The paragraph marked *should be omitted from the form except in the case of the initial poll.

THIRD SCHEDULE.

PRODUCTS WHICH MAY BE PRODUCED BY THE BOARD FROM PIGS.

Pork, bacon, hams, sausages, inwards, brawn, galantines and any edible offal or by-product; lard, tallow, and any edible or inedible fat, oil or grease; hair and bristles; glue and gelatine; skins; glands, gland extracts and any pharmaceutical product; sausage casings, bladders, gut and any other product made from the alimentary system of pigs; bones, bone meal, bone charcoal, blood, blood meal, and other derivatives of blood; hoofs, hoof meal, meat meal and any fertilizers or feeding-stuffs.

APPENDIX B.

DRAFT SCHEME

UNDER THE AGRICULTURAL MARKETING ACT, 1931, REGULATING THE MARKETING OF BACON (INCLUDING HAMS).

PART I—PRELIMINARY.

1. This Scheme may be cited as the Bacon Marketing Scheme, 1932, and applies to Great Britain.
2. In this Scheme, except where the context otherwise requires—
 - “The Act” means the Agricultural Marketing Act, 1931;
 - “Bacon” means bacon produced in Great Britain, and includes hams;
 - “Calendar Year” means a consecutive period of twelve months beginning on the first day of January;
 - “Producer” means a producer of bacon;
 - “Registered” means registered under this Scheme, and “registration” shall be construed accordingly;
 - “Secretary” includes any person for the time being authorized by the Board to act as their secretary;
 - “Week” means a consecutive period of seven days beginning on a Sunday.
3. The Interpretation Act, 1889, shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

PART II—THE BOARD.

4. The Board to administer this Scheme shall be called the Bacon Marketing Board, and shall be a body corporate with a common seal and power to hold land without licence in mortmain.
5. Until _____, the Board shall consist of the following persons :—

Two persons nominated by the Minister in accordance with the proviso to subsection (1) of section two of the Act ;
and thereafter the Board shall (subject to the provisions of this Scheme) consist of seven members annually elected by registered producers.

6. The annual election of members of the Board shall be held each year in the month of _____, on such day as may be fixed by the Board, and every elected member of the Board shall, subject to the provisions of this Scheme, hold office until the expiration of the day on which his successor is elected.

7. Of the members of the Board elected by registered producers, two shall be elected by producers who produce bacon on small premises, three by producers who produce bacon on medium premises, and two by producers who produce bacon on large premises, at meetings of these classes of producers respectively.

For the purposes of this Scheme, premises shall be treated as (a) small (b) medium or (c) large according as the total quantity of bacon put into cur thereon during the preceding calendar year (excluding bacon put into cur otherwise than for the first time)—

- (a) did not exceed one thousand three hundred tons ; or
- (b) exceeded one thousand three hundred tons, but did not exceed three thousand one hundred and twenty tons ; or
- (c) exceeded three thousand one hundred and twenty tons.

8. A member of the Board who ceases to hold office shall be eligible for election or re-election.

9. A member of the Board shall cease to hold office—

- (a) if he delivers to the Board a written resignation of his office and the resignation is accepted by the Board or, if not accepted, is not withdrawn within seven days ; or
- (b) if he is detained for more than seven days in any place under any enactment in force in any part of the United Kingdom relating to persons of unsound mind ; or
- (c) if he is adjudged bankrupt or enters into a composition with his creditors.

10. If a member of the Board dies or ceases to hold his office under the last preceding paragraph, the Board shall co-opt a person in his place, and any person so co-opted shall, unless he dies or ceases to hold office as aforesaid, hold office for so long as his predecessor would have held office.

11. The Board shall at all times have power to act notwithstanding any vacancy among their members, and may appoint committees out of their own number, and may, subject to the provisions of this Scheme with respect to the application of the common seal of the Board, delegate any of their powers other than any power to impose penalties or any power in connexion with the borrowing of money, to any committee so appointed. A committee shall not hold office beyond the next election of members of the Board, and shall report their proceedings to, and obey any directions of, the Board.

12. The quorum of the Board and of any committee thereof shall be such number (not less than three) as the Board may from time to time determine and until otherwise determined, the quorum of the Board shall be three. Questions arising at any meeting of the Board or a committee shall be decided by a majority of the votes of the members present, and in the case of an equality of votes at such a meeting the member acting as chairman shall have a second or casting vote. Any member of the Board may, and the Secretary on the request of any member of the Board shall, convene a meeting of the Board.

