EXPLANATORY NOTE

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

This Scheme provides for financial assistance to the Milk Marketing Board for Northern Ireland by way of grant to assist towards the cost of the payment of premiums to milk producers in respect of milk of Superior Hygienic Quality.

1966. No. 313 **[NC]**

DESTRUCTIVE INSECTS AND PESTS

Pests and Disease Organisms

ORDER, DATED 23RD DECEMBER 1966, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS (NORTHERN IRELAND) 1877 TO 1934.

The Ministry of Agriculture, in exercise of the powers conferred on it by the Destructive Insects and Pests Acts (Northern Ireland) 1877 to 1934(a), and of every other power enabling it in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Destructive Pests and Diseases of Plants Order (Northern Ireland) 1966 and shall come into operation on 2nd January 1967.

Revocation

2. The Destructive Insects and Pests (Northern Ireland) Order of 1933(b) is hereby revoked.

Interpretation

3.—(1) In this Order—

"destructive pest or disease organism" means—

(*a*) any bacterium, fungus, virus or invertebrate animal destructive to agricultural or horticultural plants which is not known to be established in Northern Ireland at the date of the commencement of this Order, including any culture thereof, or

(*b*) Wart disease or Black Scab fungus (*Synchytrium endobioticum* (Schilb.) Perc.) or any culture thereof;

"inspector" means an officer of the Ministry of Agriculture authorised for the purposes of this Order;

"landing" means bringing into Northern Ireland by any method whatsoever;

"plant" includes tree and bush and any seed or other part of a plant;

"premises" includes any vehicle, vessel or aircraft.

(a) 40 & 41 Vict. c. 68; 7 Edw. 7. c. 4 & 24 & 25 Geo. 5. c. 4 (N.I.).
(b) S.R. & O. (N.I.) 1933, No. 81.

(2) The Interpretation Act (Northern Ireland) 1954(a) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Prohibition of unauthorised importation, keeping and release or disposal of destructive pests and disease organisms

4.—(1) The landing of any living or active destructive pest or disease organism is prohibited except under and in accordance with the terms of a licence granted by the Ministry.

(2) The keeping, or the release, delivery or disposal by other means of any such pest or organism as aforesaid is prohibited except under and in accordance with the terms of a licence as aforesaid:

Provided that nothing in this Article shall be deemed to prohibit the killing or destruction or the delivery to the Ministry or to an officer of the Ministry of any such pest or organism.

Examination, sampling and marking

5. An inspector, upon production if so required of his authority, may enter upon any land or premises on which he knows or suspects that there is present a destructive pest or disease organism or a plant carrying or affected with any such pest or organism and may examine and take samples of any such pest or organism or any such plant and the soil, packing material or container associated therewith and may also mark any plants (whether or not carrying or affected with any such pest or organism) which may be present there and the containers of such plants.

Remedial and precautionary measures

6.—(1) If an inspector knows or suspects that there is present on any land or premises a destructive pest or disease organism, he may by notice in writing served on the occupier or other person in charge of the said land or premises require him, within such time or during such period as may be specified in the notice, to take such steps to destroy any such pest or organism or to prevent its spread as may also be specified in the notice.

(2) If any person fails to carry out the requirements of a notice served on him in accordance with paragraph (1) within the time or during the period specified in the said notice then, without prejudice to any proceedings under this Order consequent upon such failure, an inspector or a person acting on his instructions may enter the land or premises and take such steps as appear to the inspector to be necessary either to ensure compliance with the aforesaid requirements or to remedy the consequences of the failure to carry them out, and the cost of taking such steps shall be recoverable by the Ministry as a civil debt from the person on whom the notice was served.

