# FLAX

REGULATIONS DATED 3RD AUGUST, 1954, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION TWENTY OF THE FLAX ACT (NORTHERN IRELAND), 1954, WITH THE APPROVAL OF THE MINISTRY OF FINANCE, SO FAR AS IT IS REQUIRED BY THAT ACT.

1954. No. 117

This Order has been revoked by S.R. & O. 1954 No. 181 and is not printed at length in this Volume.

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REGULATIONS DATED 23RD DECEMBER, 1954 MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION TWENTY OF THE FLAX ACT (NORTHERN IRELAND), 1954, WITH THE APPROVAL OF THE MINISTRY OF FINANCE, SO FAR AS IT IS REQUIRED BY THAT ACT.

1954. No. 181

In exercise of the powers conferred upon it by section twenty of the Flax Act (Northern Ireland), 1954 (a), and of all other powers it thereunto enabling, the Ministry of Agriculture, with the approval, so far as it is required by the said Act, of the Ministry of Finance, and after consultation, so far as it is required as aforesaid, with representatives of persons whose interests appear to the Ministry to be likely to be affected, hereby makes the following Regulations:—

*Short title and commencement*

1.—(1) These Regulations may be cited as the Flax (General) (No. 2) Regulations (Northern Ireland), 1954.

(2) These Regulations shall come into force on 1st August, 1955.

*Interpretation*

2. In these Regulations, unless the context otherwise requires, the expression—

"the Act" means the Flax Act (Northern Ireland), 1954 and "the Ministry" means the Ministry of Agriculture.

*Records and returns*

3. Persons to whom licences are issued by the Ministry under section two or section three of the Act and persons with whom arrangements are entered into by the Ministry under or for the purposes of section four of the Act shall—

(*a*) keep such a record of each of their purchases and sales of flax straw, flax or re-scutched tow as will show—

(i) the date thereof;

(ii) the name and address of the other party to the transaction;

(iii) the grade (if any) of any flax or re-scutched tow purchased or sold;

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(a) 1954, c. 14.

(iv) the weight of any flax straw, flax or re-scutched tow purchased or sold, particulars of hand scutched flax and turbine scutched flax being recorded separately; and

(v) the price; and

(*b*) furnish to the Ministry—

(i) within one week from the date of any purchase of any such flax straw, flax or re-scutched tow, the aforesaid particulars of that purchase; and

(ii) from time to time on the request of the Ministry, the aforesaid particulars of any sale of any such flax straw, flax or re-scutched tow.

*Grading of Flax*

**4.** Any dispute between the holder of a licence issued by the Ministry under section two of the Act and any flax grower as to the grading of any flax, being a dispute arising out of the purchase of that flax by the holder of the said licence shall be determined in the manner provided by the First Schedule to these Regulations.

*Definition of "Grower" for purposes of certain payments under the Act*

**5.** For the purposes of making payments under section nine or section ten of the Act in connection with any flax or flax straw the grower of the flax straw (whether retted or unretted) from which the flax sold is produced, or, as the case may be, the grower of the unretted flax straw sold, shall be deemed to be—

(*a*) the person who sells such flax or flax straw to the person authorised by the Ministry under the Act to buy it; or, at the option of the Ministry,

(*b*) the person on whose behalf such flax or flax straw is so sold.

*Payment in certain cases to a person other than the grower*

**6.** Where a person appearing to be entitled to receive a payment under section nine or section ten of the Act dies before payment thereof has been made to him, the said payment may, on production of probate, letters of administration or other satisfactory evidence of entitlement, be paid by the Ministry to his personal representatives for the benefit of his estate.

*Provision to secure that certain payments are properly made*

**7.** Where

(*a*) a payment falls to be made under section ten of the Act in respect of any unretted flax straw; and

(*b*) the Ministry is satisfied that at the time of the delivery of that flax straw to a flax processor or to a scutch mill, the straw contained an undue amount of weeds or other extraneous matter, or was not in a sound, dry condition; the Ministry may make such a deduction from the amount of the payment falling to be made as aforesaid as it considers necessary in order to secure that payment is made in respect only of the actual weight of flax straw sold.

*Standards for scutching*

**8.**—(1) The scutching of dam-retted flax straw or rough tow shall not be deemed to be efficient unless in the case of flax straw, it complies with the standards specified in paragraph (2) of this Regulation or, in the case of rough tow, it complies with the standards specified in paragraph (3) thereof.

(2) Standards for scutching of flax straw—

(*a*) Each strick of scutched flax fibre shall be—

(i) reasonably free from shives;

(ii) free from knots;

(iii) free from an excessive amount of damaged fibre due to over-scutching;

(iv) well shaped and even at the root end; and

(v) free from tow; and

(*b*) the finished stricks of fibre shall be made up into neat bundles tied with thin cords made from long flax fibres.

(3) Standards for scutching of rough tow—
Re-scutched tow shall be—

(*a*) uniformly clean and reasonably free from shives;

(*b*) free from knots; and

(*c*) free from nests of unscutched material.

*Charges for scutching*

**9.**—(1) A scutch miller who performs the operation of producing any flax or any re-scutched tow from dam-retted flax straw grown in the years 1954 or 1955 shall not in respect of that operation make any charge exceeding the appropriate maximum charge.

(2) Subject to the next succeeding paragraph the appropriate maximum charge shall be:—

(*a*) in respect of flax scutched wholly or mainly by hand, an amount calculated at the rate of 8/3 per stone produced;

(*b*) in respect of flax scutched wholly or mainly by turbine scutching machine, an amount calculated at the rate of 9/- per stone produced;

(*c*) in respect of re-scutched tow, an amount calculated at the rate of 4/6 per stone produced;

which charge shall be taken as including all the charges for labour provided and plant and materials required in connection with the scutching from the time at which the unscutched material is delivered to the scutch mill to the time at which the scutched material is ready to be taken away, and, in the case of the scutching of rough tow, shall be taken as including the charges for the operations of shaking the rough tow and baling the re-scutched tow and for all labour provided and plant and materials required in connection with those operations.

