

Proposed amendments to The British Wool Marketing Scheme (Approval) Order 1950 (as amended) (the “1950 Order”)

The table below sets out the detailed proposed changes to the 1950 Order, as discussed between Defra and British Wool. Please refer to the “Notice” document for a summary and rationale of the changes. Proposed New Paragraph text has been provided by Defra’s legal department however this language should not be read as final until it has been through the proper parliamentary process.

Original Paragraph	Proposed New Paragraph	Rationale/Notes
<p>5. Until the first Annual General Meeting which shall be held within twelve months from the date on which the Scheme comes into force, the Board shall consist of the following person, that is to say:— J. Shaw, Stonecellars Farm, Usworth, Co. Durham. J. Drinkall, Abbeystead, Lancaster. I. Morris, Nesley Farm, Tetbury, Glos. G. Gibbard, O.B.E., J.P., 84 Oxford Road, Banbury, Oxon. Capt. Bennett Evans, Manod, Llangurid, Llanidloes, Mont. F. H. Shapland, Prescott, Tiverton, Devon. H. C. Falconer, O.B.E., Auchencrow Mains, Reston, Berwickshire. I. M. Campbell, Balblair, Invershire, Sutherland. A. McNaughton, Inverlochlarig, Balquidder, Perthshire. J. A. Cathcart, Castle Hume, Inniskillin, Co. Fermanagh. and two persons appointed by the Minister in accordance with subsection (1) of Section 1 of the Act of 1949.</p>	<p>5. Remove</p>	<p>Paragraph is now obsolete and out of date so remove as part of tidying up of the Order.</p>
<p>6. Subject to the provisions of Paragraph 10 hereof as to the filling of casual vacancies in the case of regional members, the Board shall, after 30th June 2000, consist of nine regional members, all of whom shall be elected as hereinafter provided, and not less than two members appointed by the Minister in accordance with section 3 of, and paragraph 2(1)(b) of the Second Schedule to, the Agricultural</p>	<p>6. Subject to the provisions of Paragraph 10 hereof as to the filling of casual vacancies in the case of regional members, the Board shall consist of:- (a) nine regional members, all of whom shall be elected as hereinafter provided, and (b) not less than two members appointed by the Minister in accordance with section 3 of,</p>	<p>To allow for the regional members of the Board to elect a new category of Board member to bring additional skills and experience to the board as may be required from time to time. This is expected to enable British Wool to better represent the interests of members, and to ensure that the board is a diverse and</p>

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<p>Marketing Act 1958; but until the results of the first election are known it shall continue to consist of those members who constituted it immediately prior to the coming into force of the British Wool Marketing Scheme (Amendment) Order 2000.</p>	<p>and paragraph 2(1)(b) of the Second Schedule to, the Agricultural Marketing Act 1958, and</p> <p>(c) no more than three additional members as may be appointed by a body comprising all the regional members of the Board, for a term as may be determined by that body, but of no more than three years, extendable or terminable as the body considers appropriate, all pursuant to a question being raised in accordance with the process set out under Paragraph 28 hereof.</p> <p>but, until the results of any of such elections or appointments are known the Board shall continue to consist of those members who constituted it immediately prior to the coming into force of the British Wool Marketing Scheme (Amendment) Order 2000.</p>	<p>experienced board with a broad range of skills and expertise.</p>
<p>27.</p> <p>The meetings of the Board or of any Committee of the Board shall be held at such time or times and at such places as may be determined by the Board or the Committee respectively.</p>	<p>27. AMEND</p> <p>The meetings of the Board, or of any Committee of the Board, or any body formed for the purpose of appointing additional members to the Board under paragraph 6(c), shall be held at such time or times and at such places (including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers) as may be determined by</p>	<p>Changed to allow for virtual meetings as well as remote/conference call/dial in meetings and hybrid.</p> <p>Also to take account of the process for appointing additional members to the Board, as introduced by the new paragraph 6(c).</p>

