1961. No. 165 **[C]**

MARKETING OF RYEGRASS SEED

REGULATIONS, DATED 11TH JULY, 1961, MADE BY THE MINISTER OF AGRICULTURE UNDER SECTIONS 7 AND 13 OF THE HERBAGE SEEDS ACT (NORTHERN IRELAND), 1955(a).

The Minister of Agriculture for Northern Ireland (in these Regulations called "the Minister") in pursuance of the provisions of the Herbage Seeds Act (Northern Ireland), 1955, after consultation with such organisations as appear to him to represent the interests of growers and of persons engaged in the ryegrass seed trade and with the approval of the Ministry of Finance hereby makes the following Regulations, that is to say:—

Commencement and Termination

1. These Regulations shall take effect on the first day of August, 1961, and shall, unless previously revoked, cease to have effect after the thirty-first day of July, 1962, but without prejudice to any proceedings in respect of any contravention thereof.

Interpretation

2. In these Regulations:—

"The Act" means the Herbage Seeds Act (Northern Ireland), 1955.

The expressions "the Ministry" and "the grower" have the meanings assigned to them in the said Act.

"Seed" means ryegrass seed.

Terms of Purchase

3. The Minister hereby prescribes that:—

(*a*) the grades and descriptions of ryegrass seed to be bought by or on behalf of the Ministry and the methods of ascertaining the grade of any ryegrass seed;

(*b*) the methods by which any disputes arising out of the grading of ryegrass seed are to be determined;

(*c*) the prices at which, the terms on which and the persons through whose agency, ryegrass seed or any grade or description thereof may be bought by or on behalf of the Ministry

shall be as set out in that behalf in the Schedule to these Regulations.

Recovery of Monies

4. If the Ministry, after having made a payment under these Regulations, finds that such payment ought not to have been made in whole or in part or that the payment was in excess of the amount properly payable, it may recover from the person to whom such payment has been made the whole or any part of the sum already paid or may withhold or cause to be withheld any subsequent payment which might otherwise be made to that person under these or subsequent Regulations or under any Scheme under which grant may be paid by the Ministry. The Ministry may also recover from any person by way of set off out of a payment which might otherwise be made to him under these Regulations any monies due to the Ministry by that person.

(a) 1955. c. 4.

Short Title

5. These Regulations may be cited as the Marketing of Ryegrass Seed Regulations (No. 2) (Northern Ireland), 1961.

H. W. West,
Minister of Agriculture.

The Ministry of Finance hereby approves of the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 11th day of July, nineteen hundred and sixty-one, in the presence of

(L.S.) *K. R. Shimeld,*
Assistant Secretary.

SCHEDULE

HERBAGE SEEDS ACT (NORTHERN IRELAND), 1955

Terms of Purchase

1. Save as provided in Section 4(3) of the Act the Ministry shall purchase all seed tendered to it in accordance with paragraph 3 of this Schedule provided that it shall not be required to purchase any seed offered later than 31st December, 1961, but the Minister may in his discretion fix a later day.

2. On seed being offered, the Ministry's agent or sub-agent shall examine it and, if satisfied that it is of suitable quality and that it is not damp or showing evidence of having been heated, shall accept delivery on behalf of the Ministry and furnish to the grower or his representative a receipt showing the weight of seed delivered, but if he be not so satisfied he shall reject it.

3. Seed shall be delivered by the grower free of freight charges at his local grass seed market (or such other centre as may in exceptional circumstances be approved by the Ministry) or, alternatively, at the warehouse of a duly appointed agent of the Ministry provided that, in the latter case, no greater transport costs are incurred by the Ministry than would have been incurred if the seed had been delivered by the grower at his local market.

4. Seed brought to grass seed markets for sale shall be brought between the hours of 9 a.m. and 3 p.m. on the recognised grass seed market days. If accepted, it shall be weighed over a public weighbridge, or, if a public weighbridge is not available, over a weighbridge approved for the purpose by the Ministry. It may not be brought direct to or accepted at the stores of sub-agents employed by the Ministry's agents, save with the prior approval of the Ministry which will be granted only in exceptional circumstances.

5. Seed delivered direct to an agent's warehouse shall be weighed over the agent's approved weighbridge. Seed may be accepted at such warehouses on such days and between such hours as may be determined by the Ministry.

6. The weight of the seed, as disclosed by the market or other approved weighbridge, shall be final and conclusive, but there shall be a uniform deduction for tare on bags of 2½ lbs. per bag which shall be shown on the purchase docket.

7. A grower whose seed has been accepted shall not be at liberty to withdraw it.

8. As soon as may be after the seed has been weighed a sample shall be drawn from the bulk by one of the Ministry's official sampling officers who will attend at markets and at the agents' warehouses for this purpose. The sample shall be