EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Scheme provides for financial assistance to the Milk Marketing Board for Northern Ireland by way of grant to assist towards the cost of the payment of premiums to milk producers in respect of milk of Superior Hygienic Quality.

1966. No. 313 **[NC]**

DESTRUCTIVE INSECTS AND PESTS

Pests and Disease Organisms

ORDER, DATED 23RD DECEMBER 1966, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS (NORTHERN IRELAND) 1877 TO 1934.

The Ministry of Agriculture, in exercise of the powers conferred on it by the Destructive Insects and Pests Acts (Northern Ireland) 1877 to 1934(a), and of every other power enabling it in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Destructive Pests and Diseases of Plants Order (Northern Ireland) 1966 and shall come into operation on 2nd January 1967.

Revocation

2. The Destructive Insects and Pests (Northern Ireland) Order of 1933(b) is hereby revoked.

Interpretation

3.—(1) In this Order—

"destructive pest or disease organism" means—

(*a*) any bacterium, fungus, virus or invertebrate animal destructive to agricultural or horticultural plants which is not known to be established in Northern Ireland at the date of the commencement of this Order, including any culture thereof, or

(*b*) Wart disease or Black Scab fungus (*Synchytrium endobioticum* (Schilb.) Perc.) or any culture thereof;

"inspector" means an officer of the Ministry of Agriculture authorised for the purposes of this Order;

"landing" means bringing into Northern Ireland by any method whatsoever;

"plant" includes tree and bush and any seed or other part of a plant;

"premises" includes any vehicle, vessel or aircraft.

(a) 40 & 41 Vict. c. 68; 7 Edw. 7. c. 4 & 24 & 25 Geo. 5. c. 4 (N.I.).
(b) S.R. & O. (N.I.) 1933, No. 81.

(2) The Interpretation Act (Northern Ireland) 1954(a) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Prohibition of unauthorised importation, keeping and release or disposal of destructive pests and disease organisms

4.—(1) The landing of any living or active destructive pest or disease organism is prohibited except under and in accordance with the terms of a licence granted by the Ministry.

(2) The keeping, or the release, delivery or disposal by other means of any such pest or organism as aforesaid is prohibited except under and in accordance with the terms of a licence as aforesaid:

Provided that nothing in this Article shall be deemed to prohibit the killing or destruction or the delivery to the Ministry or to an officer of the Ministry of any such pest or organism.

Examination, sampling and marking

5. An inspector, upon production if so required of his authority, may enter upon any land or premises on which he knows or suspects that there is present a destructive pest or disease organism or a plant carrying or affected with any such pest or organism and may examine and take samples of any such pest or organism or any such plant and the soil, packing material or container associated therewith and may also mark any plants (whether or not carrying or affected with any such pest or organism) which may be present there and the containers of such plants.

Remedial and precautionary measures

6.—(1) If an inspector knows or suspects that there is present on any land or premises a destructive pest or disease organism, he may by notice in writing served on the occupier or other person in charge of the said land or premises require him, within such time or during such period as may be specified in the notice, to take such steps to destroy any such pest or organism or to prevent its spread as may also be specified in the notice.

(2) If any person fails to carry out the requirements of a notice served on him in accordance with paragraph (1) within the time or during the period specified in the said notice then, without prejudice to any proceedings under this Order consequent upon such failure, an inspector or a person acting on his instructions may enter the land or premises and take such steps as appear to the inspector to be necessary either to ensure compliance with the aforesaid requirements or to remedy the consequences of the failure to carry them out, and the cost of taking such steps shall be recoverable by the Ministry as a civil debt from the person on whom the notice was served.

Information to be given

7. Every person who has or has had or is suspected by the Ministry or by an inspector to have or to have had in his possession or under his charge any destructive pest or disease organism or any plant carrying or affected with any such pest or organism and every person who as auctioneer, salesman, or otherwise has sold or offered for sale or is suspected by the Ministry or by an inspector to have sold or offered for sale any such pest, organism or plant shall, if so required by demand in writing by the Ministry or an inspector,

(a) 1954, c. 33.