



Jersey

MILK MARKETING (POLLS) (JERSEY) ORDER 1954

Revised Edition

01.160.70

Showing the law as at 1 January 2006

This is a revised edition of the law



Jersey

MILK MARKETING (POLLS) (JERSEY) ORDER 1954¹

THE ECONOMIC DEVELOPMENT COMMITTEE, in pursuance of Article 5(1) and (5) of the Agricultural Marketing (Jersey) Law 1953,² orders as follows –

Commencement [[see endnotes](#)]

1

(1) In this Order –

“appointed day” means –

- (a) in relation to the initial poll, the 22nd October 1954; and
- (b) in relation to any other poll, such day as the Minister may determine;

“initial poll” has the meaning assigned thereto by Article 5(1) of the Law;

“Law” means the Agricultural Marketing (Jersey) Law 1953;³

“milch cow” means a cow kept for milking purposes whether dry or in milk, but does not include a heifer which has never calved;

“milk” means cows’ milk produced in Jersey;

“producer” means a person who is a producer of milk;

“qualifying date” means –

- (a) in relation to the initial poll, 13th October 1954; and
- (b) in relation to any other poll, such date as the Minister may determine;

“register” means the register of producers kept by the Minister in pursuance of Article 4 of the Law, and “registered” shall be construed accordingly;

“Scheme” means the Milk Marketing Scheme 1954.⁴

- (2) For the purposes of determining the result of a poll, the quantity of milk which a registered producer is capable of producing shall be deemed to be proportionate to the number of milch cows declared by the registered producer to be in the registered producer's possession in Jersey on the qualifying date.

2

- (1) Where a poll under the Scheme is to be taken, the Minister shall deliver to every person who was a registered producer on the qualifying date, a voting paper in the form set out in the Schedule to this Order or in a form substantially to the like effect, and no person shall have the right to vote on a poll unless the person was a registered producer on the qualifying date:

Provided that, in the case of the initial poll, the question relating to the number of milch cows in the possession of a registered producer shall be omitted from the said form.

- (2) For the purposes of paragraph (1), a voting paper shall be deemed to have been duly delivered to a registered producer if sent to the registered producer by post to his or her address as the same appears in the register and with the postage pre-paid.

3

A registered producer who desires to vote on a poll shall do so by delivering a voting paper, duly completed, to the Minister, not later than such time on the appointed day as may be indicated in the voting paper.

4

The Minister shall cause the votes delivered on a poll to be counted by a person appointed by the Minister in that behalf:

Provided that a vote shall not be counted in any case where –

- (a) it is not given in the form prescribed by this Order;
- (b) it is received by the Minister after the time prescribed by this Order;
- (c) the reply to the question proposed is not clear and without ambiguity.

5

Except as is otherwise provided in the Law, the proportion of registered producers necessary to determine the question proposed on a poll shall be –

- (a) more than half the registered producers voting on the poll; and
- (b) registered producers who are capable of producing more than half the quantity of milk which all the registered producers voting on the poll are capable of producing.

6

The Minister shall, as soon as may be after the votes given on a poll have been counted, declare to the Board administering the Scheme the result of the poll and shall cause to be published in 2 newspapers circulating in Jersey, one being a publication in French and the other a publication in English, a notice of the result of the poll.

7

This Order may be cited as the Milk Marketing (Polls) (Jersey) Order 1954.

SCHEDULE**FORM OF VOTING PAPER****MILK MARKETING (POLLS) (JERSEY) ORDER 1954**

To (1)

.....

A poll is being held under the Milk Marketing Scheme 1954 on the following question, namely –

(2)

.....

Do you wish this question to be answered “YES” or to be answered “NO”?

Answer here “YES” or “NO”

How many cows kept for milking purposes, whether dry or in milk, but excluding heifers which have never calved, were in your possession at noon on (3).....

State number here (in words)

Signature of registered producer

Note. Your vote will not be counted unless this paper, properly filled in and signed, reaches the office of the Minister,

(4)

not later than (5) on

.....

On behalf of the Minister,

The Minister must fill in at (1) the name and address of the registered producer;

(2) the question on which the poll is being taken;

(3) the qualifying date;

(4) the address of the Minister’s Office;

(5) the latest time for delivery of the voting paper.

ENDNOTES

Table of Legislation History

| Legislation | Year and No | Commencement |
|---|-------------|-----------------|
| Milk Marketing (Polls) (Jersey) Order 1954 | R&O.3499 | 4 October 1954 |
| States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005 | R&O.44/2005 | 9 December 2005 |

Table of Endnote References

-
- ¹ *This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government.*
- ² *chapter 01.160*
- ³ *chapter 01.160*
- ⁴ *chapter 01.160.84*