

## Process for amending The British Wool Marketing Scheme (Approval) Order 1950 (as amended) (the “1950 Order”)

The process for amending the 1950 Order is set out in paragraph 88 of the schedule to the Order (to be read alongside section 2 of, and the first schedule to, the Agricultural Marketing Act 1958) as follows:

*88.—(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.*

*(2) 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 hundred 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 five hundred registered producers; but no poll on the question whether or not this Scheme is to be revoked shall, without the consent of the Board, be taken within two years from the date of the declaration of the result of the initial poll or within two years from the date of the declaration of the result of any previous poll on that question.*

Government lawyers have provided further explanation of the process as follows:

- 1) A change to the 1950 Order could be achieved by way of an amending Order.
- 2) The Board is required to serve notice of the proposed amendment(s) on every member (registered producer),
- 3) A poll, held in accordance with paragraphs 55-62 of the schedule to the 1950 Order, on the amendment(s) could then be demanded by at least 500 members (registered producers) within 1 month of service of the notice.
- 4) If no poll is demanded, the amended Order is submitted to the Ministers (for all four home nations).
- 5) In the case that a poll was demanded, a majority would have to vote in favour of its submission to the Ministers (for all four home nations).
- 6) Once submitted to the Ministers, the proposed amendments will be published more widely, for example in the Gazette, allowing persons affected to object within at least 6 weeks of publication of the notice.
- 7) The Ministers will then need to consider any objections, whereupon a public inquiry would need to be held into any objections which were not deemed frivolous, and which had not caused the proposed amendments to be modified by the Ministers.
- 8) If the Ministers did decide to modify the amendments after considering objections or the report of any inquiry, they would have to give notice of the changes to the Board. A majority of the Board would then need to agree to the changes within four weeks (or longer if the Ministers allowed).
- 9) The Ministers could then make the amending Order bringing into force the amendments (so long as no public inquiry had been required).
- 10) In the case a public inquiry had been held, the Ministers would instead have to lay the draft amendments before Parliament to resolve that they should be approved and would only after that be able to make the amending Order.