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STATUTORY INSTRUMENTS

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1977 No. 1245 (N.I. 12)

NORTHERN IRELAND

**The Agriculture (Miscellaneous Provisions)  
(Northern Ireland) Order 1977**

*Laid before Parliament in draft*

*Made*

*26th July 1977*

*Coming into operation on day or days to be appointed under Article 1*

ARRANGEMENT OF ORDER

Article

1. Title and commencement.
2. Interpretation.
3. Restriction on keeping of bulls, boars and rams.
4. Amendment of Agricultural Returns Act (Northern Ireland) 1939.
5. Fees for aiding improvement of livestock and poultry.
6. Abolition of fees for licences and permits under Marketing of Poultry Act (Northern Ireland) 1949.
7. Forest parks and forest recreation areas.
8. Issue of licences for, and disclosure of returns regarding, slaughter-houses.
9. Duty to slaughter animals in slaughter-houses at request of retailers of meat.
10. Power to provide for destruction of wild life.
11. Extension of powers of inspectors in connection with diseases of animals.
12. Power to prescribe fees for business transacted under Diseases of Animals Act (Northern Ireland) 1958.
13. Issue of licences for diseases of animals purposes.
14. Period within which summary proceedings may be instituted for an offence under Agriculture (Safety, Health and Welfare Provisions) Act (Northern Ireland) 1959.
15. Amendment of Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962.
16. Confiscation of potatoes being exported in contravention of Marketing of Potatoes Act (Northern Ireland) 1964.
17. Contribution payable on pigs sold to Pigs Marketing Board and charge for report and accounts of Northern Ireland Pig Production Development Committee.
18. Amendment of Livestock Marketing Commission Act (Northern Ireland) 1967.

Article

19. Execution of works promoting recreational use of waterways.
20. Adaptation of enactments to metric units.
21. Increase of fines.
22. Repeals.

SCHEDULES:

- Schedule 1—Metrication: Enactments referred to in Article 20.
- Schedule 2—Increase of fines fixed by enactments.
- Schedule 3—Repeals.

At the Court at Buckingham Palace, the 26th day of July 1977

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974 (a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

*Title and commencement*

1. This Order may be cited as the Agriculture (Miscellaneous Provisions) (Northern Ireland) Order 1977 and shall come into operation on such day or days as the Head of the Department of Agriculture may by order appoint.

*Interpretation*

2.—(1) The Interpretation Act (Northern Ireland) 1954 (b) shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order "the Department" means the Department of Agriculture.

*Restriction on keeping of bulls, boars and rams*

3.—(1) For section 1 of the Live Stock Breeding Act (Northern Ireland) 1922 (c) there shall be substituted the following section:—

"Restriction on keeping of bulls, boars and rams. 1.—(1) The Department of Agriculture (in this Act referred to as "the Department") may by regulations make such provision as it considers necessary for controlling the kind and standard of bulls, boars and rams which may be owned or kept in Northern Ireland.

(2) Without prejudice to the generality of subsection (1), regulations made under that subsection may—

(a) prohibit the keeping of any bull, boar or ram of such age as may be specified in the regulations except in accordance with a licence or permit granted by the Department;

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(a) 1974 c. 28. (b) 1954 c. 33 (N.I.). (c) 1922 c. 12 (N.I.).

- (b) specify the conditions on which a licence may be granted for the keeping of a bull, boar or ram which is intended to be used for breeding purposes and on which a permit may be granted for a bull, boar or ram intended to be fattened for slaughter;
- (c) provide for exemption from any provision of the regulations for any category, herd, flock, breed or type of bull, boar or ram;
- (d) specify the circumstances in which the Department may refuse to grant or may revoke or suspend a licence or permit;
- (e) provide for the transfer of licences and permits;
- (f) authorise the imposition of charges for the inspection and examination of bulls, boars and rams and for the issue of licences and permits;
- (g) make provision for licences and permits granted before the coming into force of the regulations;
- (h) impose duties or restrictions on any person who owns, keeps or for the time being is in charge of or has control of a bull, boar or ram.

(3) Any person who contravenes any provision of regulations made under this section or any condition of a licence or permit granted under those regulations shall be guilty of an offence under this Act and liable on summary conviction to a fine not exceeding such amount (not being greater than £500) as may be specified in the regulations.

(4) Regulations made under this section shall be subject to negative resolution and any such regulations imposing a charge shall be subject to the approval of the Department of Finance."