13. All acts done at any meeting of the Board or of any committee thereof shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment, election or qualification of a person purporting to be a member of the Board, or the committee, be as valid as if that defect had not existed.

14. Minutes shall be kept of all the proceedings of the Board or of any committee thereof, and any such minutes shall, if signed by a person purporting to have acted as chairman of the meeting to which they relate, or of a meeting at which they were read, be evidence of those proceedings, and the meeting to which any such minutes relate shall be presumed, until the contrary is proved, to have been regularly convened and constituted.

15. The common seal of the Board shall not be applied to any document except at a meeting of the Board, and its application shall be attested by the member acting as chairman and at least one other member and the Secretary.

16. Contracts and instruments which would not in the case of a private person require to be under seal may be entered into or executed on behalf of the Board by any person authorized in that behalf by the Board.

17. The Board—

- (a) may employ a secretary and such other officers, servants and agents as they think fit ;
- (b) shall have an office at which communications and notices will at all times be received, and shall notify the Minister of the address thereof and of any change in that address ;
- (c) 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 any of their powers or performing any of their duties under this Scheme.

18. The Board may pay to any member of the Board any such travelling and hotel expenses as have in their opinion been reasonably incurred by him in connexion with the business of the Board and shall also pay to each member of the Board such remuneration (if any) as may be prescribed annually by the registered producers in general meeting.

19. No contract to which the Board is a party shall be avoided by reason only that a member of the Board is also a party thereto, or is interested therein, and a member of the Board who is a party to or interested in such a contract shall not, by reason only that he is a member of the Board, be liable to account to the Board for any profit realized by him by reason of the contract ; but a member of the Board must forthwith disclose to the Board any interest which he has or acquires in any contract concluded or proposed to be concluded by the Board, and shall not vote upon any question relating to the contract, and if he does vote, his vote shall not be counted :

Provided that a member of the Board shall not be precluded from voting on a question relating to the general policy of the Board with respect to any matter by reason only that the determination of that question will or may affect contracts which have been or may thereafter be entered into by him with the Board.

PART III—REGISTER OF PRODUCERS.

20. The Board shall keep a register of producers, and every producer shall, on application to the Board, be entitled to be registered therein

21. The register of producers shall be open for inspection at the office of the Board from 10 a.m. to 4 p.m. on weekdays other than Saturdays, except on Christmas Day, Good Friday and any Bank Holiday. Any person shall be entitled to be supplied with a copy of the register or any part thereof on payment of a fee not exceeding one penny for each entry copied, or to take extracts therefrom for his own use, free of charge. The board which administers any scheme under the Act regulating the marketing of pigs shall, on demand, be entitled, once in each calendar year, to be supplied with a copy of the register, free of charge.

22. The following producers shall be exempt from registration and from the operation of this Scheme, that is to say, any producer who does not use machinery driven by any form of mechanical power (including water) so long as he can, if required to do so, satisfy the Board with respect to each of the premises occupied by him, that on those premises not more than seventy-five hundredweights of bacon in all have been put into cure in any consecutive period of two months commencing on or after the first day of October, 1932, whether by him or by any other person, bacon which was put into cure otherwise than for the first time being left out of account.

23. The Board, on being satisfied that a person who is registered has ceased to be a producer or is exempt from registration, shall remove his name from the register:

Provided that the name of a person shall not be removed from the register without his consent by reason only that he is exempt from registration.

PART IV—POLLS.

24. On the coming into force of this Scheme, a poll of the registered producers shall be taken on the question whether this Scheme is to remain in force. The said poll (in this Scheme referred to as "the initial poll") and any poll held in connexion with a proposal for the amendment or revocation of this Scheme shall be taken in accordance with the succeeding provisions of this part of this Scheme.

25. The producers who are entitled to vote on the poll shall be the producers who are registered on the qualifying date, that is to say:—

(a) in the case of the initial poll, the date specified in the notice to be published in accordance with subsection (1) of section four of the Act, being a date not less than seven days after the date to be fixed by the Minister for the latest publication of any such notice;

(b) in the case of any other poll, on such days as may be determined by the Board.

26. The poll shall be conducted by post, and the Board shall, not later than the seventh day after the qualifying date, send a voting paper to every producer entitled to vote. In the event of the loss of a voting paper so sent, the Board may supply a duplicate voting paper.

27. The voting paper shall be in the form set out in the Schedule to this Scheme, and only voting papers which are properly completed and which reach the office of the Board on or before the fourteenth day after the qualifying date shall be taken into account; and any person who knowingly makes any false statement in a voting paper shall be liable on summary conviction to be imprisoned for a period not exceeding three months, or to a fine not exceeding one hundred pounds, or to both such imprisonment and fine.

