1989 No. 221

AGRICULTURE

Marketing of Potatoes Regulations (Northern Ireland) 1989

Made	*14th June 1989*
Coming into operation . .	*1st August 1989*

The Department of Agriculture in exercise of the powers conferred on it by sections 2(3), (4) and (6), 3(1), (2A) and (3), 7(2) and 11(1) of the Marketing of Potatoes Act (Northern Ireland) 1964(**a**) and of every other power enabling it in that behalf, and with the approval of the Department of Finance and Personnel(**b**) as to fees, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Marketing of Potatoes Regulations (Northern Ireland) 1989 and shall come into operation on 1st August 1989.

Revocation

2. The Regulations listed in column 1 of Schedule 5 are hereby revoked insofar as they remain in force.

Interpretation

3. In these Regulations—

"the Act" means the Marketing of Potatoes Act (Northern Ireland) 1964;

"early potatoes" means ware potatoes harvested before they are completely mature, marketed immediately after their harvesting and whose skin can be easily removed without peeling;

"licence-holder" means a person who holds a current potato shipping licence;

"lot" means a quantity of early or maincrop potatoes which are transported in the same consignment (which may consist of more than one lot) by or on behalf of the same packer or despatcher and which:—

(*a*) are of the same variety;

(*b*) are from the same country of origin; and

(*c*) where appropriate, consist of the same type of packages.

"maincrop potatoes" means ware potatoes other than early potatoes; and

"waste" means soil (whether attached to potatoes or not), detached growth shoots or other extraneous matter.

(a) 1964 c. 8 (N.I.) as amended by S.I. 1975/1038 (N.I. 8), Art. 7 and S.I. 1984/702 (N.I. 2) Art. 12
(b) Formerly the Department of Finance: *see* S.I. 1982/338 (N.I. 6), Art. 3

Licences

4.—(1) An application for a potato shipping licence shall be in the form set out in Schedule 1.

(2) A potato shipping licence shall be in the form set out in Schedule 2.

Fees with application for licence

5.—(1) The fee payable to the Department by an applicant for a potato shipping licence at the time at which the application is made shall be £15.

(2) The sum payable to the Department by an applicant for a potato shipping licence on account of fees for the inspection of ware potatoes payable by him under section 3(3) of the Act shall be £45.

Standards for ware potatoes for shipment

6. For the purposes of section 3(1)(*b*) and (2A) of the Act (inspection of potatoes being sent out of Northern Ireland):—

(*a*) early potatoes shall be of the standard of quality prescribed in Schedule 3 and shall be graded, packed and labelled in the manner prescribed in that Schedule; and

(*b*) maincrop potatoes shall be of the standard of quality prescribed in Schedule 4 and shall be graded, packed and labelled in the manner prescribed in that Schedule.

Fees for the inspection of ware potatoes sent out of Northern Ireland

7.—(1) The fee payable to the Department in respect of any inspection of ware potatoes for the purposes of section 3 of the Act shall be £2·50 per tonne or part thereof of potatoes inspected.

(2) Where the inspection referred to in paragraph (1) is in respect of ware potatoes to be sent out of Northern Ireland to a relevant destination the said fee shall be payable by the licence-holder for whom or on whose behalf the potatoes are inspected.

(3) Where the inspection referred to in paragraph (1) is in respect of ware potatoes to be sent out of Northern Ireland to a destination which is in the United Kingdom or in any other Member State the said fee shall be payable by the person requesting the examination.

(4) Fees payable to the Department under this Regulation shall be paid on demand.

Fees for the examination of ware potatoes for sale in Northern Ireland

8. The fee payable to the Department in respect of an examination of ware potatoes for the purposes of section 7(2) of the Act shall be £2·50 per tonne or part thereof of potatoes examined.

Sealed with the Official Seal of the Department of Agriculture on 14th June 1989.

(L.S.) *I. C. Henderson*
Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing Regulations as to fees.

Sealed with the Official Seal of the Department of Finance and Personnel on 14th June 1989.

(L.S.) *Derek A. Hill*
Assistant Secretary

SCHEDULE 1 Regulation 4(1)

Marketing of Potatoes Act (Northern Ireland) 1964

Marketing of Potatoes Regulations (Northern Ireland) 1989

Form of application for a potato shipping licence under the above-mentioned Act and Regulations

1. I/We .....
   hereby apply for a licence to send potatoes out of Northern Ireland to a relevant destination.

2. I/We .....
   enclose cheque for £60 made up as follows:—
   £15 being the fee for a licence as prescribed by the above-mentioned Regulations,
   £45 being the amount prescribed by way of payment on account of inspection fees.

3. I/We .....
   hereby undertake in the event of a licence being issued to me/us to comply with the provisions of the above-mentioned Act and Regulations made thereunder and to comply with such conditions as the Department may specify in the licence and with such amendments to such conditions as may from time to time be made by the Department and brought to my/our notice.

Signed for and on behalf of the Applicant(s) .....

Full Postal Address of Applicant .....

Date .....

To: The Secretary
Department of Agriculture for Northern Ireland
Dundonald House
Upper Newtownards Road
BELFAST
BT4 3SB

SCHEDULE 2 Regulation 4(2)

Marketing of Potatoes Act (Northern Ireland) 1964

Marketing of Potatoes Regulations (Northern Ireland) 1989

Licence No. .....

POTATO SHIPPING LICENCE

This is to certify that .....

of .....

in the County of ..... is/are licensed under the above-mentioned Act and Regulations to send potatoes out of Northern Ireland to a relevant destination subject to compliance with the provisions of the said Act and Regulations and to compliance with such conditions as are specified herein and with such amendments thereto as may from time to time be made by the Department and be brought to the notice of the licence-holder.

CONDITIONS

This licence shall be valid from .....

to the .....

Dated this ..... day of ..... 19 .....

Secretary