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	the Board, or the Committee, or body respectively.	
<p>28.</p> <p>All questions at meetings of the Board or any Committee appointed under the provisions of paragraphs 22 and 25 hereof shall be decided by a majority of votes of the members present and voting. Each member shall have one vote, and if there be an equality of votes the member acting as Chairman shall, in addition, have a casting vote.</p>	<p>28. AMEND</p> <p>All questions at meetings of the Board, or any Committee appointed under the provisions of paragraphs 22 and 25 hereof, or any body formed for the purpose of appointing additional members to the Board under paragraph 6(c), shall be decided by a majority of votes of the members present and voting, whether in person or by electronic, digital, or virtual means. Each member shall have one vote, and if there be an equality of votes the member acting as Chairman shall, in addition, have a casting vote.</p>	<p>Changed in line with the above amendments.</p>
<p>32. The Secretary shall convene a meeting of the Board or of any Committee of the Board on the requisition of any three members of the Board or of any two members of the Committee concerned; provided that such requisition shall be in writing and shall state the business for which the meeting is required</p>	<p>The Secretary or Chair shall convene a meeting of the Board or of any Committee of the Board on the requisition of any three members of the Board (two members of the Board for the Chair) or of any two members of the Committee concerned; provided that such requisition shall be in writing and shall state the business for which the meeting is required</p>	<p>Amending paragraph to allow for additional flexibility in who can convene a meeting, such as in case the secretary is absent.</p>
<p>37A.</p> <p>No person shall be entitled to be elected as a regional member of the Board or as a county representative if prior to the commencement of his tenure of office he will be 65 years of age or older. If any person, being a regional member of the Board or a county representative, attains the age of 65 during</p>	<p>37A. REMOVE</p> <p>No person shall be entitled to be elected as a regional member of the Board or as a county representative if prior to the commencement of his tenure of office he will be 65 years of age or older. If any person, being a regional member of the Board or a county representative, attains the</p>	<p>Added in 2000 and not considered to be in line with the Equality Act 2010 so removing.</p>

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<p>the course of his tenure of office, then such tenure may be completed but such person shall not be eligible to seek re-election to that office.</p>	<p>age of 65 during the course of his tenure of office, then such tenure may be completed but such person shall not be eligible to seek re-election to that office.</p>	
<p>43.</p> <p>When an election of a regional member to the Board or an election of relevant area representatives to a Regional Committee is to be held, the Board shall notify the registered producers in the region or in the county as the case may be, by advertisement in the press or otherwise, as the Board deem fit, of the address of the Board to which written nominations of candidates are to be sent and the last day (which shall not be earlier than the fourteenth day after the day of publication or issue of the notice) on which such nominations shall be received; and no person shall be eligible to be elected unless he has been so nominated by at least ten registered producers in the region or in the county as the case may be, and the nominations have been received at the specified address by 6 p.m. on the specified day.</p>	<p>43. AMEND</p> <p>When an election of a regional member to the Board or an election of relevant area representatives to a Regional Committee is to be held, the Board shall notify the registered producers in the region or in the county as the case may be, by advertisement in the press or otherwise, as the Board deem fit, of how nominations of candidates are to be submitted and the last day (which shall not be earlier than the fourteenth day after the day of publication or issue of the notice) on which such nominations shall be received; and no person shall be eligible to be elected unless he has been so nominated by at least ten registered producers in the region or in the county as the case may be, and the nominations have been received in the specified way by 6 p.m. on the specified day.</p>	<p>To allow for nominations by electronic, digital or other virtual methods, “written” has been removed so as to avoid it implying by postal services.</p>
<p>44.</p> <p>(3) If more than one candidate is duly nominated for any region or relevant area (or, in the case of county representatives, more than the number specified in respect of the area in question in the third column of the First Schedule to this Scheme), a vote shall be taken by post, and the Board shall for that purpose send to every registered producer in</p>	<p>44. AMEND</p> <p>(3) If more than one candidate is duly nominated for any region or relevant area (or, in the case of county representatives, more than the number specified in respect of the area in question in the third column of the First Schedule to this Scheme), a vote shall be taken by post or by electronic, digital or virtual means, and the Board</p>	<p>Changed to allow for digital and other voting methods.</p>

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<p>the region or relevant area (as the case may be) a voting paper in such form as the Board thinks proper, stating the names and addresses of the candidates and specifying the address of the Board to which the voting papers are to be sent and the last day (which shall not be earlier than the tenth day after the day on which the voting papers are sent by the Board) on which the voting papers will be received; and no voting paper shall be taken into account unless it is received at the specified address by 6 p.m. on the specified day. In the event of the loss of a voting paper, the Board may supply a duplicate.</p>	<p>shall for that purpose send to every registered producer in the region or relevant area (as the case may be) a voting paper, or voting instructions, in such form as the Board thinks proper, stating the names and addresses of the candidates and specifying how the votes are to be returned and the last day (which shall not be earlier than the tenth day after the day on which the voting papers or instructions are sent by the Board) on which the votes must be received; and no vote shall be taken into account unless it is received in the specified way by 6 p.m. on the specified day. In the event of the loss of a voting paper or instructions, the Board may supply a duplicate.</p>	
<p>51. A copy of the register, or any part thereof, shall be furnished by the Board to any person demanding it on payment of a fee which shall not exceed three shillings for every hundred words copied.</p>	<p>51. AMEND A copy of the register, or any part thereof, shall be furnished by the Board to any person demanding it on payment of a reasonable fee.</p>	<p>Amended to update to modern language and money.</p>
<p>57. The poll shall be conducted by post and the Board shall, not later than the tenth 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.</p>	<p>57. AMEND The poll shall be conducted by post or by electronic, digital or virtual means, and the Board shall, not later than the tenth day after the qualifying date, send a voting paper or voting instructions to every producer entitled to vote. In the event of the loss of a voting paper or instructions so sent, the Board may supply a duplicate.</p>	<p>Changes to allow for digital polls.</p>