(2) Sections 2, 2A, 2B and 3 of the said Act of 1922 shall cease to have effect; in section 5 of that Act for the words from "such a licence" to the words "any bull" there shall be substituted the words "or suspends or revokes a licence in respect of a bull, boar or ram intended to be used for breeding purposes or requires the slaughtering or castration of any such bull, boar or ram" and in section 13 after the words "of this Act" there shall be inserted the words "which do not apply to boars and rams".

#### *Amendment of Agricultural Returns Act (Northern Ireland) 1939*

4.—(1) Section 1 of the Agricultural Returns Act (Northern Ireland) 1939 (a) (power to require returns as to agricultural land) shall be extended to apply also to the production of crops and grass and accordingly in subsection (1) (b) of that section after the word "area" where it twice occurs there shall be inserted the words "and production".

(2) In the definition of "Agricultural land" in section 3 (1) of that Act after the word "grazing" there shall be inserted the words "or for cropping".

#### *Fees for aiding improvement of livestock and poultry*

5. At the end of section 9 of the Agriculture Act (Northern Ireland) 1949 (b) there shall be added the following subsection:—

(4) The Department may, and shall be deemed always to have had power to, impose such charges as it may, with the consent of the Department

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(a) 1939 c. 35 (N.I.).

(b) 1949 c. 2 (N.I.).

of Finance, determine in respect of applications made to it for assistance and of services rendered by it under this section.

*Abolition of fees for licences and permits under Marketing of Poultry Act (Northern Ireland) 1949*

6. Fees shall cease to be payable in respect of licences in connection with the sale of poultry by wholesale and in respect of permits in connection with the export of poultry issued under the Marketing of Poultry Act (Northern Ireland) 1949 (a) and accordingly the following provisions of that Act shall cease to have effect:—

- (a) in subsection (1) of section 1 the words from “subject to payment” onwards;
- (b) sections 2 (4) and 4 (1) (a);
- (c) in section 8 the words from “and the amounts” onwards; and
- (d) in the Schedule, column 3.

*Forest parks and forest recreation areas*

7.—(1) Section 14 of the Forestry Act (Northern Ireland) 1953 (b) (forest parks) shall apply also to other forest areas (not being forest parks) to which the Department permits the public to have access and accordingly—

- (a) in subsection (1) of that section after the words “a forest park” there shall be inserted the words “or as a Northern Ireland forest recreation area (in this section referred to as “a forest recreation area”);”;
- (b) in subsection (2) of that section after the words “forest parks” wherever they occur there shall be inserted the words “or forest recreation areas”;
- and
- (c) in subsection (3) after the words “forest park” there shall be inserted the words “or forest recreation area”.

(2) After subsection (1) of the said section 14 there shall be inserted the following subsections:—

“(1A) Subsection (1) shall apply to land held by the Department under a lease in like manner as it applies to land owned by the Department but nothing in this section shall authorise anything which is contrary to the provisions of the lease.

(1B) For the purpose of improving the amenity of land acquired by the Department under this Act or under any other enactment or otherwise, the Department may provide on that land such facilities as it considers desirable for such improvement and, without prejudice to the generality of this power, such facilities may include—

- (a) parking places, caravan parks, camping sites, shelters and lavatories;
- (b) meals and refreshment;
- (c) viewing points for the public, open spaces, footpaths and bridlepaths;
- (d) the planting of trees to enhance the landscape;
- (e) the provision of nature trails, arboreta, wildlife enclosures, interpretive centres, forest conservation areas, scenic drives;

and such other recreational, conservational and educational facilities as the Department considers appropriate.

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(a) 1949 c. 14 (N.I.).      (b) 1953 c. 2 (N.I.).

(1C) The Department may, with the approval of the Department of Finance, impose such charges on persons entering all or any of the forest parks or forest recreation areas or making use of any facility provided as it considers reasonable.”

(3) Section 22 of the Amenity Lands Act (Northern Ireland) 1965 (a) shall cease to have effect.

*Issue of licences for, and disclosure of returns regarding, slaughter-houses*

8.—(1) For paragraph (a) of section 1 (3) of the Slaughter-houses Act (Northern Ireland) 1953 (b) (licensing of slaughter-houses by Department) there shall be substituted the following paragraph:—

“(a) shall, before issuing the licence, consult the district council for the district in which are situated the premises in respect of which the application is made”.

