FLAX

REGULATIONS DATED 1ST DECEMBER, 1949, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION EIGHTEEN OF THE FLAX ACT (NORTHERN IRELAND), 1949, WITH THE APPROVAL OF THE MINISTRY OF FINANCE, SO FAR AS IT IS REQUIRED BY THAT ACT.

1949. No. 201

In exercise of the powers conferred upon it by section eighteen of the Flax Act (Northern Ireland), 1949, and of all other powers it enabling, the Ministry of Agriculture, with the approval, so far as it is required by the said Act, of the Ministry of Finance, and after consultation, so far as it is required as aforesaid, with representatives of persons whose interests appear to the Ministry to be likely to be affected, hereby makes the following Regulations :—

Short title and commencement.

1.—(1) These Regulations may be cited as the Flax (General) Regulations (Northern Ireland), 1949.

(2) These Regulations shall come into force on 1st December, 1949.

Interpretation.

2.—(1) In these Regulations, unless the context otherwise requires, the expression —

" the Act " means the Flax Act (Northern Ireland), 1949 ; and

" the Ministry " means the Ministry of Agriculture.

(2) The Interpretation Act, 1889, shall apply for the purpose of the interpretation of these Regulations in like manner, as it applies, by virtue of the Interpretation Act, 1921, for the purpose of the interpretation of an Act of the Parliament of Northern Ireland.

Records and returns.

3. The Committee and holders of authorizations granted by the Ministry under the Act shall —

(*a*) keep such a record of each of their purchases and sales of flax straw grown in the year 1949, 1950 or 1951, and of flax or re-scutched tow produced therefrom as will show —

(i) the date thereof ;

(ii) the name and address of the other party to the transaction ;

(iii) the grade (if any) of any flax or re-scutched tow purchased or sold ;

(iv) the weight of any flax straw, flax or re-scutched tow purchased or sold, particulars of hand scutched flax and turbine scutched flax being recorded separately ; and

(v) the price ; and

(*b*) furnish to the Ministry —

(i) within one week from the date of any purchase of any such flax straw, flax or re-scutched tow, the aforesaid particulars of that purchase ; and

(ii) from time to time on the request of the Ministry, the aforesaid particulars of any sale of any such flax straw, flax or re-scutched tow.

Grading of flax.

4. Any dispute between the Committee and any flax grower as to the grading of any flax, being a dispute arising out of the operation of the Growers' Agreement, shall be determined in the manner provided by the First Schedule to these Regulations.

Definition of "Grower" for purposes of flax subsidy, etc.

5. For the purposes of the payment of a flax subsidy in respect of any flax or of the making of a payment under section nine of the Act in respect of any unretted flax straw or flax produced therefrom, the grower of the flax straw (whether retted or unretted) from which the flax sold is produced, or, as the case may be, the grower of the unretted flax straw sold, shall be deemed to be —

(*a*) the person who sells such flax or flax straw to the Committee or to any other person authorized by the Ministry under section two of the Act to buy it ; or

(*b*) the person on whose behalf such flax or flax straw is so sold.

Payment in certain cases of flax subsidy, etc., to a person other than the grower.

6.—(1) Where a grower who is entitled to receive a flax subsidy or a payment under section nine of the Act dies before payment thereof has been made to him, the flax subsidy or the said payment may, on production of probate, letters of administration or other satisfactory evidence of entitlement, be paid by the Ministry to his personal representatives for the benefit of his estate.

(2) Where a grower who is entitled to receive a flax subsidy or payment under section nine of the Act is under a liability to make a contribution under sub-section (2) of section two of the Scutch Mills and Flax (Fire Insurance) Act (Northern Ireland), 1942, the amount of such contribution may be deducted by the Ministry from the flax subsidy or the said payment and, if so deducted, shall be credited by the Ministry to the Flax Fire Insurance Fund.

Provision to secure that certain payments are properly made.

7. Where

(*a*) a payment falls to be made under section nine of the Act in respect of any unretted flax straw ; and

(*b*) the Ministry is satisfied that at the time of the delivery of that flax straw to a flax processor or to a scutch mill, the straw contained an undue amount of weeds or other extraneous matter, or was not in a sound, dry condition ;

the Ministry may make such a deduction from the amount of the payment falling to be made as aforesaid as it considers necessary in order to secure that payment is made in respect only of the actual weight of flax straw sold.

Standards and charges for scutching

8.—(1) The scutching of dam-retted flax straw or rough tow shall not be deemed to be efficient unless, in the case of flax straw, it complies with the standards specified in paragraph (2) of this Regulation or,