Joint Milk Council: Election of Members by Producers.

THE JOINT MILK COUNCIL (ELECTION OF MEMBERS BY PRODUCERS) REGULATIONS (NORTHERN IRELAND), 1935, DATED THE 16TH DAY OF OCTOBER, 1935, MADE BY THE MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND UNDER SECTION NINE OF THE MILK AND MILK PRODUCTS ACT (NORTHERN IRELAND), 1934 (24 AND 25 GEO. V, CH. 16).

1935. No. 119.

The Ministry of Agriculture for Northern Ireland in exercise of the powers conferred on it by Section Nine of the Milk and Milk Products Act (Northern Ireland), 1934, and of every other power enabling it in that behalf, hereby makes the following Regulations, that is to say :—

PART I.

Short Title and Interpretation.

1. These Regulations may be cited as the Joint Milk Council (Election of Members by Producers) Regulations (Northern Ireland), 1935.

2.—(1) In these Regulations, unless the context otherwise requires :—

"The Ministry" means the Ministry of Agriculture for Northern Ireland ;

"The Act" means the Milk and Milk Products Act (Northern Ireland), 1934;

"The Joint Milk Council" means the Joint Milk Council for Northern Ireland ;

Other expressions have the meanings respectively assigned to them in the Act.

(2) The Interpretation Act, 1889(*a*), as applied to Northern Ireland by the Interpretation Act, 1921(*b*), shall apply for the purpose of the interpretation of these Regulations as it applies for the purpose of the interpretation of an Act of Parliament.

PART II.

Election of members by holders of Producers' licences.

3. The Ministry shall, for the purpose of the election of members of the Joint Milk Council by holders of Producers' licences, prepare and keep a Register of all persons who hold Producers' licences granted under Section two of the Act, and the Register shall show in separate divisions the names and addresses of the persons who have been granted Producers' licences in respect of premises situated in each of the following electoral areas :—

(1) The Administrative County of Antrim ;

(*a*) 52-3 V. c. 63. (*b*) 12 Geo. V., c. 4 (N.I.)

(2) The County Borough of Belfast and the Administrative County of Down ;

(3) The County Borough of Londonderry and the Administrative County of Londonderry ;

(4) The Administrative Counties of Armagh, Fermanagh and Tyrone ;

Provided that where a person is entitled to be registered in more than one division of the Register, he shall be registered in such one of those divisions as he shall specify to the Ministry in writing.

4. The Register prepared in accordance with the last preceding Article of these Regulations shall be open for inspection at the office of the Ministry from 10 a.m. to 4 p.m. on such days, other than Saturdays, as the office of the Ministry is open for the transaction of business.

PART III.

Number of Members to be elected for each Electoral Area.

5. The members of the Joint Milk Council elected by holders of Producers' licences, shall be elected by the persons registered in pursuance of Article three of these Regulations, and the number of members elected by persons registered in each division of the Register shall be as follows :—

(1) Two members elected by persons who hold Producers' licences in respect of premises situated in the electoral area comprising the Administrative County of Antrim ;

(2) Two members elected by persons who hold Producers' licences in respect of premises situated in the electoral area comprising the County Borough of Belfast and the Administrative County of Down ;

(3) One member elected by persons who hold Producers' licences in respect of premises situated in the electoral area comprising the County Borough of Londonderry and the Administrative County of Londonderry ;

(4) Two members elected by persons who hold Producers' licences in respect of premises situated in the electoral area comprising the Administrative Counties of Armagh, Fermanagh and Tyrone.

PART IV.

Biennial Elections.

6.—(1) An election of members of the Joint Milk Council by holders of Producers' licences shall be held in the year 1935, and in every second calendar year thereafter.

(2) Every election of members by the holders of Producers' licences, held in pursuance of paragraph (1) of this Article, shall be held in the month of December and the last day for the receipt of nominations shall be such day as shall be appointed by the

Ministry for the purpose. The other proceedings in connexion with every such election shall be taken not later than the times mentioned in the First Schedule to these Regulations.

Elections to fill casual vacancies.

7. In the event of a casual vacancy for a member of the Joint Milk Council elected by the holders of Producers' licences occurring by death, resignation or otherwise, the vacancy shall be filled in the following manner :—

Not more than ten days after notice in writing of the vacancy shall have been given to the Ministry by the Secretary of the Joint Milk Council, the Ministry shall proceed to hold an election to fill the vacancy and shall appoint a day as the last day for the receipt of nominations. The other proceedings in connexion with the filling of the vacancy shall be taken not later than the times mentioned in the First Schedule to these Regulations.

PART V.

Arrangements for Elections of Members of the Joint Milk Council.

