

The Importation of Vegetables

ORDER DATED 16TH DAY OF MARCH, 1955, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS (NORTHERN IRELAND), 1877 TO 1934.

1955. No. 39

[NC]

This Order permitting the importation of certain vegetables during the period April to October, 1955 was of temporary effect and is not printed at length in this Volume.

Potato Root Eelworm

ORDER, DATED 22ND DAY OF JULY, 1955, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS, 1877-1934.

1955. No. 121

[NC]

The Ministry of Agriculture (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(a), and of every other power enabling it in that behalf, orders, and it is hereby ordered as follows:—

Definitions

1. In this Order—

"Authorised Officer" means a person authorised by the Ministry.

"Inspector" means an Inspector of the Ministry.

"Land" includes buildings and premises in which tomato plants are or have been grown.

"Occupier" means the person rated or liable to be rated to the Poor Rate in respect of the land or who would be so rated or liable to be rated but for the provisions of Section 1 of the Local Government (Rating and Finance) Act (Northern Ireland), 1929, and includes in relation to any land, the occupier of which is absent from Northern Ireland, any agent or other person entrusted with the management of the land on his behalf.

"Packages" includes boxes, sacks, baskets and other containers.

"Potatoes" includes tubers growing or grown, as well as the haulms of such tubers.

"Potato Root Eelworm" means the Nematode, *Heterodera rostochiensis* Wollenweber.

"Tomato Plants" includes roots, stems and leaves of any species of tomato growing or grown.

Commencement and Short Title

2. This Order shall come into operation on the first day of August, 1955, and may be cited as "The Potato Root Eelworm (Northern Ireland) Order, 1955".

(a) 40 and 41 Vict. c. 68. 7 Edw. 7 c. 4 and 24 and 25 Geo. 5 c. 4.

Notification of Infection

3. Every person who plants, grows or permits the planting or growing of potatoes or tomato plants on land which is infected or suspected to be infected with Potato Root Eelworm shall forthwith notify the fact to the Ministry.

Measures for the Prevention of the Spread of Infection

4.—(1) An Inspector or an authorised officer on receiving in any manner notification of the existence or suspected existence or having himself reason to suspect the existence of Potato Root Eelworm in any land on which potatoes or tomato plants are growing or have been grown, or for the purpose of ascertaining whether Potato Root Eelworm exists in any land, may enter upon any land, and take such steps as may be necessary, and take a sample or samples of soil for testing or examination by the Ministry in order to determine whether Potato Root Eelworm exists therein. If, as a result of such examination of the soil, the Ministry is satisfied of the existence of Potato Root Eelworm therein, the Ministry shall cause a Notice to be served upon the occupier of the land requiring him to adopt such measures for the prevention of the spread of Potato Root Eelworm as are authorised by this Order. Where the person using the land at the time of the discovery of Potato Root Eelworm therein is not also the occupier a Notice shall also be served upon such person.

(2) The Notice under this Article may require:—

(i) That potatoes or tomato plants shall not again during the currency of the Notice be planted or grown on or moved on to, or be permitted to be planted or grown on or moved on to the land specified in the Notice.

(ii) That potatoes or tomato plants which have been grown on the land specified in the Notice (a) shall not be planted or be permitted to be planted or grown elsewhere (b) shall not be sold or otherwise disposed of for the purpose of being planted or grown and (c) shall not be moved or be permitted to be moved from the said land otherwise than in accordance with the conditions of a Licence granted by an Inspector or an authorised officer.

(iii) That soil from the infected area, whether loose or adhering to the roots of plants or to implements or to other objects, shall not be moved from one part of a farm or garden or allotment or building or premises either to another part of the same farm or garden or allotment or building or premises or to another farm or garden or allotment or other building or premises whether within or without the infected area, otherwise than in accordance with the conditions of a Licence granted by an Inspector or an authorised officer.