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<p>58.</p> <p>For the purpose of any poll the voting paper shall be substantially in the form set out in the Third Schedule of this Scheme, and only voting papers which are properly completed and which reach the office of the Board on or before the fifteenth day after the qualifying date shall be taken into account.</p>	<p>58. AMEND</p> <p>For the purpose of any poll only votes which are properly submitted as specified by the board and received on or before the fifteenth day after the qualifying date shall be taken into account.</p>	<p>Changes to allow for digital polls.</p>
<p>61.</p> <p>Any person who knowingly makes any false statement in a voting paper shall be liable, on summary conviction, to imprisonment for a period not exceeding three months, or to a fine not exceeding</p> <p>[level 3 on the standard scale] 1 , or to both such imprisonment and fine.</p>	<p>61. AMEND</p> <p>Any person who knowingly makes any false statement in a voting paper or electronic vote shall be liable, on summary conviction, to imprisonment for a period not exceeding three months, or to a fine not exceeding level 3 on the standard scale, or to both such imprisonment and fine.</p>	<p>Changes to allow for digital polls.</p>
<p>66. The Board shall keep proper accounts and in particular shall annually make out a balance sheet and either 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 person who is eligible for appointment as a statutory auditor under Part 42 of the Companies Act 2006 nominated by a general meeting of registered producers, and as soon as may be after the auditor has reported thereon, and in any SI 1950/1326 case within four months of the close of the period covered by the income and expenditure account or profit and loss account shall send to the Minister and to every registered producer a copy of the account and</p>	<p>66. AMEND</p> <p>The Board shall keep proper accounts and in particular shall annually make out a balance sheet and either 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 person who is eligible for appointment as a statutory auditor under Part 42 of the Companies Act 2006 nominated by a general meeting of registered producers, and as soon as may be after the auditor has reported thereon, and in any SI 1950/1326 case within 6 months of the close of the period covered by the income and expenditure account or profit and</p>	<p>Amended to align with other public bodies and to provide for more time to prepare accounts to ensure greater accuracy.</p>

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<p>balance sheet 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, and which shall include a statement of the manner in which, in accordance with paragraph 65, any moneys are invested. Provided that the person who is to audit the first balance sheet and income and expenditure or profit and loss account made out by the Board under this section shall be nominated by the Board instead of by a general meeting of the registered producers</p>	<p>loss account shall send to the Minister and to every registered producer a copy of the account and balance sheet 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, and which shall include a statement of the manner in which, in accordance with paragraph 65, any moneys are invested. Provided that the person who is to audit the first balance sheet and income and expenditure or profit and loss account made out by the Board under this section shall be nominated by the Board instead of by a general meeting of the registered producers</p>	
<p>83. An Annual General Meeting of registered producers shall be held at such time and place as the Board or a General Meeting may determine.</p>	<p>83. AMEND An Annual General Meeting of registered producers shall be held at such time and location (physical, electronic, digital or virtual) as the Board or a General Meeting may determine.</p>	<p>To allow for virtual meetings</p>
<p>86.— (1) Notice of the holding of a General or Regional Meeting stating the place, date and hour of the meeting, the business to be transacted thereat, and the name of the Chairman shall be given by the Board to all registered producers or to registered producers in the region as the case may be, at least fourteen clear days before the date of the meeting. Such notice may, at the discretion of the Board, be given by suitable advertisement in newspapers</p>	<p>86. AMEND (1) Notice of the holding of a General or Regional Meeting stating the location place (physical, electronic, digital or virtual), date and hour of the meeting, the business to be transacted thereat, and the name of the Chairman shall be given by the Board to all registered producers or to registered producers in the region as the case may be, at least fourteen clear days before the date of the meeting. Such notice may, at the</p>	<p>To allow for virtual meetings and electronic notice</p>

