Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this thirteenth day of December, Nineteen Hundred and Thirty-seven, in the presence of

(L.S.) (Signed), *D. A. E. Harkness,*
Assistant Secretary.

Joint Milk Council : Election of Members by Distributors.

THE JOINT MILK COUNCIL (ELECTION OF MEMBERS BY DISTRIBUTORS) REGULATIONS (NORTHERN IRELAND), 1937, DATED THE 29TH DAY OF SEPTEMBER, 1937, 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).

1937. No. 88.

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 Distributors) Regulations (Northern Ireland), 1937.

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.

(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.

Repeal.

3. The Joint Milk Council (Election of Members by Distributors) Regulations (Northern Ireland), 1935(a) are hereby repealed.

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

PART II.

Election of Members by Holders of Distributors' Licences.

4. The Ministry shall, for the purpose of any election of one or more members of the Joint Milk Council, prepare a Register of all persons, who, on the last day for the giving of notice of the election as determined in accordance with these Regulations, held Distributors' licences under Section two of the Act, and the Register shall show in separate sections the names and addresses of the holders of Distributors' licences included in each of the following Electoral Divisions :—

Division I.—Holders of Distributors' licences who,—

(*a*) on the aforesaid last day for the giving of notice of the election had, in accordance with a Determination of the Joint Milk Council made under Section six of the Act, contracted for the purchase of milk from one or more holders of Producers' licences ; and

(*b*) had, during the prescribed period, purchased from holders of Producers' licences not less than 100,000 gallons of milk, and had, on or before the 30th September next following the conclusion of the prescribed period, remitted to the Ministry any Producers' licence fees payable by them in respect of such milk ;

Division II.—Holders of Distributor's licences who,—

(*a*) on the aforesaid last day for the giving of notice of the election had, in accordance with a Determination of the Joint Milk Council made under Section six of the Act, contracted for the purchase of milk from one or more holders of Producers' licences ; and

(*b*) are not entitled to be registered in Electoral Division I ;

Division III.—All persons not comprised in Electoral Division I or Electoral Division II.

5.—(1) The number of members of the Joint Milk Council elected by persons in each Electoral Division shall be as follows :—

Division I	..	Two members.
Division II	..	One member.
Division III	..	One member.

(2) The members of the Joint Milk Council elected by holders of Distributors' licences at an election for any Electoral Division shall be elected by the persons registered in that Electoral Division in the Register prepared for the purpose of such election in pursuance of Article four of these Regulations.

(a) S. R. & O. (N.I.), 1935, No. 120.

6.—(1) For the purpose of an election of members by persons registered in any Electoral Division, the Ministry shall allot votes as follows :—

(*a*) In the case of an election by persons registered in Electoral Division I, to each person registered in that Division, one vote for each gallon of milk purchased by him from one or more holders of Producers' licences during the prescribed period, and in respect of which any Producers' licence fees payable by him had been remitted to the Ministry on or before the 30th of September next following the conclusion of such period ;

(*b*) In the case of an election by persons registered in Electoral Division II, to each person registered in that Division, one vote for each gallon of milk purchased by him from one or more holders of Producers' licences during the prescribed period and in respect of which any Producers' licence fees payable by him had been remitted to the Ministry on or before the 30th of September next following the conclusion of such period ;

(*c*) In the case of an election by persons registered in Electoral Division III, to each person registered in that Division, one vote.

(2) Any question relating to the number of votes to which a person is entitled shall be determined by the Ministry, and such determination shall be final.

(3) A voter shall not vote for more candidates for any Electoral Division than there are members to be elected by that Electoral Division.

(4) At an election for two members for Electoral Division I, a voter who votes for two candidates may apportion between those candidates the number of votes allotted to him by the Ministry.

7. For the purpose of this Part of these Regulations, the prescribed period shall, in relation to any election, be the twelve months ending on the 31st August next preceding the last day for the giving of notice of that election as determined by these Regulations, provided that when such last day for the giving of notice of any election falls in the month of September or October, the prescribed period shall be the twelve months ending on the 31st August next but one preceding the aforesaid last day.

PART III.

Biennial Elections.

8.—(1) An election of members of the Joint Milk Council by holders of Distributors' licences shall be held in the year 1937 and in every second calendar year thereafter.

(2) Every election of members by the holders of Distributors' licences held in pursuance of paragraph (1) of this Article shall be held in the month of November or 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 the election shall be taken not later than the times mentioned in the First Schedule to these Regulations.

Elections to fill casual vacancies.

9. In the event of a casual vacancy for a member of the Joint Milk Council elected by the holders of Distributors' 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 IV.

Arrangements for the Conduct of Elections of Members of the Joint Milk Council.

10. Where an election is required to be held for any Electoral Division, the Ministry shall, not later than the last day for the giving of notice of the holding of an election, give public notice that an election is about to be held for that Electoral Division, 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.

11. Each candidate for election 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, in the case of an election for Electoral Division II or III, 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 the seconder, and the assentors to the nomination of a candidate for election shall be holders of Distributors' licences.

12. If any person is duly nominated for more than one Electoral Division, the Ministry shall request him to specify within a reasonable period appointed for the purpose, the Electoral Division for which he desires to be a candidate, and, if, within such period, he so specifies the Electoral Division for which he desires to be a candidate, his nomination in respect of any other Electoral Division shall be deemed to have been withdrawn. If he fails within the appointed period to specify the Electoral Division for which he wishes to be a candidate, his nomination for each Electoral Division for which he has been nominated shall be deemed to have been withdrawn.

13.—(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, together with a statement of the last day for the withdrawal of candidates and of 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 day appointed as the last day for the withdrawal of candidates, a notice in writing of such withdrawal signed by him.

14. If the number of candidates who receive valid nominations for election for any Electoral Division, 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 Division, such candidate or candidates shall be declared to be elected.

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

(2) Where an election is required to be held for any Electoral Division under paragraph (1) of this Article, 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 Division, and every voting paper shall contain a statement of the number of votes to which the voter is entitled and 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 29th day of September, Nineteen hundred and thirty-seven, in the presence of—

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

Secretary.

FIRST SCHEDULE.

Times for Proceedings at Elections of Members of the Joint Milk Council by the Holders of Distributors' 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.

Form of Nomination Paper for Candidates for Election to the Joint Milk Council by Holders of Distributors' Licences.

Electoral Division.....

Name of Candidate. *Full Postal Address of Candidate.*

.....County.

We, the undersigned, being the holders of Distributors' licences registered in Electoral Division.....hereby nominate the above-mentioned person as a candidate for election as a member of the Joint Milk Council for that Electoral Division.

Date,.....1937.

Name in full (in ink).	Address in full (in ink).	As
	County	Proposer
	,,	Seconder
	,,	*Assentor
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* The reference to assentors may be omitted where the nomination relates to an election for Division I.