DESTRUCTIVE INSECTS AND PESTS

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The Importation of Forest Trees (Prohibition) (Northern Ireland) Order, 1952

ORDER, DATED 12TH DAY OF NOVEMBER, 1952, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS (NORTHERN IRELAND), 1877 TO 1934.

No. 209

The Ministry of Agriculture for Northern Ireland by virtue and in exercise of the powers vested in it under the Destructive Insects and Pests Acts (Northern Ireland), 1877 to 1934, and of every power enabling it in that behalf, orders, and it is hereby ordered as follows :—

Short Title and Commencement

1. This Order may be cited as the Importation of Forest Trees (Prohibition) (Northern Ireland) Order, 1952, and shall come into force on the twelfth day of November nineteen hundred and fifty-two.

Interpretation

2.—(1) In this Order :—

" Ministry " means the Ministry of Agriculture for Northern Ireland.

" Inspector " means an Inspector or other Authorised Officer of the Ministry of Agriculture for Northern Ireland.

" Importer " includes any person, who, whether as owner, consignor or consignee, agent or broker, is in possession of, or in anywise entitled to the custody or control of the plant.

" Plant " includes tree and shrub and the roots, layers, cuttings and other parts of a plant except the fruit or seeds thereof.

(2) The Interpretation Act, 1889, shall apply for the purpose of the interpretation of this Order as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

Prohibition of Importation of certain Forest Trees

3.—(1) For the prevention of the introduction of diseases and pests injurious to forest trees, the landing in Northern Ireland from any country other than Great Britain, the Isle of Man, the Channel Islands or the Irish Republic of any living plant of any of the genera mentioned in the First Schedule to this Order is hereby prohibited except under licence.

(2) The landing in Northern Ireland from any country of any living plant of the genus mentioned in the Second Schedule to this Order is hereby prohibited except under licence.

Procedure where plants are landed in contravantion of this Order

4. If any plant of any of the genera mentioned in the Schedules hereto, is landed in Northern Ireland in contravention of this Order, it shall forthwith be destroyed or re-exported at the expense of the importer unless it is otherwise disposed of in accordance with the terms of a licence issued by the Ministry or by an Inspector.

Licences

5. Notwithstanding any of the provisions of this Order, any plant of any of the genera mentioned in the Schedules to this Order may be landed in Northern Ireland under and in accordance with the conditions of a licence issued by the Ministry or by an Inspector.

Penalties

6. Any person failing to comply with the provisions of this Order or with the terms of a licence issued thereunder shall be liable to a fine not exceeding ten pounds, or, in respect of a second or subsequent offence, to a fine not exceeding fifty pounds.

Revocation of Orders

7. The Importation of Forest Trees (Prohibition) (Northern Ireland) Order, 1949, is hereby revoked.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this twelfth day of November nineteen hundred and fifty-two in the presence of

(L.S.) *J. I. Magowan,*
Assistant Secretary.

FIRST SCHEDULE

The genus Quercus
The genus Castanea
The genus Populus
The following genera of the Order Pinaceae, viz., Abies, Larix, Picea, Pinus, Pseudotsuga, Sequoia, Thuja and Tsuga.

SECOND SCHEDULE

The genus Ulmus

THE IMPORTATION OF PLANTS (AMENDMENT) (NORTHERN IRELAND) ORDER, 1952.

1952. No. 233

The Ministry of Agriculture for Northern Ireland by virtue and in exercise of the powers vested in it by the Destructive Insects and Pests