(2) An individual return or part of a return made under subsection (1) of section 5 of the said Act of 1953 may be disclosed to a Department of the Government of Northern Ireland or of the United Kingdom and accordingly in subsection (2) of that section after the word “except” there shall be inserted the words “to a Department of the Government of Northern Ireland or of the United Kingdom or”.

*Duty to slaughter animals in slaughter-houses at request of retailers of meat*

9.—(1) After section 5 of the Slaughter-houses Act (Northern Ireland) 1953 there shall be inserted the following section:—

*“Duty to slaughter animals in slaughter-houses at request of retailers of meat*

5A.—(1) A district council which manages or has under its control a slaughter-house and any other person operating a commercial slaughter-house shall, at the request of any person carrying on the business of selling meat by retail for human consumption in Northern Ireland, slaughter any animal presented to it or him for slaughter for the purposes of that business, being an animal of a kind which may be slaughtered in that slaughter-house.

(2) An animal so slaughtered in a commercial slaughter-house shall be slaughtered upon such terms and conditions as shall be determined by the Department and an animal so slaughtered in a slaughter-house managed or under the control of a district council shall be slaughtered in accordance with the bye-laws applying to that slaughter-house.

(3) In this section “commercial slaughter-house” means a slaughter-house which is not managed by or under the control of a district council.

(4) A district council or other person who fails to comply with the provisions of subsection (1) shall be guilty of an offence under this Act.”

(2) The Slaughter-houses Act (Northern Ireland) 1965 (c) shall cease to have effect.

*Power to provide for destruction of wild life*

10. After section 7 of the Diseases of Animals Act (Northern Ireland) 1958 (d) there shall be inserted the following sections:—

(a) 1965 c. 9 (N.I.).

(b) 1953 c. 21 (N.I.).

(c) 1965 c. 21 (N.I.).

(d) 1958 c. 13 (N.I.).

**"Power to provide for the destruction of wild life.**

**7A.—(1) The Department, if satisfied in the case of any area,—**

- (a) that there exists among the wild members of one or more species in the area a disease, other than rabies, specified in Parts III and IV of Schedule 1 which has been or is being transmitted from members of that or those species to livestock of any kind in the area; and**
- (b) that destruction of wild members of that or those species in that area is necessary in order to eliminate, or substantially reduce the incidence of, that disease in livestock of any kind in the area,**

may, subject to the following provisions of this section, by order, make provision for the destruction of wild members of that or those species in that area.

**(2) Before making an order under this section the Department shall consult the Department of the Environment.**

**(3) Every order under this section shall specify the area to which it applies, the disease to which it applies, and the one or more species to which it relates.**

**(4) An order under this section providing for the destruction of wild members of one or more species in any area may make provision for authorising the use for that purpose of one or more methods of destruction that would otherwise be unlawful, but shall not do so unless the Department is satisfied that use of the method or methods in question is the most appropriate way of carrying out that destruction, having regard to all relevant considerations and, in particular, the need to avoid causing unnecessary suffering to wild members of the species in question.**

**(5) An order under this section may include provision—**

- (a) for ensuring that destruction of wild members of any species to which the order relates is properly and effectively carried out, and in particular for preventing persons from taking into captivity, harbouring, concealing or otherwise protecting wild members of any such species with intent to prevent their destruction, or in any other way obstructing or interfering with any thing which has been, is being or is to be done or used in connection with that destruction;**
- (b) for regulating the ownership and disposal of the carcasses of members of any such species destroyed in the area to which the order relates.**

**(6) Before commencing the destruction of wild members of a species on any land within an area to which an order under this section applies the Department shall take all reasonable steps to inform the occupier of the land and any other person who may be there of the Department's intention to carry out that destruction and of the methods of destruction to be used; and it shall be the duty of the Department to ensure that destruction is carried out on any such land in as safe a manner as is possible in all the circumstances.**

**(7) Where an order under this section is in force, the Department shall have power to take such measures (including the erection**

of fences or other obstacles) as the Department considers appropriate—

- (a) for preventing the movement of living creatures into or out of the area or any part of the area to which the order applies while destruction of wild members of any species to which the order relates is being carried out in the area; and
- (b) where destruction of wild members of any such species has been or is to be carried out in any part of that area, for preventing the recolonisation of that part by members of that species for as long as the Department considers necessary to prevent reappearance among them of the disease to which the order applies.

