EXPLANATORY NOTE

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

The Family Allowances and National Insurance Act (Northern Ireland) 1964 has changed the form of a widowed mother's allowance payable to a widow with a child or children in the family under the National Insurance Act (Northern Ireland) 1946. Formerly the allowance was a single allowance (containing an "element" in respect of the only, elder or eldest child, of the widow) with which were payable increases in respect of any child after the first; but this has now been replaced by a personal allowance for the widow together with increases in respect of each child, including the first.

Under provisions of the Reciprocal Agreements with Australia and New Zealand (which are set out respectively in the Family Allowances and National Insurance (Reciprocal Agreement with Australia) Order (Northern Ireland) 1962 and the National Insurance (Reciprocal Agreement with New Zealand) Order (Northern Ireland) 1956), increases of United Kingdom benefit for children in those countries are not payable concurrently with certain benefits for children under the legislation of those countries. The "element" in widowed mother's allowance in respect of the first or only child not being an increase, those provisions did not apply to it. The present Order secures that the provisions will not apply to the new increase for the first or only child, which will therefore be payable concurrently with the benefits for such child under Australian and New Zealand legislation respectively.

This Order shall cease to have effect unless before the expiration of two years from 15th day of June, 1964, it has been approved by a Resolution of each House of Parliament.

1964. No. 86 **[C]**

AGRICULTURAL MARKETING

Herbage Seed

ORDER, DATED 9TH JUNE, 1964, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 2(1) OF THE AGRICULTURAL MARKETING ACT (NORTHERN IRELAND) 1964(a).

Whereas the Ministry of Agriculture (hereinafter called "the Ministry") in exercise of the powers conferred on it by the Agricultural Marketing Acts (Northern Ireland) 1933 to 1963(b) framed a Scheme regulating the marketing of herbage seed:

And whereas in pursuance of the provisions of the First Schedule to the Agricultural Marketing Act (Northern Ireland) 1933 notice of the framing of the said Scheme and of the period during which objections and representations with respect thereto might be made was published in the *Belfast Gazette* of 17th April, 1964:

(a) 1964. c. 13 (N.I.).
(b) 23 & 24 Geo. 5. c. 22 (N.I.); 24 & 25 Geo. 5, c. 6 (N.I.); 1955, c. 22; 1963, c. 15 (N.I.).

And whereas the Ministry, after considering objections duly made with respect to the Scheme as framed, has modified the said Scheme:

Now, therefore, the Ministry in exercise of the powers conferred on it by sub-section 1 of section two of the Agricultural Marketing Act (Northern Ireland) 1964 hereby makes the following Order:—

1. The said Scheme as so modified and as set out in the Schedule is hereby approved.

2. The said Scheme shall come into force on the 15th day of June, 1964.

3. This Order may be cited as the Herbage Seed Marketing Scheme (Approval) Order (Northern Ireland) 1964.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 9th day of June, 1964, in the presence of

(L.S.) *A. McKelvie,*
Assistant Secretary.

SCHEDULE

Herbage Seed Marketing Scheme (Northern Ireland) 1964

PART I

PRELIMINARY

1. This Scheme may be cited as the Herbage Seed Marketing Scheme (Northern Ireland) 1964.

2. In this Scheme, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:

"Accounting period" means a year beginning on the 1st June and ending on the 31st May following;

"Cleaning" means purification by the extraction of weed seeds, seeds which are foreign to the kind of seed on which cleaning operations are being carried out and inert matter;

"Description" in relation to herbage seed includes a description by reference to the variety or grading or by reference to the area, district, locality or place of production of such herbage seed;

"Grade" means a category delimited by reference to any test, characteristic or quality;

"Herbage Seed" means a crop of seed produced by sowing in Northern Ireland the seeds of grasses (other than cereals), clover, birds-foot-trefoil, burnet, kidney-vetch, lucerne, ribgrass, sainfoin, tares and

vetches, trefoil and yarrow or any mixture of these and includes any grade or description of these whether or not they have been subjected to a process of cleaning;

"Merchant" means a person who buys herbage seed from the Board notwithstanding that he may at the same time be a producer or registered producer of herbage seed;

"Minister" means the Minister of Agriculture for Northern Ireland;

"Ministry" means the Ministry of Agriculture for Northern Ireland;

"Prescribed" means prescribed by the Board by resolution;

"Producer" means a producer of herbage seed;

"Registered" means registered under this Scheme;

"Seed cleanings" means the matter extracted from herbage seed during a process of cleaning;

"Secretary" includes any person for the time being authorised by the Board to act as their Secretary;

"The Act" means the Agricultural Marketing Act (Northern Ireland) 1964;

"The Board" means the Herbage Seed Marketing Board for Northern Ireland constituted by this Scheme;

PART II

THE BOARD

3. The Board to administer the Scheme shall be called the Herbage Seed Marketing Board for Northern Ireland and shall be a body corporate with a common seal and power to hold land.

