Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this fifteenth day of October, 1946, in the presence of

(L.S.) *J. W. McConnell,*
Assistant Secretary to Ministry of Labour and National Insurance for Northern Ireland.

EXPLANATORY NOTE.

(This note is not part of the Order, but is intended to indicate its general purport)

The Control of Employment (Agriculture) (Northern Ireland) Orders, 1942, provide *inter alia* for the casual employment of agricultural workers in threshing work only, and the purpose of this Order is to extend the provision to the casual employment of agricultural workers in other types of farm work.

Fertilisers : Control

ORDER, DATED OCTOBER 21ST, 1946, MADE BY THE MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND UNDER REGULATIONS 55 AND 55AA OF THE DEFENCE (GENERAL) REGULATIONS, 1939, AS HAVING EFFECT BY VIRTUE OF THE SUPPLIES AND SERVICES (TRANSITIONAL POWERS) ACT, 1945.

1946. No. 165

The Ministry of Agriculture for Northern Ireland by virtue and in exercise of the powers under Regulations 55 and 55AA of the Defence (General) Regulations, 1939, delegated to it by an instrument of delegation dated the 2nd day of July, 1946, made by the Board of Trade under the said Regulations, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945, (a) hereby orders as follows :—

1. No person shall produce for disposal or distribute wholesale any fertiliser except under the authority of a licence granted to him by the Ministry of Agriculture for Northern Ireland (hereinafter called " the Ministry ").

2. No person described in a licence granted under Article 1 of this Order as (and hereinafter called) " a licensed wholesaler " shall dispose of or agree or offer to dispose of any fertiliser except to—

(*a*) another licensed wholesaler,

(*b*) a person described in a licence granted under Article 1 of this Order as (and hereinafter called) " a licensed secondary wholesaler ", or

(*c*) a person licensed under Article 5 of this Order.

(a) 9 and 10 Geo. 6, Ch. 10 ; and S. R. & O. 1945, Nos. 1618 and 1625.

3. No licensed secondary wholesaler shall dispose of or agree or offer to dispose of any fertiliser except to—

(*a*) a person licensed under Article 5 of this Order, or

(*b*) the licensed wholesaler from whom he acquired that fertiliser.

4. No licensed secondary wholesaler shall acquire or agree or offer to acquire any fertiliser except from a licensed wholesaler or a person who has previously acquired that fertiliser from him.

5. No person shall distribute retail any fertiliser except under the authority of a licence granted to him by the Ministry.

6. No person described in a licence granted under Article 5 of this Order as (and hereinafter called) a "licensed retailer" shall dispose of or agree or offer to dispose of any fertiliser except to—

(*a*) a person who he has reasonable cause to believe proposes to use the fertiliser for application to land in his possession or ownership or under his control and situate in Northern Ireland, or

(*b*) a licensed wholesaler or licensed secondary wholesaler from whom he acquired that fertiliser.

7. No licensed retailer shall acquire or agree or offer to acquire any fertiliser except from—

(*a*) a licensed wholesaler, or

(*b*) a licensed secondary wholesaler, or

(*c*) a person who being neither a licensed wholesaler nor a licensed secondary wholesaler has previously acquired that fertiliser from him.

8.—(1) The holder of any licence granted under this Order shall comply with any conditions contained or incorporated in that licence.

(2) If any licence granted under this Order is revoked by the Ministry the holder of the licence shall deliver up forthwith the licence as directed by the Ministry and shall dispose of any fertiliser in his possession in such manner as the Ministry may direct.

9. No person shall use any fertiliser :

(1) otherwise than for application to land in his possession or ownership or under his control and situate in Northern Ireland, or

(2) in excess of the quantity applied to land in the course of good husbandry for the cultivation of like crops in the district in which the land is situate.

10. Every licensed supplier shall keep or cause to be kept such records, in such form as the Ministry may require, of his dealings in fertilisers as are necessary to show that the provisions of this Order are

being complied with and, in particular, he shall keep a separate record of the names and addresses of all persons from whom he purchases any fertiliser, the quantities so purchased, and the date of delivery. He shall also keep a separate record of all fertilisers sold, including the date of sale and the names and addresses of the purchasers, and shall furnish to the Ministry within such time as the Ministry may specify such estimates, returns or information relating to the said trade or business as the Ministry may require.

