



Marketing of Potatoes Act (Northern Ireland) 1964

1964 CHAPTER 8

6 Detention and seizure of potatoes.

- (1) An authorised officer or a constable may seize and may detain in custody any potatoes which are being or which are suspected by such an officer or constable of being, sent out of Northern Ireland in contravention of any provision of this Act or regulation made thereunder^{F1}....
- (2) Where any person detains potatoes in his custody under this section, he shall, as soon as possible, either—
 - (a) release the potatoes; or
 - (b) [^{F2} keep possession of or sell the potatoes and] take such steps as may be proper to have dealt with according to the law the person believed to be guilty of the offence committed, or believed to have been committed, in relation to the potatoes and
 - ^{F3}(i) where a person is convicted in respect of such a contravention or breach as is mentioned in subsection (1), the potatoes shall be forfeited and become the property of the Department which may dispose of them in such manner as it thinks fit or if the potatoes have been sold, the proceeds of the sale shall become the property of the Department; or
 - (ii) where a person is not so convicted, the potatoes shall be released or, if the potatoes have been sold, the proceeds of the sale shall be paid to the person who was deprived of the ownership of the potatoes and no further liability shall be incurred by reason of the detention or sale.]
- (3) Potatoes released under subsection (2) shall be delivered to the consignor at the place of detention or, if an authorised officer agrees, at such other place within Northern Ireland as the consignor elects and, if the consignor fails to take delivery at such place within such reasonable time as may be specified by the authorised officer, shall be sold and the proceeds, less any expenses incurred by the Ministry or a constable in connection with such seizure, detention or sale, shall be paid to the consignor.

Changes to legislation: *There are currently no known outstanding effects for the Marketing of Potatoes Act (Northern Ireland) 1964, Section 6. (See end of Document for details)*

F1	1997 NI 22
F2	1977 NI 12
F3	1977 NI 12

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