28. For the purposes of any poll, the quantity of bacon which a registered producer is capable of producing shall be taken to be proportionate to the total quantity of bacon which, so far as can be ascertained, was put into cure, whether by him or any other person, on the premises which are in his occupation on the qualifying date during the calendar year immediately preceding that in which the qualifying date falls, bacon put into cure otherwise than for the first time being left out of account.

29. The Board shall cause the votes to be counted, and the result of the poll shall be declared at a meeting of the Board by the member acting as chairman at that meeting, and shall be published in the *Times* newspaper, or, at the option of the Board, by sending a notice thereof, in the case of the initial poll, to every person who is known to the Board to be a producer, and in the case of any other poll, to every registered producer.

30. Hams and bacon other than hams shall not be treated as separate products for the purpose of subsection (4) of section three of the Act.

PART V—FINANCIAL PROVISIONS.

31. There shall be established a fund (in this Scheme referred to as "the fund") which shall be administered and controlled by the Board. All moneys received by the Board shall be paid into the fund, and any moneys required by the Board for the operation of this Scheme shall be paid out of the fund. Any moneys for the time being standing to the credit of the fund may be left on current or deposit account in any bank or invested in any securities in which a trustee might lawfully invest trust moneys under the powers of section one of the Trustee Act, 1925, as extended by any subsequent enactment.

32. The Board may borrow money in such manner, on such terms and on such security as may be arranged by them with the person from whom the money is borrowed.

33. The Board shall keep proper accounts and in particular shall annually make out a balance-sheet and an income and expenditure account or, if the Board trades for profit, a profit and loss account, and shall cause them to be audited by a Chartered or Incorporated Accountant nominated by the registered producers in general meeting, and as soon as may be after the auditor has reported thereon and in any case within three months of the close of the period covered by the income and expenditure or profit and loss account, shall send to the Minister and to every registered producer a copy thereof, and of the report of the auditor thereon, and also a report by the Board as to the working of this Scheme in the period covered by the income and expenditure or profit and loss account.

34. The Board shall, on the demand of any person, and on payment by him of such fee, not exceeding one shilling, as may be fixed by the Board, furnish to him a copy of any of their balance sheets.

PART VI—PROVISIONS AS TO MARKETING AND PRINCIPAL POWERS OF THE BOARD.

35. The provisions of this Part of this Scheme shall come into force at the expiration of the suspensory period, that is to say, at the expiration of a period of one month commencing on the date on which the result of the initial poll is declared to be favourable to the continuance in force of this Scheme.

36. Subject to the provisions of the Act with respect to existing contracts, a producer who is neither registered nor exempt from registration shall not sell any bacon either in Great Britain or elsewhere.

37. The Board may regulate sales of bacon by any registered producer by determining, for such period as may be fixed by the Board on the occasion of each determination, all or any of the following matters:—

- (a) the kinds, varieties and grades of bacon which may be sold;
- (b) the price at, below or above which, the terms on which, and the persons to or through the agency of whom, bacon or any kind, variety, grade or quantity thereof may be sold.

The Board may from time to time exempt sales of any specified class, in whole or in part, from the operation of any determination under this paragraph.

If any registered producer sells any bacon in contravention of this paragraph, then, subject to the provisions of the Act with respect to existing contracts and to the provisions of this Part of this Scheme, the Board shall by resolution impose upon, and shall recover from, him such monetary penalty (not exceeding the sum of one hundred pounds plus half the price for which the bacon in question was sold) as they think just.

38. The Board may from time to time determine the manner in which bacon or any kind, variety or quantity thereof is to be graded by or on behalf of registered producers, and the manner in which bacon or any kind, variety, grade or quantity thereof is to be marked, packed, stored, adapted for sale or transported by or on behalf of registered producers.

If any registered producer contravenes any determination under this paragraph, then, subject to the provisions of this Part of this Scheme, the Board shall by resolution impose upon, and shall recover from, him such monetary penalty (not exceeding the sum of one hundred pounds plus one pound for every hundredweight of bacon in respect of which the contravention took place) as they think just.

39. The Board may, whenever they consider it necessary for the operation of this Scheme so to do, serve on any registered producer a demand in writing requiring him to furnish to them such estimates, returns and other information relating to bacon as may be specified in the demand, and if without reasonable excuse he fails to comply with the demand, or if he knowingly makes any false statement in reply thereto, then, subject to the provisions of this Part of this Scheme, the Board shall by resolution impose upon, and shall recover from, him such monetary penalty not exceeding twenty pounds as they think just.