4.—(1) Until 31st May, 1965, the Board shall consist of the following persons:—

S. A. Boyd, Esq., F.C.A., 33 Earlswood Road, Belfast 4 (Chairman).

R. D. Best, Esq., J.P., The Cairn, Aghalee, Lurgan.

R. A. Brown, Esq., O.B.E., J.P., Moneyhaw, Moneymore.

P. Byrne, Esq., Mount Carmel, Armagh Road, Newry.

A. F. Danton, Esq., Raspberry Hill House, Donemana, Londonderry.

A. H. Fetherston, Esq., 110 King's Road, Belfast 5.

E. Foster, Esq., 24 Bawnmore Road, Belfast 9.

J. M. Laughlin, Esq., Grove View, Garvagh, Coleraine.

N. Ruddell, Esq., Laurelmount, Lurgan.

(2) Thereafter the Board shall consist of nine members of whom three shall be appointed members, that is to say, they shall be appointed and may be removed by the Minister, and six shall be members elected as provided in Part IV.

5.—(1) The three elected members who on the occasion of the first election polled the least number of votes shall hold office for two years; the other three elected members, and members subsequently elected, shall hold office for four years.

(2) Subject to the provisions of Part IV an election for members shall be held in 1965 and thereafter elections shall be held at such intervals as are appropriate in relation to the terms of office defined in the foregoing sub-paragraph.

(3) Every elected member shall, subject to the provisions of the Scheme, take office on the 1st day of June following his election.

6. An elected or a co-opted member of the Board whose term of office expires or who resigns his office shall be eligible for election or re-election.

7.—(1) An elected member of the Board shall cease to hold office—

(*a*) if he delivers to the Board a written resignation of his office and the resignation is accepted by the Board, or if not accepted, is not withdrawn within seven days after the meeting at which the resignation was considered; or

(*b*) if he is detained for more than seven days in any place under any enactment in force in any part of the United Kingdom relating to persons of unsound mind; or

(*c*) if he is adjudged bankrupt or enters into a composition with his creditors; or

(*d*) if the Board by resolution declare that he has been absent from six consecutive meetings of the Board without reasonable excuse; or

(*e*) if he is convicted of any offence under sub-section (1) of Section twenty-three of the Act; or

(*f*) if the Board by resolution declare that he has failed without reasonable excuse to disclose information which he is required by the provisions of paragraph 18(3) of the Scheme to disclose.

Sub-paragraphs (*b*), (*c*) and (*e*) of this paragraph shall apply to appointed members of the Board, and sub-paragraph (*a*) shall apply to those members with the substitution of the Minister for the Board.

(2) A member of the Board shall not be eligible for employment by the Board under a contract of service.

8.—(1) If—

(*a*) sufficient candidates are not nominated in accordance with Part IV of the Scheme the Board shall co-opt a person or persons to fill the number of vacancies;

(*b*) an elected member of the Board dies or ceases to hold office under Paragraph 7, the Board shall at its discretion co-opt a person in his place or request the Ministry to hold an election as provided in Part IV to fill the vacancy.

(2) Any person so co-opted shall, unless he dies or ceases to hold office as aforesaid, hold office for so long as the person in whose place he is co-opted would have held office.

9. The Board shall elect from among their members a vice-chairman and after the expiration of the period of office of the first chairman to be designated by the Minister under the Act a chairman. The chairman and vice-chairman so elected shall, provided they remain members of the Board, hold office for such period not exceeding four years as the Board with the approval of the Ministry may determine and if re-appointed or re-elected to the Board shall be eligible for re-election as chairman and vice-chairman.

10. The Board shall, subject to Paragraph 11, at all times have power to act notwithstanding any vacancy among their members and may appoint committees out of their own number.

11.—(1) The quorum of the Board or of any committee thereof shall be such number as the Board may determine, so, however, that in the case of the Board the quorum shall be not less than five and of any committee, not less than three.

(2) In each case the quorum shall include at least one person appointed by the Minister.

(3) Questions arising at any meeting of the Board or of any committee thereof shall be decided by a majority of the votes of the members present, and in the case of an equality of votes at such a meeting the member acting as chairman shall have a second or casting vote. Three members of the Board or the chairman may, and the secretary on the request of any three members of the Board or of the chairman shall, convene a meeting of the Board. A meeting shall be convened by notice in writing to the members.

12. All acts done at any meeting of the Board or of any committee thereof shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment, election or qualification of a person purporting to be a member of the Board or the committee, or that a member of the Board has voted upon any question upon which he was not entitled to vote, be as valid as if that defect had not existed or such member had been entitled to vote.

13. Minutes shall be kept of the proceedings of the Board and of any committee thereof, and any such minutes shall, if signed by a person purporting to have acted as chairman of the meeting to which they relate or of a meeting at which they were read, be evidence of those proceedings and the meeting to which any such minutes relate shall be presumed, until the contrary is proved, to have been regularly convened and constituted. A copy of the minutes of each meeting of the Board, or of any committee thereof shall be sent to the Ministry within fourteen days of such meeting.

14. The common seal of the Board shall not be affixed to any document except by the authority expressed by resolution of the Board and the affixing of the seal shall be attested by at least two members of the Board authorised in that behalf and by the Secretary.