(8) As soon as may be after the Department is satisfied, in the case of any land, that any measures affecting that land which have been taken in connection with an order under this section are no longer necessary, the Department shall remove from the land anything placed or erected on it and shall take such other steps as are reasonably practicable to reinstate the land.

(9) In this and the following section—

“livestock”, subject to subsection (10), means cattle, sheep, goats and other ruminants, swine, horses, domestic fowl, turkeys, geese, ducks, guinea fowl, pigeons, pheasants and partridges;

“species” means any species of animals or poultry;

and references to wild members of any species in an area are references to members of the species in the area that are neither domesticated nor held in captivity.

(10) The Department may by order amend the definition of “livestock” contained in subsection (9) whether by adding to or making omissions from that definition.

(11) An order under this section shall be subject to negative resolution.

(12) The preceding provisions of this section are without prejudice to any powers conferred on the Department by or by virtue of any other provisions of this Act.

Powers of entry etc. in connection with section 7A.

7B.—(1) In relation to any disease to which section 7A applies the following persons are authorised officers for the purposes of this section, namely—

- (a) an officer of the Department;
- (b) a veterinary inspector; and
- (c) any person who, not being such an officer or inspector, is authorised by the Department to exercise the powers conferred by this section.

(2) Where an authorised officer has reasonable grounds for suspecting, in the case of any area, that there exists among the wild members of any species in the area a disease to which section 7A applies, he may enter any land in the area and—

- (a) take samples of the wild members of that species, or of their excreta, or of any materials (whether or not forming part of

the land) with which wild members of that species may have been in contact;

- (b) carry out any other investigations which he considers necessary for the purpose of determining, as regards that species and that disease, whether an order under section 7A should be made in respect of the whole or part of the area in question.

(3) An authorised officer may at any time enter any land in the area to which an order under section 7A applies for any of the following purposes, namely—

- (a) to carry out the destruction of any wild members of a species to which the order relates that may be on that land;
- (b) to take any such measures as are mentioned in subsection (7) of that section;
- (c) to ascertain, as regards any wild members of a species to which the order relates, whether destruction has been effectively carried out.

(4) Where in pursuance of an order under section 7A destruction of wild members of any species to which the order relates has been carried out on any land in the area to which the order applies, then, for the purpose of ascertaining—

(a) whether the land has been or is being recolonised by wild members of that species and, if so,

(b) whether there exists among them the disease to which the order applies (or, if the order has been revoked, to which it previously applied),

an authorised officer may enter the land and take such samples of, or relating to, that species as are mentioned in subsection (2) (a); but the powers conferred by this subsection shall not be exercisable at any time more than two years after the revocation of the order in question.

(5) Nothing in this section shall authorise any person to enter a dwelling-house.

(6) A person entering any land in the exercise of powers conferred on him by this section shall, if so required by the owner or occupier or person in charge of the land—

(a) produce to him some duly authenticated document showing his authority; and

(b) state in writing his reasons for entering.

(7) Without prejudice to subsection (6), an authorised officer—

(a) shall not demand admission as of right to any land forming part of a nature reserve (within the meaning of section 11 of the Amenity Lands Act (Northern Ireland) 1965) maintained or managed by the Department of the Environment under the said Act unless seven days' notice of the intended entry has been given to that Department; and

(b) in exercising any of his powers under subsection (2), (3) or (4) on any such land shall, as far as possible, do so in accordance with such reasonable requirements for minimising



damage to flora, fauna or geological or physiographical features within the reserve as may have been notified by the Department of the Environment to the Department.

(8) The preceding provisions of this section are without prejudice to any powers conferred on inspectors or others by or by virtue of any other provisions of the Act."

*Extension of powers of inspectors in connection with diseases of animals*

11. At the end of section 41 (2) of the Diseases of Animals Act (Northern Ireland) 1958 (general powers of inspectors to enter lands, buildings, sheds, pens and places) there shall be added the following paragraph—

"(c) wherein he has reasonable grounds for supposing that there is any thing, whether animate or inanimate, by or by means of which it appears to the inspector that any disease might be carried or transmitted, being a thing—

- (i) which has been imported and the importation of which is prohibited or regulated by an order under this Act; or
- (ii) the use or distribution of which is prescribed and regulated by an order under this Act; or
- (iii) the collection, holding or processing of which is prohibited or regulated by an order under this Act."