40. The following provisions shall have effect with respect to the imposition of penalties by the Board on registered producers under the preceding provisions of this Part of this Scheme and the recovery thereof:—

- (a) no penalty shall be so imposed in respect of any act or omission which constitutes an offence under any Act other than the Act;
- (b) every penalty so imposed shall, subject as hereinafter provided, be a debt due to the Board and recoverable accordingly;
- (c) immediately on the passing of any resolution imposing a penalty, notice of the resolution shall be sent to the registered producer and he may within fourteen days from the day on which notice was so sent to him give notice to the Board referring the matter to arbitration under the provisions of Part IX of this Scheme; and if the matter is so referred no proceedings shall be taken by the Board except in or for the purposes of the arbitration or to enforce the award of the arbitrator, and the arbitrator may award payment of such penalty, if any (not exceeding the maximum penalty which could have been imposed by the Board), as he thinks just.

41. The Board may, either alone or in co-operation with any other person, advertise bacon or any kind, variety or grade thereof, and may do such things as they think fit to encourage any form of agricultural co-operation, research or education connected with the production or marketing of pigs or bacon.

42. The Board may either alone or in co-operation with any other person—

- (a) buy, and sell or let for hire to any registered producer, anything required for the production of bacon or the adaptation for sale or sale thereof;
- (b) at the request and on behalf of any registered producer, and on such terms as to payment or otherwise as may be agreed, do all or any of the following things, that is to say, sell, grade, pack, store, adapt for sale, insure or transport any bacon.

43. Any registered producer who satisfies the Board or establishes by arbitration under Part IX of this Scheme that the Board have shown an undue preference in any respect to any other registered producer shall be entitled to receive from the Board such sums by way of compensation as may be necessary to make good any damage suffered by him by reason of the undue preference.

44. Every registered producer shall contribute to the fund in respect of every hundredweight of bacon delivered by him under any contract of sale such sum not exceeding two shillings as may from time to time be prescribed by the Board, and the amount of any such contribution shall be a debt due by him to the Board.

45. Any moneys standing to the credit of the fund which, in the opinion of the Board, are not required for the operation of this Scheme, shall be distributed among the registered producers in proportion to the total sums respectively contributed by them to the fund under the last preceding paragraph.

46. Any person authorized in writing by the Board may, for the purpose of securing compliance with this Scheme, enter and inspect, at any reasonable time, and on production of his authority, any part of the land or premises occupied by a registered producer (being a producer specified in the authority) which the person so authorized has reason to believe is used for producing, grading, marking, packing or storing bacon or for adapting bacon for sale.

PART VII—MEETINGS OF REGISTERED PRODUCERS.

47. Whenever anything is to be done for the purposes of this Scheme by the registered producers in general meeting or by any class of registered producers, the Board shall arrange for the necessary meeting, shall appoint the time and place thereof, and shall nominate a person to act as chairman thereat, and shall at least ten days before the day fixed for the holding thereof send to every registered producer who according to the information in their possession will be entitled to vote at the meeting, a written notice stating—

- (a) the time and place appointed for the holding of the meeting ;
- (b) the business to be transacted ;
- (c) the name of the chairman ;
- (d) in the case of a meeting at which an election is to take place, the time by which nominations of candidates must be received at the office of the Board ;

and no business shall be transacted at any meeting other than business of which notice has been given as aforesaid by the Board.

If the person appointed by the Board to be chairman of a meeting is not present within fifteen minutes of the time appointed for the meeting, the meeting shall choose a chairman.

48. At a general meeting every registered producer shall be entitled to vote, and at a meeting of any class of registered producers every registered producer belonging to that class shall be entitled to vote, whether or not he also belongs to another class.

49. At any meeting registered producers may exercise any of their rights either personally or by proxy. The instrument appointing a proxy shall be in writing, in such form as the Board may require, under the hand of the registered producer or his attorney, or, if the registered producer is a limited company, either under their seal or under the hand of a person duly authorized by them in that behalf. The said instrument and the power of attorney or other authority (if any) under which it is signed (or a notarially certified copy thereof) shall be deposited at the office of the Board not later than the end of the third day before the day fixed for the meeting, and in default the instrument shall be treated as invalid.

The proxy of a limited company need not be a registered producer.

50. Every question put before a meeting of registered producers (not being a question as to who is to be elected a member of the Board) shall be decided on a show of hands unless, either before or immediately after the show of hands, a vote on the basis of output is demanded by or on behalf of at least three registered producers entitled to vote, in which case a vote on the basis of output shall forthwith be taken.

