

1985 No. 12

## AGRICULTURE

**Seed Potato Marketing Board Assets Order (Northern Ireland) 1985**

*Made* . . . . . 29th January 1985

*Coming into operation* . . . . . 4th March 1985

The Department of Agriculture in exercise of the powers conferred on it by paragraph 10 of Schedule 2 of the Agricultural Marketing Act (Northern Ireland) 1964(a) as inserted by Article 43 and paragraph 2 of Schedule 7 of the Agricultural Marketing (Northern Ireland) Order 1982(b) and of all other powers enabling it in that behalf, and after taking into account the recommendations of the Seed Potato Marketing Board for Northern Ireland as to the manner in which such assets should be used and views expressed by bodies consulted by the Department with regard to the matter hereby makes the following Order:—

*Citation and commencement*

1. This Order may be cited as the Seed Potato Marketing Board Assets Order (Northern Ireland) 1985 and shall come into operation on 4th March 1985.

*Interpretation*

2. In the order—

“the assets” means the assets transferred to the Department under paragraph 9 of Schedule 2 of the Agricultural Marketing Act (Northern Ireland) 1964(c);

“the Department” means the Department of Agriculture for Northern Ireland;

“the Society” means Expotato (Northern Ireland) Limited;

“the Company” means Seed Potato Promotions (Northern Ireland) Limited.

*Transfer to Expotato (Northern Ireland) Limited*

3.—(1) The Society shall be entitled to the sum of £70,000 of the assets and accordingly that sum shall be transferred to a separate bank account of the Society to be used solely for the purposes of this Order.

(2) The purposes for which the money transferred may be used are for acquiring the rights to grow and sell seed potatoes of varieties not previously available to the seed potato industry in Northern Ireland and for carrying out the development work to exploit such acquisitions.

*Transfer to Seed Potato Promotions (Northern Ireland) Limited*

4.—(1) The Company shall be entitled to the assets not transferred by Article 3(1) and accordingly these shall be transferred to a separate bank account of the Company to be used solely for the purposes of this Order.

(2) The purposes for which the money transferred may be used are to assist other persons engaged in the seed potato industry in Northern Ireland to carry out projects aimed at:

(a) 1964 c. 13 (N.I.)

(b) S.I. 1982/1080 (N.I. 12)

(c) Inserted by Art. 43 and Sch. 7 para. 2 of S.I. 1982/1080 (N.I. 12)

- (a) improving the exploitation of potato varieties available to the industry in Northern Ireland;
- (b) acquiring the rights to grow and sell seed potatoes of varieties not previously available to the industry in Northern Ireland and carrying out development work to exploit such acquisitions; and
- (c) breeding new potato varieties in Northern Ireland.

*Investment of surplus transferred assets*

5.—(1) The Society and Company may invest any part of the transferred assets which are not for the time being required for the purposes for which they may be used in securities in which a trustee is authorised under section 1 of the Trustee Act (Northern Ireland) 1958(a) to invest trust funds.

(2) Any investments made under paragraph (1) shall be capable of realisation in giving not more than 100 days' notice.

(3) Interest and dividends received on investments by the Society and Company in accordance with paragraph (1) and all money received on realisation of such investments shall be paid into the accounts set up in pursuance of Articles 3(1) and 4(1).

*Furnishing of information*

6. The Society and the Company shall obtain and retain documents evidencing all expenditure of monies paid by them from the bank accounts set up in pursuance of Articles 3 and 4 and such documents shall be furnished to the Department as the Department may from time to time require to ensure that expenditure was properly incurred.

7. The Society and the Company shall prepare for the period up to 31st March 1985 and thereafter in respect of each financial year, statements showing the payments into and out of and the balances in the bank accounts set up in pursuance of Articles 3 and 4, for so long as any balance remains in the bank account. Copies of such statements shall be sent to the Department.

Sealed with the Official Seal of the Department of Agriculture on 29th January 1985.

(L.S.)

*R. E. Aiken*

Assistant Secretary

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order provides for the transfer of assets to Expotato (Northern Ireland) Limited and to Seed Potato Promotions (Northern Ireland) Limited by the Department of Agriculture from the assets transferred to it under paragraph 9 of Schedule 2 of the Agricultural Marketing Act (Northern Ireland) 1964 as amended. £70,000 of the assets are to be transferred to Expotato (Northern Ireland) Limited from which Expotato (Northern Ireland) Limited may make payments in respect of expenditure incurred in acquiring and developing new seed potato varieties. The remainder of the assets are to be transferred to Seed Potato Promotions (Northern Ireland) Limited from which Seed Potato Promotions (Northern Ireland) Limited may make payments to other persons engaged in the seed potato industry in Northern Ireland to assist them to carry out projects aimed at:

- (a) improving the exploitation of potato varieties available to the industry in Northern Ireland;
- (b) acquiring the rights to grow and sell seed potatoes of varieties not previously available to the industry in Northern Ireland and carrying out development work to exploit such acquisitions; and
- (c) breeding new potato varieties in Northern Ireland.