*Power to prescribe fees for business transacted under Diseases of Animals Act (Northern Ireland) 1958*

12. Notwithstanding anything in section 43 of the Diseases of Animals Act (Northern Ireland) 1958 (which restricts the taking of fees for business transacted under that Act) the Department may by order made with the approval of the Department of Finance prescribe fees to be paid with respect to such business transacted or to be transacted under that Act as may be specified in the order and accordingly for subsection (1) (a) of section 43A of that Act there shall be substituted the following paragraph—

"(a) prescribe fees, expenses or other charges to be paid with respect to such business transacted or to be transacted under this Act as may be specified in the order; and"

*Issue of licences for diseases of animals purposes*

13. After section 53 (1) of the Diseases of Animals Act (Northern Ireland) 1958 there shall be inserted the following subsection:—

"(1A) For the removal of doubt and without prejudice to section 17 of the Interpretation Act (Northern Ireland) 1954, it is hereby declared that an Order under this Act imposing prohibitions or restrictions may, and shall be deemed always to have been enabled to, provide that the Department may do so by means of the issue of licences in such form and subject to such conditions as may be prescribed in the order."

*Period within which summary proceedings may be instituted for an offence under Agriculture (Safety, Health and Welfare Provisions) Act (Northern Ireland) 1959*

14. After section 10 (1) of the Agriculture (Safety, Health and Welfare Provisions) Act (Northern Ireland) 1959 (a) there shall be inserted the following subsections:—

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(a) 1959 c. 24 (N.I.).

“(1A) Notwithstanding anything in section 34 of the Magistrates’ Courts Act (Northern Ireland) 1964 (a), summary proceedings for an offence under this Act may be commenced at any time within the period of three months from the date on which evidence, sufficient in the opinion of the Department to justify a prosecution for the offence, comes to its knowledge, or within twelve months from the commission of the offence whichever period is the longer.

(1B) For the purposes of subsection (1A), a certificate purporting to be signed by an officer of the Department not below the rank of assistant secretary as to the date on which such evidence as aforesaid came to the knowledge of the Department shall be prima facie evidence thereof.”

*Amendment of Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962*

15.—(1) At the end of subsection (1) of section 1 of the Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962 (b) there shall be added—

“and

(e) where it is being sent to another member state of the European Economic Community, complies with the requirements of the rules of the Community on health problems affecting trade in meat between member states of the Community and is sent from premises registered under section 3 (1A) and approved for such trade;

and paragraphs (a) and (d) of that subsection shall not apply to consignments of bacon and subsections (2) and (3) of the said section 1 shall cease to have effect”.

(2) In subsection (1) of section 3 of the said Act of 1962 for the words from “out of” to “licence” there shall be substituted the words “to Great Britain or to a country which is not a member state of the European Economic Community” and after that subsection there shall be inserted the following subsection:—

“(1A) There shall be kept by the Department a register of premises (in this Act referred to as “EEC registered premises”) to be used for the slaughter of animals the meat from which is intended for sending to another member state of the European Economic Community or for the preparation, treatment, storing, processing or packing of such meat being premises and equipment which conform to the requirements of the rules of that Community on health problems affecting trade in meat between member states of the Community.”.

(3) In section 3 (2) of the said Act of 1962 for the words “A register” there shall be substituted the word “Registers”.

(4) Section 9 (1) (b) of the said Act of 1962 (exemption for meat sent to the Republic of Ireland) shall cease to have effect.

(5) In subsection (4) of section 13 of the said Act of 1962 after the word “under” there shall be inserted the words “subsection (1) of” and after that subsection there shall be added the following subsection:—

“(5) Where premises registered under section 3 (1A) fail to comply with the requirements of the rules of the European Economic Community on health problems affecting trade in meat between Member States of the Community, such premises shall be removed from the register.”

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(a) 1964 c. 21 (N.I.).

(b) 1962 c. 13 (N.I.).

(6) At the end of section 15 (4) of the said Act of 1962 (restriction on disclosure of individual returns) there shall be added—

“or

(c) to a Department of the Government of Northern Ireland or of the United Kingdom.”

(7) In section 22 of the said Act of 1962, in the definition of “meat” the words “but does not include bacon” shall cease to have effect, in the definition of “processing” after the word “smoking” there shall be inserted the word “curing” and in the definition of “registered premises” after the words “subsection (1)” there shall be added “and (1A)”.