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<p>circulating in the area of the Scheme or the region concerned.</p>	<p>discretion of the Board, be given by suitable advertisement in newspapers circulating in the area of the Scheme or the region concerned.</p>	
<p>87.</p> <p>(1) Every question put to the vote of a General or Regional Meeting shall be decided by a show of hands unless a ballot is (before or on the declaration of the result of the show of hands) demanded by the Board or by at least one third of the registered producers who are personally present at the meeting or, in the case of a General Meeting, by any ten duly elected members of Regional Committees personally present at the General Meeting. On a ballot the Board shall determine the form of the voting paper and shall cause to be sent to every registered producer or, in the case of a regional meeting, every registered producer in the region, along with the voting paper such directions for the guidance of registered producers in voting as they may determine. The voting paper shall be sent by post to the registered producers concerned as soon as practicable after the meeting at which the ballot is demanded. The Board shall determine the last date for the receipt of completed voting papers, how the votes shall be counted, and the manner in which registered producers shall be informed of the result of the vote.</p> <p>(2) On a show of hands every registered producer entitled to vote shall have one vote and the</p>	<p>87. AMEND</p> <p>(1) Every question put to the vote of a General or Regional Meeting shall be decided by a show of hands or similar virtual method, unless a ballot is (before or on the declaration of the result of the vote) demanded by the Board or by at least one third of the registered producers who are personally or virtually present at the meeting or, in the case of a General Meeting, by any ten duly elected members of Regional Committees personally or virtually present at the General Meeting. On a ballot the Board shall determine the form of the vote and shall cause to be sent to every registered producer or, in the case of a regional meeting, every registered producer in the region, along with the voting paper or voting instructions, such directions for the guidance of registered producers in voting as they may determine. The voting paper or voting instructions shall be sent to the registered producers concerned as soon as practicable after the meeting at which the ballot is demanded. The Board shall determine the last date for the receipt of completed votes, how the votes shall be counted, and the manner in which registered producers shall be informed of the result of the vote.</p>	<p>To allow for virtual meetings and electronic voting</p>

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<p>declaration of the chairman as to the result of the vote shall be final.</p> <p>On a ballot every registered producer entitled to vote shall have one vote plus one additional vote for every ten sheep which are over four months old and are in his possession on such date as the Board may determine for the purpose of any meeting provided that for purposes of voting at Regional Meetings only sheep in the region on the appropriate date shall be counted. In the case of an equality of votes, whether on a show of hands or on a ballot, the chairman of the meeting at or following which the vote is taken, shall be entitled to an additional or casting vote.</p>	<p>(2) On a show of hands, or similar virtual method, every registered producer entitled to vote shall have one vote and the declaration of the chairman as to the result of the vote shall be final.</p> <p>On a ballot every registered producer entitled to vote shall have one vote plus one additional vote for every ten sheep which are over four months old and are in his possession on such date as the Board may determine for the purpose of any meeting provided that for purposes of voting at Regional Meetings only sheep in the region on the appropriate date shall be counted. In the case of an equality of votes, whether on a show of hands or similar virtual method, or on a ballot, the chairman of the meeting at or following which the vote is taken, shall be entitled to an additional or casting vote.</p>	
<p>88.</p> <p>(1) 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.</p>	<p>88. AMEND</p> <p>(1) 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 (either in writing or by electronic, digital or virtual means) thereof on every registered producer.</p>	<p>To allow for notice to served electronically as well as in writing.</p>
<p>92. Subject to the provisions of paragraph 81 of this Scheme, any requirement of this Scheme that a notice or document shall be sent to a person by the Board shall be deemed to have been complied with</p>	<p>92. Subject to the provisions of paragraph 81 of this Scheme, any requirement of this Scheme that a notice or document shall be sent to a person by the Board shall be deemed to have</p>	<p>To allow for notice to served electronically as well as in writing.</p>

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<p>if, within the period (if any) limited for the sending of the notice or document, the notice or document is despatched to him by post, properly addressed and with the postage prepaid. A notice or document shall be deemed to be properly addressed if it is addressed either to the address last used by the person in his correspondence or to an address provided by the person for entry in the register.</p>	<p>been complied with if, within the period (if any) limited for the sending of the notice or document, the notice or document is despatched:</p> <p>(a) by post, to the address last used by the person in correspondence or that provided for entry in the register, with the correct postage prepaid; or</p> <p>(b) by email, to the last email address used by the person in correspondence or that provided for entry in the register.</p> <p>to him by post, properly addressed and with the postage prepaid. A notice or document shall be deemed to be properly addressed if it is addressed either to the address last used by the person in his correspondence or to an address provided by the person for entry in the register.</p>	
<p>Third Schedule Form of Voting Paper</p>	<p>REMOVE</p>	<p>To allow for flexibility in how votes are conducted.</p>