(3) In addition to the appropriate maximum charge, a scutch miller may—

(*a*) make a charge in respect of the cost incurred by him, at the request of the owner, in transporting any unscutched material to, or any scutched material from the scutch mill;

(*b*) make a reasonable charge in respect of any storage of any scutched material after the day on which it is ready to be taken away from the scutch mill.

*Duty of scutch millers to furnish particulars of results of scutching*

**10.** A scutch miller shall—

(*a*) furnish at the time of or prior to the delivery of every lot of scutched flax to the owner thereof or his authorised representative, a statement in the form set out in the Second Schedule to these Regulations giving particulars of the results of scutching; and

(*b*) keep a copy of such statement for a period of not less than twelve months after the date of delivery of each such lot.

*Standard prices for flax and re-scutched tow*

**11.** For the purposes of the Act the standard prices for flax and re-scutched tow produced from flax straw grown in the year 1955 shall be those set out in the Third Schedule to these Regulations.

*Revocation*

**12.** The Flax (General) Regulations (Northern Ireland), 1954 (a) are hereby revoked.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 23rd day of December, One Thousand Nine Hundred and Fifty-four in the presence of

(L.S.) *W. H. Long,*

Assistant Secretary.

The approval of the Ministry of Finance so far as it is required by the Flax Act (Northern Ireland), 1954 is hereby given to the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 23rd day of December, One Thousand Nine Hundred and Fifty-four in the presence of

(L.S.) *C. J. Bateman,*

Assistant Secretary.

(a) S.R. & O. 1954, No. 117.

# FIRST SCHEDULE

## GRADING

*Constitution of Grading Appeals Tribunal*

1.—(1) Within one month after the coming into force of these Regulations there shall be established a Grading Appeals Tribunal (in this Schedule referred to as " the Tribunal ") which shall consist of:—

one member appointed by the Flax Spinners' Association, Limited;

one member appointed by the Ulster Farmers' Union; and

such technical officer of the Ministry as it may appoint.

Provided that if any member appointed as aforesaid is for any reason unable to act at any time as a member of the Tribunal, the body by whom such member was appointed may nominate another person to act in his place.

(2) The officer appointed by the Ministry shall be Chairman of the Tribunal.

(3) If the Flax Spinners' Association, Limited, or the Ulster Farmers' Union fail to appoint a member of the Tribunal within one month after the coming into force of these Regulations, the Ministry may make any additional appointment of a member as may be necessary by reason of such failure.

*Determination of Disputes*

2. Where any flax grower is dissatisfied with the grade in which his flax has been placed by or on behalf of the licence holder he may, subject to the provisions of this Schedule, appeal to the Tribunal.

3. It shall be a condition of any appeal under the preceding paragraph that the grower may not subsequently withdraw his offer of the flax to the licence holder.

4. Notice of appeal to the Tribunal shall be given in writing to the Ministry's representative in the flax market by the grower or his authorised agent before the market is closed. Each such notice of appeal shall be accompanied by an appeal fee of one pound (20s.).

5. On receipt of a notice of appeal the Ministry's representative shall immediately notify the licence holder or his accredited agent who shall bale or cause to have baled the flax which is the subject to the appeal. The Ministry's representative shall then seal the bale or bales.

6. The Ministry shall, as soon as may be, have the flax examined by the Tribunal whose decision concerning the grade in which it should be placed shall be final and binding upon both the grower and the licence holder.

7. The Ministry shall, immediately after the Tribunal has announced its decision on any appeal, notify such decision in writing to the grower and to the licence holder.

8.—(1) If the Tribunal decides that any flax which is the subject of an appeal is of a grade superior to that in which it was originally placed by or on behalf of the licence holder, the appeal fee shall be returned to the grower.

(2) If the Tribunal decides that any flax which is the subject of an appeal is not of a grade superior to that in which it was originally placed by or on behalf of the licence holder, the appeal fee shall be paid to the Exchequer.

9. The Ministry may pay out of moneys provided by Parliament such remuneration to the members of the Tribunal and such other expenses of the Tribunal as the Ministry may, with the approval of the Ministry of Finance, determine.

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## SECOND SCHEDULE

FLAX ACT (NORTHERN IRELAND), 1954

Form to be furnished by the scutch miller to the owner of flax straw or his authorised representative.

I certify that the consignment of flax straw received by me from ..... of .....

on the ..... day of ..... in the year .....

..... has been scutched at my scutch mill at .....

..... with the following results:—

| | stones | lbs. |
|---|---|---|
| Scutched Flax | | |
| Tow (*a*) Rough (Estimated weight) or; | | |
| (*b*) Re-scutched | | |

Signature of mill-owner .....

Date .....

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## THIRD SCHEDULE

STANDARD PRICES FOR 1955 CROP

*Flax*

| Grade | 1 | 2 | 3 | 4 | 5 | 6 | Below Grade 6 |
|---|---|---|---|---|---|---|---|
| Price per ton at Flax Market | £ | £ | £ | £ | £ | £ | |
| Hand Scutched ... | 328 | 316 | 304 | 292 | 280 | 268 | Price fixed by Grader |
| Turbine Scutched ... | 340 | 328 | 316 | 304 | 292 | 280 | Price fixed by Grader |

*Re-Scutched Tow*

| Grade | 1 | 2 | 3 | Below Grade 3 |
|---|---|---|---|---|
| Price per ton at Scutch Mill ... | £ 104 | £ 92 | £ 74 | Price fixed by Grader |