Information to be given

7. Every person who has or has had or is suspected by the Ministry or by an inspector to have or to have had in his possession or under his charge any destructive pest or disease organism or any plant carrying or affected with any such pest or organism and every person who as auctioneer, salesman, or otherwise has sold or offered for sale or is suspected by the Ministry or by an inspector to have sold or offered for sale any such pest, organism or plant shall, if so required by demand in writing by the Ministry or an inspector,

(a) 1954, c. 33.

give to the Ministry or inspector, as the case may be, within the time specified in the demand, all such information as he possesses as to the persons who have or have had or are likely to have or have had the said pest, organism or plant in their possession or under their charge: provided that any information given under this Article shall not be available as evidence against the person giving the same in any prosecution under this Order except in respect of an alleged failure to comply with this Article.

Offences

8.—(1) Every person who wilfully obstructs or impedes an inspector in the exercise of his powers under this Order or who does any act in contravention of this Order or of the terms or conditions of any notice served or licence granted thereunder or who fails to do any act which he is required to do by or under this Order or by any such notice or licence shall be liable on conviction to a penalty not exceeding ten pounds or in respect of a second or subsequent offence to a penalty not exceeding fifty pounds.

(2) In order that the penalty for the landing, unloading or importing of any destructive pest or disease organism in contravention of this Order shall be such as may be imposed under the Customs and Excise Act 1952(a), paragraph (1) shall not apply in respect of any such landing.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 23rd day of December 1966.

(L.S.) *A. McKelvie,*
Assistant Secretary.

EXPLANATORY NOTE

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

This Order supersedes the Destructive Insects and Pests (Northern Ireland) Order of 1933. The importation, keeping or parting with the possession of any non-indigenous pest, bacterium, fungus or virus which is destructive to agricultural or horticultural plants, or any culture of Black Scab disease, is prohibited unless carried out under the terms of a licence from the Ministry of Agriculture.

Inspectors of the Ministry are given powers of examination and sampling and they may require the taking of remedial and precautionary measures. If any such requirements are not complied with, an inspector may himself do what is required at the expense of the person in default. Provision is made for the demanding of information as regards the custody of pests or disease organisms or of affected produce and penalties are prescribed for breaches of the terms of the Order.

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 44.

This Order shall cease to have effect unless before the expiration of six months from the 30th day of December 1966 it has been confirmed by a Resolution of each House of Parliament.

1966. No. 314 [C]

INDUSTRIAL INVESTMENT

Variation of Rate of Grant

ORDER, DATED 30TH DECEMBER 1966, MADE BY THE MINISTRY OF COMMERCE, WITH THE APPROVAL OF THE MINISTRY OF FINANCE, UNDER SECTION 8 OF THE INDUSTRIAL INVESTMENT (GENERAL ASSISTANCE) ACT (NORTHERN IRELAND) 1966.

The Ministry of Commerce, in exercise of the powers conferred on it by section 8 of the Industrial Investment (General Assistance) Act (Northern Ireland) 1966(a), and with the approval of the Ministry of Finance, hereby makes the following Order:—

Citation and Interpretation

1.—(1) This Order may be cited as the Industrial Investment Grant (Variation of Rate) Order (Northern Ireland) 1966.

(2) In this Order "the Act" means the Industrial Investment (General Assistance) Act (Northern Ireland) 1966.

Variation of Rate of Grant

2.—(1) The rate at which grant is payable under any of the provisions of the Act in relation to any asset to which that provision applies shall, so far as the expenditure in respect of which the grant is made qualifies for the purposes of this Order, be varied as follows, that is to say—

(*a*) where but for this Order the amount of any grant payable under that provision in relation to that asset would be 40 per cent. of such expenditure, the amount shall be 45 per cent. thereof;

(*b*) where but for this Order the amount of any grant so payable would be 20 per cent. of such expenditure, the amount shall be 25 per cent. thereof.

(2) Expenditure in respect of which a grant is made in relation to an asset qualifies for the purposes of this Order so far as it is incurred on or after 1st January 1967 and not later than 31st December 1968.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this 30th day of December 1966.

(L.S.) *W. E. Bell,*
Assistant Secretary.

The Ministry of Finance hereby approves the foregoing Order.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 30th day of December 1966.

(L.S.) *R. R. Butler,*
Assistant Secretary.

(a) 1966. c. 41 (N.I.).