*Confiscation of potatoes being exported in contravention of Marketing of Potatoes Act (Northern Ireland) 1964*

16.—(1) Where potatoes which are suspected of being sent out of Northern Ireland in contravention of any provision of the Marketing of Potatoes Act (Northern Ireland) 1964 (a) or regulations made thereunder or in breach of any condition of a licence or permit issued under that Act are seized and detained in custody under section 6 (1) of that Act the potatoes may be sold and where a person is subsequently convicted in respect of such contravention or breach the potatoes or the proceeds of their sale shall be forfeited and become the property of the Department.

(2) Accordingly in section 6 (2) of that Act at the beginning of paragraph (b) there shall be inserted the words “keep possession of or sell the potatoes and” and for the words from “may release” there shall be substituted the words:—

- “(i) where a person is convicted in respect of such a contravention or breach as is mentioned in subsection (1), the potatoes shall be forfeited and become the property of the Department which may dispose of them in such manner as it thinks fit or if the potatoes have been sold, the proceeds of the sale shall become the property of the Department; or
- (ii) where a person is not so convicted, the potatoes shall be released or, if the potatoes have been sold, the proceeds of the sale shall be paid to the person who was deprived of the ownership of the potatoes and no further liability shall be incurred by reason of the detention or sale.”

*Contribution payable on pigs sold to Pigs Marketing Board and charge for report and accounts of Northern Ireland Pig Production Development Committee*

17.—(1) The levy payable under section 4 of the Pig Production Development Act (Northern Ireland) 1964 (b) on pigs sold to the Pigs Marketing Board shall be replaced by a contribution from the seller and accordingly in subsection (1) of that section for the words “a levy in respect of each pig sold of such amount (not exceeding twenty pence)” there shall be substituted the words “a contribution of such amount (not exceeding one per cent of any payment made by the Board to that person in respect of such pigs)” and in subsection (2) of that section for the words “for each pig sold to them a sum equal to the amount of the levy” there shall be substituted the words “to a person in respect of pigs sold by him to them a sum equal to the contribution payable by that person under subsection (1)”.

(2) In section 5 (2) of the said Act of 1964 for the words “an amount equal to the amount of the levy for the time being payable under section 4” there shall

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(a) 1964 c. 8 (N.I.).

(b) 1964 c. 25 (N.I.).

be substituted the words "of such amount as the Department, on the recommendation of the Committee, may, by order, determine".

(3) The maximum charge for a copy of the report and account and balance sheet of the Northern Ireland Pig Production Development Committee shall be increased and accordingly in section 10 (2) of the said Act of 1964 for the words "13 pence" there shall be substituted "£1".

*Amendment of Livestock Marketing Commission Act (Northern Ireland) 1967*

18.—(1) After section 5 of the Livestock Marketing Commission Act (Northern Ireland) 1967 (a), there shall be inserted the following section:—

“Contributions to Agricultural Research Council. 5A. The Commission may make contributions to the Agricultural Research Council of such amount as the Commission may determine.”.

(2) The said Act of 1967 shall cease to apply to pigs and accordingly in section 4 (1) of that Act the words from after the word "sheep" to the words "each sow" and in section 11 of that Act in the definition of "livestock" the word "pigs" and the definition of "pig" shall cease to have effect.

(3) At the end of Part I of the Schedule to the said Act of 1967 (functions of the Commission) there shall be added—

“10. Encouraging scientific research with the aim of securing benefits to, and improvements in, the livestock and livestock products industries”.

*Execution of works promoting recreational use of waterways*

19. In section 16 (1) of the Water Act (Northern Ireland) 1972 (b) (power of Department to execute minor works promoting recreational use of waterways) the words "with the approval of the Department of Finance" shall cease to have effect.

*Adaptation of enactments to metric units*

20.—(1) The Department may by regulations subject to negative resolution amend any enactment to which this Article applies—

- (a) by substituting an amount, quantity or rate expressed in metric units for an amount, quantity or rate not so expressed; or
- (b) by substituting an expression which is compatible with the use of metric units for an expression that has reference to a non-metric unit (for example "acreage").

(2) This Article applies to the following enactments, that is to say—

- (a) the provisions of the Acts mentioned in Schedule 1 which are specified in the third column of that Schedule;
- (b) any other provision contained in an enactment (whenever passed), being a provision whose subject-matter is akin to that of any of the provisions so specified.

(3) Any amendment made in an enactment by regulations under this Article shall be such as to preserve the effect of the enactment except to such extent as in the opinion of the Department is necessary to obtain amounts, quantities or rates expressed in convenient and suitable terms.

