

SAORSTÁT EIREANN.

BILLE LIN, 1935.

FLAX BILL, 1935.

Mar do ritheadh ag Dáil Eireann.

As passed by Dáil Eireann.

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SAORSTÁT EIREANN.

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BILL

entitled

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AN ACT TO MAKE PROVISION FOR PROMOTING THE MORE EXTENSIVE GROWING OF FLAX, AND FOR THAT PURPOSE TO MAKE PROVISION FOR THE REGULATION AND CONTROL OF THE GROWING, SCUTCHING, AND SALE OF FLAX, AND FOR DIVERS MATTERS ANCILLARY TO OR CONNECTED WITH THE MATTERS AFORESAID. 10

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT ÉIREANN AS FOLLOWS:—

Definitions.

1.—In this Act—

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the expression “the Minister” means the Minister for Agriculture;

the word “prescribed” means prescribed by regulations made by the Minister under this Act;

the word “premises” when used in relation to the register of flax-growing premises kept under this Act means agricultural land; 20

the word “inspector” means a person appointed in writing (either generally or for a particular purpose) by the Minister to be an inspector for the purposes of this Act; 25

the expression “registered premises” means premises registered in a register kept by the Minister under this Act;

the expression “registered flax-growing premises” means premises registered in the register of flax-growing premises kept under this Act; 30

the expression “registered scutch-milling premises” means premises registered in the register of scutch-milling premises kept under this Act;

the expression “registered proprietor of registered flax-growing premises” means a person who is entered in the register of flax-growing premises kept under this Act as the proprietor of premises registered in that register; 35

the expression “registered proprietor of registered scutch-milling premises” means a person who is entered in the register of scutch-milling premises kept under this Act as the proprietor of premises registered in that register; 40

the expression “sale season” means the period beginning on the 1st day of October in any year and ending on the 31st day of March in the next following year.

Area to which this Act applies.

2.—(1) The Minister shall, as soon as conveniently may be after the passing of this Act make an order (in this Act referred to as the principal flax area order) appointing the area to which this Act shall apply. 45

(2) The Minister may at any time at his discretion by order (in this Act referred to as an amending flax area order) alter, whether by addition or subtraction or both addition and subtraction, as on and from a specified day not less than fourteen days after the date of such order, the area to which this Act applies. 50

(3) The area to which this act applies may, as the Minister shall think proper, be one continuous area or be two or more separate non-contiguous areas. 55

(4) In this Act (including this section) the expression "the area to which this Act applies" means the area to which this Act for the time being applies by virtue of the principal flax area order and every, if any amending flax area order for the time being in force.

3.—Whenever any area (in this section referred to as the excluded area) ceases, by virtue of an amending flax area order, to be included in the area to which this Act applies, the following provisions shall have effect, that is to say:—

Provisions consequential on exclusion from area to which this Act applies.

10 (a) such cesser shall not affect—

(i) the previous operation of this Act in the excluded area or anything done or suffered under this Act in the excluded area, or

15 (ii) any right, privilege, obligation, or liability acquired, accrued, or incurred under this Act in the excluded area, or

(iii) any penalty, forfeiture, or punishment incurred under this Act, or

20 (iv) any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, penalty, forfeiture, or punishment as aforesaid, and

25 (b) any offence under any section of this Act committed before such cesser may be investigated, prosecuted, tried, and punished after and notwithstanding such cesser as if such cesser had not occurred.

4.—(1) The Minister shall, as soon as may be after the passing of this Act, establish and thereafter keep the following registers, that is to say:—

Registers to be kept under this Act.

30 (a) a register (in this Act referred to as the register of flax-growing premises) of premises in the area to which this Act applies on which or any part of which flax is grown or intended to be grown; and

35 (b) a register (in this Act referred to as the register of scutch-milling premises) of premises in the area to which this Act applies in which is carried on the business of scutching flax.

(2) There shall be entered in each of the registers kept in pursuance of this section the following particulars in respect of every premises registered in such register, that is to say:—

40 (a) the full name and description of the proprietor of such premises, and

(b) a description of such premises sufficient to identify the same.

45 5.—(1) Any person who grows or proposes to grow flax on any land in the area to which this Act applies may apply to the Minister, in the prescribed form and manner, for the registration of such land in the register of flax-growing premises.

Registration in the register of flax-growing premises.

50 (2) The following provisions shall apply and have effect in relation to every application under this section for the registration in the register of flax growing premises of land which is in the occupation of the applicant, that is to say:—

(a) such application may be made at any time;

55 (b) such application, and the registration (if any) made in the said register in pursuance thereof, may extend to the whole or to a specified portion of a farm or holding in the occupation of the applicant, notwithstanding that he uses or proposes to use part only of such farm or holding or of such specified portion thereof for growing flax;

60 (c) if such application is granted, the registration in the said register in pursuance of such application shall continue in force until cancelled under this Act.