51. No person shall be qualified to be elected a member of the Board at any meeting unless he has been nominated in writing as a candidate by at least two registered producers of the class by which it is desired that he shall be elected, and the nomination has, not later than the end of the third day before the day fixed for the meeting, been received at the office of the Board; and where no more candidates are duly nominated than there are vacancies to be filled, those candidates shall be declared elected, but in any other case a vote on the basis of output shall forthwith be taken and the candidates who receive the most votes shall be declared elected.

52. On the taking of a vote on the basis of output, a registered producer who is entitled to vote shall, except in the case of an election, have the standard number of votes, and in the case of an election shall have the standard number of votes multiplied by the number of members to be elected, but shall not give more than the standard number of votes in favour of any one candidate.

In this paragraph, the expression "the standard number of votes" means, in relation to each producer, one vote for every twenty-five tons of bacon put into cure (whether by him or any other person) during the preceding calendar year on any premises which are in his occupation at the date of the meeting, excluding bacon which is put into cure otherwise than for the first time:

Provided that in the case of a meeting of a class of producers, bacon put into cure on premises which are not small, medium or large premises, as the case may be, shall be left out of account.

Where in the case of any registered producer the quantity of bacon put into cure as aforesaid is not an exact multiple of twenty-five tons, the odd quantity shall be treated as twenty-five tons.

53. Without prejudice to the provisions of this Part of this Scheme relating to proxies, a registered producer who is a limited company may exercise any of their rights at a meeting by any one of their directors, and a registered producer who is a partnership may exercise any of their rights at a meeting by any of their partners.

54. At any meeting the declaration of the chairman as to the result of any vote or show of hands shall be final, and in the event of an equality of votes the chairman shall, in addition to his other votes (if any) have a casting vote.

55. Without prejudice to any other provisions of this Scheme, the Board may convene a general meeting of registered producers, or a meeting of producers who are producing bacon on small, medium or large premises, to discuss any question which should, in the opinion of the Board, be discussed at such a meeting.

PART VIII—AMENDMENT AND REVOCATION OF SCHEME AND WINDING UP OF BOARD.

56. Before submitting a substitutional Scheme or an amendment of this Scheme to the Minister, the Board shall publish the proposed Scheme or amendment by serving notice thereof on every registered producer.

57. A poll on the question whether or not a substitutional Scheme or an amendment of this Scheme shall be submitted to the Minister may, within one month from the publication thereof, be demanded in writing by any five or more registered producers who have, in the week immediately preceding that in which the demand is made, between them delivered not less than one hundred tons of bacon under contracts of sale, and a poll on the question whether or not this Scheme is to be revoked may be demanded at any time in the said manner by any ten or more registered producers who have, in the week immediately preceding that in which the demand is made, between them delivered not less than three hundred tons of bacon under contracts of sale; but no poll shall, without the consent of the Board, be taken on the question whether or not this Scheme is to be revoked within one year of the declaration of the result of a previous poll on that question.

58. Part X of the Companies Act, 1929 (which relates to the winding up of unregistered companies) shall apply in relation to the Board subject to the modifications set out in paragraphs four to eight of the Second Schedule to the Act.

59. Contributions under paragraph seven of the Second Schedule to the Act shall be assessed proportionately to the quantity of bacon delivered by each contributor during the relevant period under contracts of sale but shall not exceed two shillings per hundredweight.

PART IX—MISCELLANEOUS.

60. Any producer who is aggrieved by any act or omission of the Board may refer the matter to the arbitration of a single arbitrator to be agreed upon between him and the Board or in default of agreement to be nominated by the Minister, and the arbitrator may make such order in the matter as he thinks just.

Every such arbitration shall be conducted in accordance with the law of England, and the Arbitration Act, 1889, shall apply in relation thereto.

61. Any requirement of this Scheme that a document shall be sent to or served on a person by the Board shall be deemed to have been complied with if, within the period (if any) limited for the sending or service of the document, the document is dispatched to him by post, properly addressed and with the postage prepaid.

SCHEDULE.
FORM OF VOTING PAPER.

The Bacon Marketing Board.

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

To (1).....
.....
.....

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

A poll is being held under the Bacon Marketing Scheme, 1932, on the following question, viz. (2).....

Do you wish this question to be answered "Yes" or to be answered "No"? (Answer Yes or No.)

(3) The Board must fill in the year last preceding that in which the qualifying date falls.