(iv) That infected soil in which tomato plants have been grown shall be subjected to such treatment and within such period of time as may be specified in the Notice.

(v) That the Ministry shall be notified immediately of any sale or other transfer or letting of the land specified in the Notice or any part thereof and shall at the same time be furnished with the name and address of the new owner, occupier or tenant.

(3) Every such Notice shall remain in force until altered or withdrawn by the Ministry.

Disposal of Potatoes or Tomato Plants planted or grown in contravention of a Notice or Licence

5. If an Inspector or an authorised officer finds that potatoes or tomato plants have been planted or are growing or has reason to suspect that potatoes or tomato plants have been planted or are growing on any land in contravention of a Notice served under Article 4, or in contravention of a Licence under this Order, he may serve a Direction on the person using the land, whether or not he is the occupier, requiring him to dig or otherwise raise out of the ground the said potatoes or tomato plants and to dispose of the same in such manner and within such period of time as may be specified in the Direction.

Disposal of Potatoes or Tomato Plants moved in contravention of the Order

6. If any potatoes or tomato plants are delivered or placed on rail or loaded or moved in contravention of this Order or of any Notice or Direction served or Licence granted thereunder, the Ministry or any Inspector or authorised officer may dispose of them or cause them to be disposed of, together with any packages in which they are, or have been contained, in such manner as the Ministry or said Inspector or authorised officer as the case may be shall think fit, and for that purpose the Ministry or any such Inspector or authorised officer may remove or cause such potatoes or tomato plants with such packages to be removed to such place and in such manner as may be thought fit, or, in the alternative, may by Notice require the Consignee or other person in charge of or in possession thereof to remove and/or to dispose of the said potatoes or tomato plants and such packages in such manner and within such period of time as the Notice shall specify.

Licences

7. Notwithstanding anything in this Order contained potatoes or tomato plants may be planted, grown, moved, supplied, used or dealt with in any manner specified in any Licence granted by the Ministry.

Notices and Directions

8. For the purposes of this Order a Notice or 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 registered letter addressed to him at either of such places, and a Notice, Direction or other Document purporting to be signed by an Inspector or an authorised officer shall be prima facie evidence that it was signed by such Inspector or such authorised officer, as the case may be, and duly authorised.

Offences

9. Any person who contravenes or fails to comply with any of the provisions of this Order or any Licence or Notice or

Direction served under this Order shall be liable on summary conviction to a penalty not exceeding £10 for a first offence and not exceeding £50 for a second or subsequent offence.

Revocation of Previous Order

10.—(1) The Potato Root Eelworm (Northern Ireland) Order, 1945, (a) is hereby revoked.

(2) Sub-section (2) of Section Twenty-eight of the Interpretation Act (Northern Ireland), 1954 (b) shall apply as if the Order revoked by this Order were an enactment repealed by an Act of the Parliament of Northern Ireland.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this twenty-second day of July, Nineteen hundred and fifty-five in the presence of

(L.S.)

W. C. Glover,
Assistant Secretary.

EDUCATION

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Building and Alteration Grants (Voluntary Schools—Primary, Intermediate and Special)

REGULATIONS DATED 5TH JANUARY, 1955, MADE BY THE MINISTRY OF EDUCATION WITH THE APPROVAL OF THE MINISTRY OF FINANCE UNDER THE EDUCATION ACTS (NORTHERN IRELAND), 1947 TO 1953.

1955. No. 3

[C]

The Ministry of Education in exercise of the powers conferred upon it by Sub-Section (1) of Section 106 and by Section 112 of the Education Act (Northern Ireland), 1947, and of all other powers enabling it in that behalf and with the approval of the Ministry of Finance hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Building and Alteration Grants Amending Regulations (Northern Ireland), 1955, (Voluntary Schools—Primary, Intermediate and Special).

(a) S.R.O. 1945, No. 103,

(b) 2 and 3 Eliz, 2 c, 33,