8. The Ministry shall, not later than the last day for the giving of notice of the holding of an election, give public notice by advertisement in two or more newspapers circulating in each County Borough or Administrative County comprised in the electoral area for which an election is about to be held, and such notice shall include a statement of the day appointed as the last day for the receipt of nominations, the number of vacancies to be filled, and the manner in which nomination papers may be obtained.

9. Each candidate for election for an electoral area shall be nominated in writing, and the nomination paper shall be in the form prescribed in the Second Schedule to these Regulations, or in a form to the like effect. The nomination paper, which shall be signed by two persons as proposer and seconder, and by at least eight other persons as assenting to the nomination, shall be sent by registered post to the Secretary, Ministry of Agriculture, Stormont, Belfast, so as to arrive not later than the day appointed as the last day for the receipt of nominations. The proposer and seconder, and the assentors to the nomination of a candidate for election shall be persons who hold Producers' licences in respect of premises situated in the electoral area for which the candidate is nominated.

10.—(1) As soon as possible after the day appointed as the last day for the receipt of nominations, the Ministry shall publish the names and addresses of the candidates who have been duly nominated for each electoral area, together with a statement of the last day for the withdrawal of candidates and the manner in which such withdrawal may be made.

(2) Any candidate may withdraw his candidature by sending by registered post to the Secretary, Ministry of Agriculture, Stormont, Belfast, not later than the last day for the withdrawal of candidates, a notice in writing of such withdrawal signed by him.

11. If the number of candidates who receive valid nominations for election for any electoral area, and who do not withdraw their candidature under Article ten of these Regulations, is, in any case, equal to, or less than, the number of persons to be elected for that electoral area, such candidate or candidates shall be declared to be elected.

12.—(1) If the number of candidates who receive valid nominations for election for any electoral area, and who do not withdraw their candidature under Article ten of these Regulations, exceeds the number of persons to be elected for that electoral area, an election shall be held by post in accordance with the provisions of these Regulations.

(2) Where an election is required to be held in respect of an electoral area, the Ministry shall, not later than the last day for the issue of voting papers, cause a voting paper to be sent to every person entitled to vote at the election for that electoral area, and every voting paper shall contain a statement of the last day for the receipt of voting papers.

(3) Only such of the said voting papers as are properly completed and as reach the Ministry on or before the last day for the receipt of voting papers, shall be taken into account for the purpose of the election.

(4) The candidate, or, where more than one vacancy is to be filled, the candidates, to whom is given the highest number of votes shall be declared elected.

(5) If an equality of votes is found to exist between any candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the Ministry shall, in the presence of the candidates or of persons (if any) nominated by them for the purpose, determine by lot which of the candidates whose votes are equal shall be elected.

In Witness whereof the Official Seal of the Ministry of Agriculture for Northern Ireland is hereunto affixed this 16th day of October, Nineteen hundred and thirty-five, in the presence of—

(L.S.) (Signed), *G. S. Robertson,*
Secretary.

FIRST SCHEDULE.

TIMES FOR PROCEEDINGS AT ELECTIONS OF MEMBERS OF THE JOINT MILK COUNCIL BY THE HOLDERS OF PRODUCERS' LICENCES.

Proceeding.	Time.
1. Last day for the giving of Notice of an Election	Fourteen clear days before the day appointed as the last day for the receipt of nominations.
2. Last day for withdrawal of candidates	Four clear days after the day appointed as the last day for the receipt of nominations.
3. Last day for the issue of voting papers	Fifteen clear days after the day appointed as the last day for the receipt of nominations.
4. Last day for the receipt of voting papers	Twenty-one clear days after the day appointed as the last day for the receipt of nominations.

NOTE.—If any of the dates in the above Table falls on a Sunday, a Bank Holiday or other Public Holiday, the reference to it shall be construed as a reference to the following day.

SECOND SCHEDULE.

MILK AND MILK PRODUCTS ACT (NORTHERN IRELAND), 1934.

THE JOINT MILK COUNCIL (ELECTION OF MEMBERS BY PRODUCERS) REGULATIONS NORTHERN IRELAND), 1935.

Form of Nomination Paper for Candidates for Election to the Joint Milk Council by Holders of Producers' Licences in respect of premises situated in the electoral area comprising.....

Name of Candidate.	Full Postal Address of Candidate.

.....County.

We, the undersigned, being the holders of Producers' licences in respect of premises situated in the electoral area comprising the..... .....hereby nominate the above-mentioned person as a candidate for election as a member of the Joint Milk Council for that electoral area.

Date,.....1935.

Name in full (in ink).	Address in full (in ink).	As
	County	Proposer.
	,,	Seconder.
	,,	Assentor.
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