How much bacon in all was put into cure during the year (3)(whether by you or any other person) on the premises which were in your occupation on (4)

(4) The Board must fill in the qualifying date.

(Bacon put into cure otherwise than for the first time must be left out of account. If you do not know the exact figure, you may give an estimate, but in that case you must be careful to underestimate rather than to over-estimate.)
.....tons.

*Do you use any machinery driven by any form of mechanical power (including water)?

*If your answer to the last question is "No," could you, if required to do so, satisfy the Board that on no one of the premises now occupied by you was more than seventy-five hundredweights of bacon put into cure (whether by you or any other person) during any consecutive period of two months commencing on or after the 1st October, 1932 (bacon put into cure otherwise than for the first time being left out of account).....

Signature of registered producer

Address.....
.....

(5) The Board must fill in the address of their office.

N.B.—Your votes will not count unless this paper, properly filled in and signed, reaches the office of the Bacon Marketing Board (5).....on or before (6).....

(6) The Board must fill in the fourteenth day after the qualifying date.

If you wilfully make any false statement in filling up this paper, you will render yourself liable to imprisonment or a heavy fine or both.

For the Bacon Marketing Board,

.....
Secretary.

Note.—The paragraphs marked * should be omitted from the form except in the case of the initial poll.

APPENDIX C.

NOTES ON PIGS AND BACON MARKETING SCHEMES.

1. Definition of "Curer."

All bacon, whether home-produced or imported, that passes through wholesale channels, is the product of a factory industry, although the capacity of individual factories may vary very considerably.

Pigs Marketing Scheme, para. 2; Bacon Marketing Scheme, para. 22.

On the other hand, it is known that pork is cured at times by a certain number of pork butchers, whose output is not only inconsiderable but may be described as irregular and even occasional. Such men sometimes use curing as a method of getting rid of a surplus of pork left unsold on their hands, whilst they generally sell their output direct to the consumer over their own shop-counters.

It would be manifestly difficult and, in our opinion, unnecessary to apply the contract system to the output of this type of producer while sales of pork pigs are uncontrolled, nor do we think it necessary to take note of these supplies for the purposes of the home quota. To establish the principle that bacon curing is a factory industry, we have therefore introduced the test of whether machinery driven by mechanical power is used, but we have also included a quantitative dividing line which will prevent the serious expansion of this butcher-curer trade, which might result in certain circumstances and which we should hold to be undesirable.

The effect of the definition will not be to exclude from the scheme any small bacon producer who might wish to become registered.

2. Constitution of Marketing Boards.

Different systems have been suggested for electing the Pigs and Bacon Marketing Boards, respectively.

Pigs Marketing Scheme, para. 5, 6, 7 & 53; Bacon Marketing Scheme, paras. 7, 51 & 52.

In the case of the Pigs Marketing Board, we suggest eight district and three special members. The eight districts were selected on the basis of their 1932 pig population, which was as follows:—

District.	Counties and areas included.	Pig population according to the Agricultural Returns, 1932.
1. South Western	Somersetshire	480,500
	Dorsetshire	
	Devonshire	
	Cornwall	
2. South Eastern	Kent	484,900
	Surrey	
	Middlesex and London (including the City)	
	Sussex	
	Berkshire	
	Hampshire (including the Isle of Wight)	
	Oxfordshire	
Buckinghamshire		
Bedfordshire		
Wiltshire		
3. Eastern	Norfolk	504,600
	Suffolk	
	Essex	
	Hertfordshire	

<i>District.</i>	<i>Counties and areas included.</i>	<i>Pig population according to the Agricultural Returns 1932.</i>
4. East Midland	Lincolnshire Nottinghamshire Derbyshire Leicestershire Rutland Northamptonshire (including the Soke of Peterborough) Huntingdonshire Cambridgeshire (including the Isle of Ely)	500,900
5. West Midland	Cheshire Shropshire Staffordshire Warwickshire Worcestershire Gloucestershire Herefordshire	472,900
6. Northern	Cumberland Northumberland Durham (the whole County) Westmorland Lancashire Yorkshire	488,800
7. Wales	Wales and Monmouth	251,500
8. Scotland	Scotland	163,200

Through these district members, producers will maintain touch with the Board; but since district members might find difficulty in devoting adequate time to the daily affairs of the Board, we suggest three further special members who, we contemplate, would need to devote the majority or the whole of the time to the Board's affairs.

In the case of the Bacon Board, the number of registered producers likely to be small and therefore the need for district representation does not arise. The problem in this case is to give adequate representation to factories of different size; this our suggestion is intended to do.