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(a) 1967 c. 21 (N.I.).

(b) 1972 c. 5 (N.I.).

(4) Before making any regulations under this Article the Department shall consult such organisations as appear to it appropriate as representing any interests concerned.

(5) Regulations under this Article may contain such incidental, supplemental and consequential provisions as the Department considers expedient.

(6) In this Article "enactment" means any provision of a public general Act, of a local, private or personal Act, of a provisional order confirmed by an Act, of a Measure of the Northern Ireland Assembly, or of any Order in Council, order or warrant (other than an Order made or a warrant issued by a court), scheme, rule, regulation or bye-law made or having effect under an Act.

#### *Increase of fines*

21.—(1) The enactments specified in column 1 of Schedule 2 (being enactments creating offences broadly described in column 2 of that Schedule) shall each have effect as if the maximum fine which may be imposed on summary conviction for any offence specified in that enactment were a fine not exceeding the amount specified in column 4 of that Schedule instead of a fine not exceeding the amount specified in column 3 of that Schedule.

(2) Nothing in this Article shall affect the amount of the fine which may be imposed on conviction of an offence committed before the coming into force of this Article.

#### *Repeals*

22. The enactments specified in Schedule 3 are hereby repealed to the extent specified in column 3 of that Schedule.

*N. E. Leigh,*  
Clerk of the Privy Council.

## SCHEDULES

Article 20.

### SCHEDULE 1

#### METRICATION: ENACTMENTS REFERRED TO IN ARTICLE 20

Chapter	Title	Provisions
1949 c. 2 (N.I.).	The Agriculture Act (Northern Ireland) 1949.	Section 43 (1).
1949 c. 14 (N.I.).	The Marketing of Poultry Act (Northern Ireland) 1949.	Section 5:
1952 c. 5 (N.I.).	The Foyle Fisheries Act (Northern Ireland) 1952.	Section 37 (1). Section 38 (1). Schedule 2, Annex para. 4.
1953 c. 2 (N.I.).	The Forestry Act (Northern Ireland) 1953.	Section 4 (2) (b) (l) (m). Section 4 (3). Section 4 (4) (a) (b). Section 4 (5). Section 9 (3) (a). Section 11 (1). Section 12 (1) (b). Section 12 (2).
1954 c. 31 (N.I.).	The Agriculture (Temporary Assistance) Act (Northern Ireland) 1954.	Section 2 (1) (b).
1957 c. 27 (N.I.).	The Marketing of Eggs Act (Northern Ireland) 1957.	Section 13A.
1958 c. 13 (N.I.).	The Diseases of Animals Act (Northern Ireland) 1958.	Section 45 (1) (g). Section 46 (1) (c).
1965 c. 22 (N.I.).	The Seeds Act (Northern Ireland) 1965.	Section 2 (2) (f) (i).
1966 c. 17 (N.I.).	The Fisheries Act (Northern Ireland) 1966.	Section 51 (2). Section 52 (2). Section 56 (1). Section 59 (1) (b). Section 67 (1). Section 68 (1). Section 69 (1). Section 72 (1) (b). Section 78 (1). Section 79 (1). Section 79 (3) (a). Section 81 (1) (d). Section 85 (1) (d). Section 86 (1). Section 100 (1). Section 120 (5). Section 156 (1) (a). Section 157 (1). Section 163 (1).

SCHEDULE 2

Article 21.

INCREASE OF FINES FIXED BY ENACTMENTS

Enactment 1	Description of offence 2	Old maximum fine 3	New maximum fine 4
<i>The Live Stock Breeding Act (Northern Ireland) 1922 c. 12</i>			
Section 4 (1)	Failure to comply with notice for slaughter or castration of unsuitable bull	£100	£500
Section 6	Breach of duties of owner of bull as to notices, submission for inspection, etc.	£25	£125
Section 7	Obstruction, etc. of authorised persons	£100	£500
Section 8	Forgery etc. of licences, etc.	£100	£500
<i>The Agricultural Returns Act (Northern Ireland) 1939 c. 35</i>			
Section 1 (5)	Failure to make return	£5	£25
	Making false return	£10	£50
	Unlawfully using, publishing or disclosing individual return	£50	£250
<i>The Forestry Act (Northern Ireland) 1953 c. 2</i>			
Section 14 (4)	Contravention of bye-laws or obstruction of authorised person	£20 and in addition 50p for every day on which offence continues	£100 and in addition £2 for every day on which offence continues
Section 17 (2)	Miscellaneous offences	£50 and in addition £5 for every day on which the offence continues	£250 and in addition £25 for every day on which the offence continues
<i>The Slaughter-houses Act (Northern Ireland) 1953 c. 21</i>			
Section 6 (5)	Various offences under Act	£20 for a first offence, £50 for a second or subsequent offence and in addition £5 for each day during which the offence continues	£100 for a first offence, £250 for second or subsequent offence and in addition £25 for each day during which the offence continues

