

DESTRUCTIVE INSECTS AND PESTS

ORDER, DATED FOURTH DAY OF JULY, 1951, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS (NORTHERN IRELAND), 1877 TO 1934.

1951. No. 118

The Ministry of Agriculture for Northern Ireland (hereinafter referred to as "the Ministry") 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 other 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 Potatoes (Frequency of Planting) (Northern Ireland) Order, 1951, and shall come into force on the fourth day of July, 1951.

Definitions

2. In this Order :—

- (1) " Authorised " means authorised by the Ministry.
- (2) " Inspector " means any person authorised in writing by the Ministry.
- (3) " Land " includes gardens other than a garden immediately adjoining a dwelling house where all the produce from the garden is retained for the use of the occupants of the dwelling house.
- (4) " Occupier " means any person in occupation of or in charge of any land, whether he has an estate in said lands or not.
- (5) " Potato Root Eelworm " means the Nematode, *Heterodera rostochiensis* Willenweber.

Measures for the Prevention of the Spread of Potato Root Eelworm

3. Potatoes shall not be grown more often than twice in any period of eight years on the same land within the districts specified in the Schedule to this Order, except under licence issued by an authorised officer of the Ministry.

Planting or Growing of Potatoes in Contravention of this Order

4.—(1) An Inspector being aware of or having reason to suspect that potatoes have been planted in any land in contravention of the preceding Article of this Order may enter upon any land and take such steps as may be necessary to determine whether potatoes have been so planted and the area over which such planting has taken place.

(2) If an Inspector finds potatoes planted or growing on any land within any of the districts specified in the Schedule hereto in contravention of this Order or in contravention of a Special Licence granted thereunder, or has reason to believe that potatoes planted on any land within the said districts have been so planted, he, or any other authorised officer, may serve a Direction on the occupier of the land requiring him, within such period as may be specified, to dig or otherwise raise out of the ground the said potatoes, and to dispose of the same in such manner as may be prescribed in the Direction, provided that the person served with any such Direction may, within ten days from the service thereof, appeal to the Ministry and thereupon the matter shall be further investigated and determined. Any decision of the Ministry on such appeal shall be final.

Directions

5. For the purposes of this Order a Direction shall be deemed to be served on a person if it is delivered to him personally or left for him at his last known place of abode or at his office or place of business, or sent in a prepaid registered letter addressed to him at either of such places, and a Direction or other Document purporting to be signed by an Inspector or any authorised person shall be *prima facie* evidence that it was signed by such Inspector or such authorised person, as the case may be, and duly authorised.

Offences and Penalties

6.—(1) Any person who plants, or permits to be planted, potatoes in contravention of Article 3 of this Order, or shall fail to comply with any Direction under Article 4 (2) of this Order, shall be liable on summary conviction to a penalty not exceeding ten pounds for the first offence and not exceeding fifty pounds for a second or subsequent offence.

(2) Any person who refuses, neglects, or fails to comply with the requirements of a Direction served upon him under Article 4 (2) of this Order or any part thereof shall be liable on summary conviction to a fine not exceeding one pound per day for each day during which the Direction is not complied with, provided, however, that the whole fine in respect thereof shall not exceed ten pounds for a first offence and shall not exceed fifty pounds for a second or subsequent offence.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this fourth day of July, nineteen hundred and fifty one, in the presence of

(L.S.)

(Sgd.) *J. I. Magowan,*
Assistant Secretary.

SCHEDULE

DISTRICT NUMBER ONE (Kilkeel Area)

A district comprising :—

The townlands of (and all towns and villages included therein)

Aghyoghill, Attical, Aughnahoor, Aughnalopp, Aughrim, Ballaghanery, Ballaghanery Upper, Ballinran, (E.D. Ballinran), Ballinran Upper, (E.D. Ballinran), Ballyardel, Ballygowan, Ballykeel, Ballymadeerfy, Ballymagart, Ballymageogh, Ballymartin, Ballynahatten, Ballyrogon or Mourne Park, Ballyveagh Beg, Ballyveagh Beg Upper, Ballyveagh More, Ballyveagh More Upper, Benagh Lower, Benagh Upper, Brack-enagh East, Brack-enagh East Upper, Brack-enagh West, Brack-enagh West Upper, Carrigenagh, Carrigenagh Upper, Corcreaghan, Cranfield, Derryoge, Drumcro, Drumindoney, Drummanlane, Drumman More, Dunnaman, Dunnaval, Glasdrumman, Glenloughan, Glenloughan Upper, Grange, Greencastle, Guineways, Guineways Upper, Kilkeel, Leitrim, Leitrim Upper, Lisnacree, Lurganconary, Lurganconary (Detached Portion), Lurganreagh, Magheramurphy, Maghereagh, Maghery, Moneydorrage Beg, Moneydorrage More, Moneydorrage More Upper, Moyad, Moyad Upper, Mullartown, Tullyframe, and the Urban District of Kilkeel, all in the Barony of Mourne, in the Administrative County of Down;

Ballindoalty, Ballincurry, Ballinran, (E.D. Killowen), Ballintur, Ballyedmond, Ballynedden, Kilfeaghan, Tamnyveagh, all in the Barony of Iveagh Upper, Upper Half in the Administrative County of Down.

DISTRICT NUMBER TWO (Lisburn-Hillsborough Area)

A district comprising :—

The townlands of (and all villages and towns included therein)

Aghnatriisk, Annacloy, Ballykeel Artifinny (that portion north of the Lagan Navigation), Carnbane, Culcavy, Magherageery, Maze, all in the Barony of Iveagh Lower, Upper Half in the Administrative County of Down;

Ballintine, Ballyaghilis, Ballycarn, Ballycowan, Ballygowan, Ballylessan, Ballymullan, Ballynahatty, Ballynavally, Ballyskeagh, Blaris, Drumbeg, Drumbo, (that portion north of the road from Shaw's Bridge to Lisburn), Edenderry, Hillhall, Largymore, Lisnatrunk (Parish of Blaris), Lisnatrunk (Parish of Lambeg), Taghnabrick, Tullynacross all in the Barony of Castlereagh Upper in the Administrative County of Down and the South Ward of Lisburn Urban District in the Administrative County of Antrim.

DISTRICT NUMBER THREE (Newtownards-Comber Area)

A district comprising :—

The townlands of (and all the towns and villages included therein)

Ballyalton, (parish of Comber) Ballyalton (parish of Newtownards), Ballyaltikilligan, Ballybeen, (E.D. Dundonald), Ballycullen, Ballyhenry Major, Ballyhenry Minor, Ballylisbredan, Ballyloughlan, Ballymaglaff, Ballymagreehan, Ballyoran, Ballyrainey, Ballyrickard, Ballyrogon, Ballyrussell, Ballystockart, Castleaverry, Castlebeg, Cherryvalley, Commons, Corporation South (Detached Portion), Corporation South (Main Portion), Glassmoss, Gransha, (E.D. Ballymaglaff), Greengraves, Killynether, Longlands, Milecross, Mount Alexander, Ringcreevy, Scrabo, Townparks, Unicarval, all in the Barony of Castlereagh Upper in the Administrative County of Down.

Corporation North (Main and Detached Portions) in the Barony of Ards Lower and the Urban District of Newtownards both in the Administrative County of Down.

DISTRICT NUMBER FOUR (Portavogie Area)

A district comprising :—

The townlands of (and all towns and villages included therein)

Ballycran More, Ballyesborough, Ballyfrench, Ballyhalbert, Cloughy, Kirkistown, Portavogie, Ratallagh, all in the Barony of Ards Upper in the Administrative County of Down.