3. Exemption of Pig Producers.

Pigs Marketing Scheme, para. 22.

This paragraph deals with an important point—viz., what produce are to be exempt from registration. The effect of the paragraph is that a producer of pigs who does not desire to cater for the demand for pigs on the part of the bacon factories need not, unless he wishes, have anything to do with the scheme at all. It is only producers who desire to deal with bacon curers, either directly or (as subsequently provided in Part VI of the Scheme) through the medium of the Board, who will have any need to register; but any producer may become registered who wishes to do so.

4. Power of Bacon Marketing Board to Negotiate Contract Terms and Prices with Pigs Marketing Board.

Pigs Marketing Scheme, para. 27.

On several occasions in our Report, we have referred to the negotiation of contract terms and prices between farmers and curers, and to the desirability that these negotiations should be conducted by the commodity board

We are advised, however, that it would not be possible under the Agricultural Marketing Act to empower a Bacon Marketing Board to regulate in any way the purchase of pigs by its members. We have therefore provided in paragraph 38 of the Pigs Marketing Scheme for the negotiations to be conducted on the curers' side by the members of the Bacon Marketing Board acting in an individual capacity, and in the Bacon Marketing Scheme we have been unable to make any reference to the negotiations.

This position is not satisfactory, and we recommend the amendment of the Act to enable a Marketing Board regulating the marketing of a manufactured article, to conduct negotiations, with regard to the purchase of the raw material, with any other marketing board of which that raw material is the regulated product.

5. Participation of Pigs Marketing Board in Contracts.

This paragraph embodies the central feature of the Scheme. It provides machinery for the supply of pigs by registered producers, through the Pigs Marketing Board, to curers, and it is on the contracts made under it that the home quota for bacon, and the shares in this of individual curers, will be based. Pigs Marketing Scheme, para. 88.

The procedure proposed is that the Board shall, after consulting representatives of the curers, from time to time fix standard prices and a standard form (or standard forms) of contract which are to be employed in all cases where a curer wishes a purchase of pigs to count for the purposes of the bacon quota. The actual contract which the curer enters into will be a contract, not with an individual producer, but with the Board; but the Board need only enter into such a contract if the curer has already found a registered producer who is prepared to contract with the Board to supply the necessary pigs; and if the curer does find such a producer, the Board will, subject to the qualifications mentioned below, have no right to refuse to enter into the contract. The Scheme thus definitely does not involve the taking away from individual producers of the right and duty to find curers who will purchase their respective pigs. It does, however, put upon the Board the duty of securing to the curers the supplies of pigs which they require to fulfil their quota obligations, and confers on the Board the corresponding power of enforcing against registered producers (if need be, by legal process) the fulfilment of their contracts.

The substantial qualifications on the absolute nature of the Board's duty to enter into contracts under this paragraph are those contained in provisos (a) and (b). Proviso (a) empowers the Board to limit their commitments over specific periods in respect either of pigs generally, or any particular kind of pigs. Some such power is necessary to ensure that more contracts are not entered into than are necessary to absorb the home quota or that deliveries under such contracts as are entered into are spread over the year to the satisfaction of the Quota Advisory Committee. Proviso (b) is self-explanatory.

Proviso (c) deals with a different point. It contemplates that, in certain classes of cases, at any rate, the obligations undertaken by the producer towards the Board may be different from those undertaken by the Board towards the curer. The terms of the proviso are elastic, but we have had two main points in mind. First, we contemplate the possibility of a scheme by which the Board would, in effect, insure the producer against disease or similar occurrences which prevented him from delivering the contracted number of pigs. This would be done by the insertion in his contract of an express provision that in the event in question he should be freed from his obligations; the Board would then have to supply the curer with his pigs from some other source. Secondly, we consider that the Board might wish to undertake additional functions, such as the duty of transporting the pigs from the farm to the factory; this result could be attained

by making the contract with the producer an "ex farm" contract, and the contract with the curer a "delivered at factory" contract. These two points are, however, merely examples and it is probable that there are other respects in which the Board might with advantage undertake the middleman's risks and duties. In cases where they do so, it is, of course, proper that their additional functions should be reflected in a margin between the price paid to the producer and that received from the curer, and the concluding words of the proviso duly provide for this.

