

MINUTE of MEETING of JOINT LIAISON
COMMITTEE held at 8 MANOR PLACE,
EDINBURGH, at 10.30 a.m. on
WEDNESDAY, 20th OCTOBER, 1993.

PRESENT:

S.P.T.A. Messrs. R. Doig, J. Marshall, A.B. Pullar (for the latter part of the meeting only) and R.D. Hunter.
N.A.S.P.M. Messrs. W.H. Scott, D.H. Scott, P.E. Smith and I. Stirling.

Mr. W.H. Scott occupied the Chair.

APOLOGIES: Mr. Hunter intimated apologies on behalf of Messrs. D.Y. Stewart, K. McKenzie and S. Whitehead.

- (1) ARBITRATION PROCEDURES: The Chairman expressed the concern of his Association regarding problems with Arbitrations arising out of contracts governed by S.P.T.A. Conditions of Sale. The Chairman stated that so far as his members were concerned there was a loss of confidence in these procedures. It would appear that in the main the problems were stemming from the recent Arbitrations involving Stricklands. The Chairman pointed out that N.A.S.P.M. have detailed Arbitration Rules together with Guidelines whereas S.P.T.A. merely had Guidelines. It was arranged that the N.A.S.P.M. Secretary would send Mr. Hunter a copy of their up-to-date Rules and Guidelines. It was agreed to recommend to Council of S.P.T.A. that a Joint Working Party involving S.P.T.A. and N.A.S.P.M. be set up to investigate the possibility of harmonising Arbitration procedures and to discuss the general harmonising of the Conditions of Sale recommended by the respective Associations.

The Chairman reported that N.A.S.P.M. were arranging a Course for Arbiters to be held on 12th January, 1994 and invited S.P.T.A. to send an observer.

The Chairman expressed N.A.S.P.M.'s concern regarding the delay in the Arbiters issuing their Findings in connection with a current Arbitration under S.P.T.A. Conditions of Sale. Mr. Hunter stated that S.P.T.A. had no jurisdiction in that Arbitration. He stated that the Arbiters, Oversmen and Clerk had been appointed and the conduct of the Arbitration was a matter for the Arbiters and Oversman. Mr. Hunter, however, undertook, on an informal basis, to ascertain the reason behind the delay in the Arbiters' Award being issued.

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- (2) FUTURE OF P.M.B./POTATO SCHEME: There was a brief discussion regarding the future of the P.M.B. It was agreed that the decision of the new Minister of Agriculture would have to be awaited. It was agreed, however, to raise the matter at the afternoon's meeting with The Scottish Office.
- (3) HOBBS/TAYLOR CASE: The N.A.S.P.M.'s representatives gave details of problems arising from the Out-of-Court settlement by the Insurers in the Hobbs/Taylor case. The Chairman stated that the high profile which the case had received in England was causing detriment to the image of Scotch seed in England. It was stated that there was a possibility that, in connection with the case, an infringement of the Seed Potato Regulations may have occurred. The N.A.S.P.M.'s representatives reported that The Scottish Office had indicated that they were unable to take any action for the reason that they had been "time-barred" by the expiry of six months from the date of the alleged infringement. A six months prescription period apparently is provided for in the Criminal Justice (Scotland) Act. It was agreed by both S.P.T.A. and N.A.S.P.M. that the six month period was unreasonably short. It was also not clear of the date from which the six months ran from. It was agreed to raise this matter with The Scottish Office at the afternoon meeting.
- (4) DIFFERENCES BETWEEN RESPECTIVE ASSOCIATION'S CONDITIONS OF SALE: It was agreed that if a Joint Working Party was set up consideration would be given by the Working Party to harmonising the respective Associations' Conditions of Sale so far as possible.
- (5) CHANGES TO CLASSIFICATION SCHEME: The recent proposed changes to the Seed Potato Classification Scheme were discussed. It was agreed to discuss this matter further with the Department at the afternoon's meeting with The Scottish Office.
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- (6) BULK LOADS: In reply to the N.A.S.P.M. it was stated that it was the loader who seals bulk loads. There was general discussion regarding problems which might arise from the likely possibility that the actual tonnage in the bulk load will not accurately correspond with the tonnage on the labels. It was agreed that this matter did not in practical terms cause a problem.

This terminated the business of the meeting.