Enactment 1	Description of offence 2	Old maximum fine 3	New maximum fine 4
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*The Agricultural Produce (Meat Regulation and Pig Industry) Act  
(Northern Ireland) 1962 c. 13*

Section 18 (1)	Offence under the Act for which no special penalty is provided.	£20 for a first offence, £50 for a second offence and £100 for a subsequent offence	£100 for a first offence, £250 for a second offence and £500 for a subsequent offence
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*The Marketing of Potatoes Act (Northern Ireland) 1964 c. 8*

Section 13 (1)	Offences in connection with the export of potatoes.	£50 for a first offence and £100 for a subsequent offence	£250 for a first offence and £500 for a subsequent offence
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*The Pig Production Development Act (Northern Ireland) 1964 c. 25*

Section 6 (1)	Contravention of order under section 5.	£100	£500
Section 6 (2)	Offences in relation to records and returns.	£100	£500
Section 6 (3)	Unlawful disclosure of information.	£100	£500



REPEALS

Chapter	Short Title	Extent of Repeal
1922 c. 12 (N.I.).	The Live Stock Breeding Act (Northern Ireland) 1922.	Sections 2, 2A, 2B and 3.
1949 c. 14 (N.I.).	The Marketing of Poultry Act (Northern Ireland) 1949.	In subsection (1) of section 1, the words from "subject to pay- ment" onwards. Sections 2 (4) and 4 (1) (a). In section 8, the words from "and the amounts" onwards. In the Schedule, column 3.
1960 c. 19 (N.I.).	The Agriculture (Miscellaneous Provisions) Act (Northern Ire- land) 1960.	Section 2.
1962 c. 13 (N.I.).	The Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962.	Section 1 (2) (3) and 9 (1) (b). In section 22, in the definition of meat, the words "but does not include bacon".
1965 c. 9 (N.I.).	The Amenity Lands Act (Nor- thern Ireland) 1965.	Section 22.
1965 c. 21 (N.I.).	The Slaughter-houses Act (Nor- thern Ireland) 1965.	The whole Act.
1967 c. 21.	The Livestock Marketing Com- mission Act (Northern Ireland) 1967.	In section 4 the words from after the word "sheep" to the words "each sow". In section 11, in the definition of "livestock" the word "pigs" and the definition of "pig".
1972 c. 5 (N.I.).	The Water Act (Northern Ire- land) 1972.	In section 16 (1) the words "with the approval of the Department of Finance".

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order makes new provision regarding the keeping of bulls, boars and rams, extends the making of agricultural returns to include the quantity of crops and grass produced, enables fees to be charged for aiding improvement of livestock and poultry, abolishes fees for licences and permits under the Marketing of Poultry Act (Northern Ireland) 1949, makes further provision regarding forest parks and forest recreation areas, requires district councils to be consulted before slaughter-house licences are issued, enables returns regarding slaughter-houses to be disclosed to government departments and imposes a duty on slaughter-houses to slaughter animals on request of retailers of meat. The Order also authorises the destruction of wild life where necessary for the prevention of the spread of disease, extends powers of inspectors and enables fees to be charged and licences to be issued in connection with diseases of animals, extends the period within which summary proceedings may be brought under the Agriculture (Safety, Health and Welfare Provisions) Act (Northern Ireland) 1959, makes amendments regarding premises used for slaughter of animals the meat from which is intended for export, provides for the confiscation and sale of potatoes being illegally exported, alters the basis of contributions payable to the Pig Production Development Fund and increases charges for reports and accounts of the Pig Production Development Committee, amends the Livestock Marketing Commission Act (Northern Ireland) 1967 and enables minor works in connection with recreational use of waterways to be executed without Department of Finance approval. In addition the Order provides for the adapting of references in various enactments to metric units, and increases the maximum fines for offences under various enactments relating to agriculture.