



# Seeds Act (Northern Ireland) 1965

## 1965 CHAPTER 22

### REGULATION OF SALES OF SEEDS AND SEED POTATOES

#### **4 Civil liabilities of sellers of seeds.**

- (1) If and so far as seeds regulations provide that a statutory statement shall constitute a statutory warranty for the purposes of this section, the statutory statement, when received by the purchaser, shall, notwithstanding any contract or notice to the contrary, have effect as a written warranty by the seller that the particulars contained in the statutory statement are correct.
- (2) If and so far as seeds regulations apply this subsection to the particulars in a statutory statement and prescribe limits of variation in relation to those particulars, those particulars shall, for the purposes of any legal proceedings on a contract for the sale of the seeds to which the statutory statement relates, be deemed to be true except so far as there is a mis-statement in the statutory particulars which exceeds the limits of variation so prescribed.
- (3) If and so far as seeds regulations apply this subsection to the particulars in a statutory statement, the particulars in the statutory statement shall, for the purposes of any legal proceedings on a contract for the sale of the seeds to which the statutory statement relates, be deemed to be true unless it is made to appear on a test carried out at an official testing station, and made on a sample taken in the manner, and within the period, prescribed by seeds regulations, that the particulars were untrue.
- (4) Where a purchaser intends to obtain a test of seeds for the purposes of subsection (3), the seller of the seeds shall be given written notice of the purchaser's intention not more than the prescribed period after delivery to the purchaser of the seeds under the sale, and seeds regulations shall prescribe a procedure for taking a sample of seeds to be tested for the purposes of that subsection which will afford to the seller of the seeds or his agent an opportunity of being present when the sample is taken, and of obtaining part of the sample.
- (5) A contravention of seeds regulations shall not affect the validity of a contract for the sale of seeds, or the right to enforce such a contract.

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*Changes to legislation: There are currently no known outstanding effects for the Seeds Act (Northern Ireland) 1965, Section 4. (See end of Document for details)*

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**Modifications etc. (not altering text)**

- C1** S. 4(2) applied (31.12.2009) by Cereal Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/383), **reg. 28(2)** (with regs. 5(2), 32(3))
- C2** S. 4(2) applied (31.12.2009) by Beet Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/384), **reg. 25(2)** (with regs. 4(2), 29(3))
- C3** S. 4(2) applied (31.12.2009) by Fodder Plant Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/385), **reg. 29(2)** (with regs. 5(2), 33(3))
- C4** S. 4(2) applied (31.12.2009) by Oil and Fibre Plant Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/386), **reg. 28(2)** (with regs. 5(2), 32(3))
- C5** S. 4(2) applied (31.12.2009) by Vegetable Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/387), **reg. 28(2)** (with regs. 5(2), 32(3))
- C6** S. 4(3) applied (31.12.2009) by Cereal Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/383), **reg. 28(3)** (with regs. 5(2), 32(3))
- C7** S. 4(3) applied (31.12.2009) by Beet Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/384), **reg. 25(3)** (with regs. 4(2), 29(3))
- C8** S. 4(3) applied (31.12.2009) by Fodder Plant Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/385), **reg. 29(3)** (with regs. 5(2), 33(3))
- C9** S. 4(3) applied (31.12.2009) by Oil and Fibre Plant Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/386), **reg. 28(3)** (with regs. 5(2), 32(3))
- C10** S. 4(3) applied (31.12.2009) by Vegetable Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/387), **reg. 28(3)** (with regs. 5(2), 32(3))

**Changes to legislation:**

There are currently no known outstanding effects for the Seeds Act (Northern Ireland) 1965, Section 4.