It may be observed, in conclusion, that the opening words of the paragraph expressly "save" the powers conferred on the Board by the earlier provisions of the Scheme—e.g. the general powers conferred on the Board to buy and sell pigs, etc. We contemplate that, at first, these general powers will only be used in connexion with and in aid of the functions of the Board under this paragraph—e.g. for the establishment of a "surplus pool" of pigs, which may be used by the Board to make good defaults by suppliers under contracts entered into under this paragraph—but we foresee the possibility that, in course of time, the Board may desire to operate them over a wider field, and we think it proper that they should be in a position to do so.

APPENDIX D.

A SELECT BIBLIOGRAPHY ON THE PIG AND PIG PRODUCT INDUSTRIES OF THE UNITED KINGDOM.

1. Departmental Committee on Distribution and Prices of Agricultural Produce. (Linlithgow Committee.) *Interim Report on Meat, Poultry and Eggs*. Cmd. 1927. H.M. Stationery Office, London, 1923.

A general description of the methods and costs of marketing meat, including pork and bacon.

2. Report of a Committee of Investigation appointed by the National Farmers' Union on the *Co-operative Bacon Factory Industry*. N.F.U., 45, Bedford Square, London, 1926.

A study of the history, working and difficulties of six co-operative bacon factories, with recommendations as to future policy.

3. Ministry of Agriculture and Fisheries. *Report on the Marketing of Pigs in England and Wales*. Economic Series No. 12. H.M. Stationery Office, London, 1926.

Results of an investigation into the marketing of pigs for pork and bacon, with recommendations for improved methods.

4. *Report of the Scottish Pig Industry Committee*. Scottish Agricultural Organisation Society, Edinburgh, 1927.

A survey of the weaknesses of the industry in Scotland with recommendations for the improvement of breeding, feeding, management and marketing.

5. Ministry of Agriculture and Fisheries. *Report on the Pork and Bacon Trades in England and Wales*. Economic Series No. 17. H.M. Stationery Office, London, 1928.

A detailed study of the supplies, preparation for market, transportation and distribution of the pork and bacon produced and imported into England and Wales, with additional sections on hams, lard and offals, and certain suggestions for improved efficiency.

6. Imperial Economic Committee. *Twelfth Report: Pigs and Pig Products*. H.M. Stationery Office, London, 1929.

In addition to a general Empire survey and a description of the supplies and requirements of the United Kingdom market, this report contains a summary of the methods and weaknesses of production and marketing in England and Wales, Scotland and Northern Ireland, together with recommendations in connexion therewith.

7. Pig Industry Council. Interim Report. *The Commercial Pig*. Marketing Leaflet No. 15. Ministry of Agriculture and Fisheries, London, 1929.

The use of the Large White Boar and the establishment of testing stations and an advanced register are advocated.

8. Pig Industry Council. Interim Report. *The Pig Industry in England and Wales*. Marketing Leaflet No. 16. Ministry of Agriculture and Fisheries, London, 1929.

A discussion of the weaknesses of the industry and possible remedies, with a recommendation for direct Government assistance.

9. Pig Industry Council. Interim Report. *The Bacon Industry*. Marketing Leaflet No. 23. Ministry of Agriculture and Fisheries, London, 1930.

The Council considered that internal reform or organization of pig industry was dependent upon and subsidiary to a scheme for controlling imports.

10. Pig Industry Council. Interim Report. *Litter Testing and Recording*. Marketing Leaflet No. 30. Ministry of Agriculture Fisheries, London, 1930.

Detailed recommendations relating to litter-testing, pig-recording advanced registers.

11. Pig Industry Council. Interim Report. *Veterinary Research*. Published in the Journal of the Ministry of Agriculture, September, 1931. H.M. Stationery Office, London, 1931.

A discussion of losses due to disease, with recommendations for research and other veterinary measures.

12. Government of Northern Ireland. *The Marketing of Northern Irish Agricultural Produce*. H.M. Stationery Office, Belfast, 1932.

This survey includes a full descriptive section on the marketing of pigs and pig carcasses in Northern Ireland.

13. Ministry of Agriculture and Fisheries. *Pig-Keeping*. Bulletin No. 32. Third edition. H.M. Stationery Office, London, 1932.

A description of pig breeding and feeding methods.

14. East Anglian Pig Recording Scheme. *First, Second and Third Reports*. University of Cambridge, Department of Agriculture, 1929-1930.

Reports on the principles, operation and results of pig-recording in East Anglia.

15. Animal Breeding Research Department, University of Edinburgh. *First Report of the Pig Testing Station*, covering the period June, 1928-March, 1930. Edinburgh, 1930.

Description of methods and results obtained at Edinburgh pig testing station.

**NOTE.—For a List of other Reports in this Series,
see inside of front cover.**