

Commencement.

9.—This Order shall come into operation on the twentieth day of December, 1938.

SCHEDULE.

Scheduled Area.

All that area in the County Borough of Belfast comprised within the following boundaries:—

Newtownards Road from Connswater Bridge to Holywood Arches; Holywood Road from Holywood Arches to Station Road, Sydenham; Station Road, Sydenham; Belfast and County Down Railway line (Bangor Branch) from Station Road, Sydenham to the Connswater River; Connswater River from Belfast and County Down Railway line (Bangor Branch) to Connswater Bridge, Newtownards Road.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland; this twentieth day of December, Nineteen hundred and Thirty-eight, in the presence of

(L.S.)

(Signed) G. S. ROBERTSON,

Secretary.

Fruit Tree Pests.

ORDER, DATED 30TH DECEMBER, 1938, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS (NORTHERN IRELAND), 1877 TO 1934 (40 & 41 VICT. c.68, 7 EDW.7. c.4, AND 24 & 25 GEO.5. (N.I.), c.4).

1938. No. 140.

The Ministry of Agriculture for Northern Ireland by virtue and in exercise of the powers vested in it under the Destructive Insects and Pests Acts (Northern Ireland), 1877 to 1934, and of every other power enabling it in that behalf, orders and it is hereby ordered as follows:

Examination of Fruit Trees.

1.—If it appears to the Ministry that there is reason to suspect that any fruit trees growing on any premises are so affected with any of the pests mentioned in the Schedule to this Order that any such pest is likely to spread to fruit trees growing on other premises, the Ministry may cause an Inspector to examine as soon as may be practicable the fruit trees suspected of being so affected.

Prevention of the Spread of Infection.

2.—(i) After the examination of the fruit trees under Article 1 hereof, the Inspector shall make a report thereon to the Ministry, and the Ministry or a duly authorised officer thereof if satisfied that the fruit trees or any of them are so affected as aforesaid may serve upon the occupier a notice requiring him to treat the fruit trees within such time and in such manner as may be prescribed in the notice. Such notice may in addition to any other treatment require the cutting out and burning of any branch that is dead or is affected with any of the pests specified in the Schedule to this Order, and the picking and burning of any fruit so affected.

(ii) Nothing in this Order shall prevent an occupier of premises upon whom a notice has been served under this Article completely destroying by fire or otherwise any fruit trees in respect of which a notice has been served upon him, and if he does so destroy them he shall be deemed to have complied with the notice.

Powers of Appointed Officer.

3.—For the purpose of making an examination under Article 1 hereof or for the purpose of ascertaining whether a notice served under Article 2 hereof has been complied with, an Inspector, upon production if so required of his authority, may at all reasonable times enter upon any premises and examine any fruit trees thereon, and the occupier of the premises shall give to him all reasonable facilities for carrying out the examination.

Service of Notices.

4.—For the purpose of this Order a notice shall be deemed to be served on any person if it is delivered to him personally or left for him at his last known place of abode or business or sent through the post in a letter addressed to him there: and a notice purporting to be signed by an authorised officer shall be *prima facie* evidence that it was signed by him as an officer so authorised.

Penalties.

5.—Every person shall be liable on conviction to a penalty not exceeding ten pounds, or in the case of a second or subsequent offence to a penalty not exceeding fifty pounds, who

- (i) fails to comply with any notice served under Article 2 of this Order; or
- (ii) fails to give to an Inspector all reasonable facilities as required by this Order; or
- (iii) wilfully obstructs or impedes an Inspector in the exercise of his powers under this Order.

Definitions.

6.—“ The Ministry ” shall mean the Ministry of Agriculture for Northern Ireland.

“ Inspector ” shall mean an Inspector of the Ministry.

“ Authorised ” means authorised by the Ministry.

“ Fruit trees ” include all trees, bushes, canes and plants used for the production of edible fruit, and any stalk, sucker, or cutting of such trees, bushes, canes and plants.

Short Title.

7.—This Order may be cited as “ The Fruit Tree Pests (Northern Ireland) Order of 1938.”

Commencement.

8.—This Order shall come into operation on the second day of January, nineteen hundred and thirty-nine.

IN WITNESS whereof the Official Seal of the Ministry of Agriculture is hereunto affixed this thirtieth day of December, nineteen hundred and thirty-eight.

(L.S.)

(Signed) J. TAYLOR,

Assistant Secretary.

SCHEDULE.

Apple Sucker
Fruit Tree Aphides
Capsid Bugs
Winter Moths
Apple Sawfly
Fruit Tree Red Spiders.
Woolly Aphis
Gooseberry Sawflies
Raspberry Beetle
Apple and Pear Scab
Brown Rots
Fruit Tree Cankers.
Silver Leaf Disease.