11. Nothing in this Order shall be taken to prohibit or restrict the delivery to and acceptance by a person carrying on the business of a carrier or warehouseman of any fertiliser in the ordinary course of that business, or the delivery by and acceptance from such person of any fertiliser in the ordinary course of that business.

12. The provisions of this Order shall not apply to the distribution wholesale or distribution retail of any fertiliser which has been pre-packed in wrappers or containers containing not more than twenty-eight pounds of the fertiliser in each wrapper or container.

13. In this Order :

" Fertiliser " means any article named in the first column of Part 1 of the First Schedule to The Fertilisers and Feeding Stuffs Act, 1926.

" Produce " includes the mixing together of two or more fertilisers whether or not those fertilisers or any of them have been produced by the person mixing them.

" Dispose of " and " acquire " include respectively the giving and taking of possession, and the last mentioned expression shall also include having in possession or under control.

" Distribute wholesale " means supply to any person whose business includes the selling of fertilisers.

" Distribute retail " means supply to any person buying for a purpose other than resale.

" Pre-packed " means in relation to any fertiliser, packed or made up (otherwise than by a retailer for the purpose of retail sale by him on the premises on which the product is packed or made up) in advance ready for retail sale in a wrapper or container.

" Licensed supplier " means any person licensed under this Order to produce or distribute wholesale or distribute retail any fertiliser.

14. The Control of Fertilisers (Northern Ireland) (No. 1) Order, 1941 (**b**), the Control of Fertilisers (Northern Ireland) (No. 3) Order, 1942, (**c**) and the Control of Fertilisers (Northern Ireland) Order, 1944, (**d**) are hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof :

(**b**) S. R. & O. 1941 (Northern Ireland), No. 158.
(**c**) S. R. & O. 1942 (Northern Ireland), No. 92.
(**d**) S. R. & O. 1944 (Northern Ireland), No. 55.

Provided that any licence granted or having effect under any of these Orders and subsisting immediately before the coming into force of this Order, shall continue to have effect as though granted under this Order.

15.—(1) This Order may be cited as The Control of Fertilisers (Northern Ireland) Order, 1946.

(2) This Order shall come into force on the 1st day of December, 1946.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this twenty-first day of October, Nineteen hundred and forty-six, in the presence of

(L.S.) (Signed) *J. H. Craig,*
Assistant Secretary

EXPLANATORY NOTE.

(This note is not part of the Order but is intended to indicate its general purport)

This Order revokes The Control of Fertilisers (Northern Ireland) (No. 1) Order, 1941, The Control of Fertilisers (Northern Ireland) (No. 3) Order, 1942, and The Control of Fertilisers (Northern Ireland) Order, 1944, but re-enacts certain provisions of these Orders. The Order in effect abolishes the rationing of fertilisers to farmers and fertilisers may be purchased by licensed merchants and farmers without making application to the Ministry or obtaining a permit. The Order also includes an additional provision permitting the sale of pre-packed fertilisers in quantities not exceeding twenty-eight pounds.

Ryegrass (Control of Harvesting)

THE RYEGRASS (CONTROL OF HARVESTING) (NORTHERN IRELAND) ORDER, 1946, DATED 25TH MAY, 1946, MADE BY THE MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND UNDER REGULATION 55 OF THE DEFENCE (GENERAL) REGULATIONS, 1939, AS HAVING EFFECT BY VIRTUE OF THE SUPPLIES AND SERVICES (TRANSITIONAL POWERS) ACT 1945 (a).

1946. No. 68

The Ministry of Agriculture for Northern Ireland (in this Order referred to as "the Ministry"), by virtue and in exercise of the powers under paragraph (1) of Regulation 55 of the Defence (General) Regulations, 1939, delegated to it by the Delegation of Emergency Powers (Ministry of Agriculture for Northern Ireland) (No. 2) Order, 1943, (b) made by the Secretary of State under paragraph (1) of Regulation 102 (A) of the said Regulations and by virtue of the Supplies and Services (Transitional Powers) Act, 1945, and an Order in Council made thereunder (a) hereby orders and directs as follows :—

(a) 9 and 10 Geo. 6, Ch. 10 ; S. R. & O. 1945, No. 1618.
(b) S. R. & O. 1943 (No. 1344) II, Page 1725.