(3) The following provisions shall apply and have effect in relation to every application under this section for the registration in the register of flax-growing premises of land which is not in the occupation of the applicant, that is to say:—

- (a) such application may be made— 5
- (i) in the year 1936 at any time after the passing of this Act and before the Minister fixes under this Act the quota in respect of the sale season beginning on the 1st day of October, 1936, and at no other time, and 10
 - (ii) in any other year on or after the 1st day of January in such year and on or before the last day of February in the same year and at no other time;
- (b) such application, and the registration (if any) in the said register made in pursuance thereof, shall be limited to 15
land on which the applicant proposes actually to grow flax during the year in which such application is made;
- (c) if such application is granted, the registration in the said register in pursuance thereof shall (unless sooner cancelled under this Act) continue in force until the sale 20
season commencing next after the date of such application and shall then expire;
- (d) if the land to which such application relates is already registered in the said register in the name of the occupier thereof, the registration (if any) made in the said register in pursuance of such application shall operate to cancel, for the duration of such registration, the said registration of such land in the name of the occupier thereof. 25

(4) The Minister may refuse, on any of the following grounds, 30
an application for the registration of land in the register of flax-growing premises, that is to say:—

- (a) that the applicant was previously registered in the register of flax-growing premises (whether in respect of the same or other land) and his registration therein 35
was cancelled;
- (b) that the Minister is not satisfied that flax had been grown on such land within ten years before the passing of this Act;
- (c) that, having regard to the number of persons already 40
registered in the register of flax-growing premises, it is not in the public interest that any other persons should be so registered;
- (d) that the relevant provisions of this Act are not or have 45
not been complied with.

(5) Whenever an application is made to the Minister under this section for registration in the register of flax-growing premises, the Minister shall, unless he refuses such application on a ground authorised by this section, register in the said register the land to which such application relates and register 50
in such register the applicant as the proprietor of such land.

Registration in the register of scutch-milling premises.

6.—(1) Any person who carries on or proposes to carry on the business of scutching flax in premises in the area to which this Act applies may apply to the Minister, in the prescribed form and manner, for the registration of such premises in the register of scutch-milling premises. 55

(2) The Minister may refuse, on any of the following grounds, an application for the registration of premises in the register of scutch-milling premises, that is to say:—

- 5 (a) that, in the opinion of the Minister, such premises are not suitable or are not adequately equipped for carrying on therein the business of scutch-milling;
- (b) that, in the opinion of the Minister, such premises or the equipment thereof are not in good repair, order, and condition;
- 10 (c) that the Minister is not satisfied that the applicant is competent to carry on efficiently the business of scutch-milling and employs in such premises a sufficient number of persons who are competent to scutch flax efficiently;
- 15 (d) that, having regard to the number of persons or the number of premises or both such numbers already registered in the said register, the registration of the applicant in the said register in respect of the premises to which the application relates is not, in the opinion of the Minister, in the public interest.
- 20 (e) that the applicant was previously registered in the register of scutch-milling premises (whether in respect of the same or other premises) and his registration therein was cancelled;
- 25 (f) that the relevant provisions of this Act are or have not been complied with.

(3) Whenever an application is made to the Minister under this section for registration in the register of scutch-milling premises, the Minister shall, unless he refuses such application on a ground authorised by the next preceding sub-section of this section, register in the said register the premises to which such application relates and register in the said register the applicant as the proprietor of such premises.

7.—(1) Every person who applies to the Minister for the registration of any premises in a register kept under this Act shall, when required by the Minister so to do, furnish to the Minister all such information as the Minister may require for the consideration of such application.

Information by applicants for registration

(2) The Minister may require any statement of fact made in an application for registration in a register kept under this Act or made to the Minister in response to a request for information under the next preceding sub-section of this section to be verified by the statutory declaration of some person having personal knowledge of the facts so stated.

(3) If any person, in an application for registration in a register kept under this Act or in furnishing any information in pursuance of a requisition of the Minister under this section, makes any statement which is false or misleading in any material respect, such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding ten pounds.

(4) If any person fails to furnish any information or verification which such person is required by the Minister under this section to furnish, the Minister may, on the ground of such failure, refuse the application in relation to which such information or verification was so required.

8.—Before refusing an application for registration in a register kept under this Act, the Minister shall serve by registered post on the applicant for such registration seven days' notice of the Minister's intention to refuse such application and of the reasons

Notice of intention to refuse application for registration,

for such refusal and shall consider any representations made by such applicant within seven days after the service of such notice.

Transfer of registration on transfer of premises.

9.—Whenever the ownership of the whole of any premises registered in a register kept under this Act has been transferred, whether by act of the parties or by operation of law, from the person who is entered in such register as the proprietor of such premises to another person, the Minister shall, on being satisfied of the fact of such transfer, amend the registration of such premises in such register by entering therein the name of such other person as proprietor of such premises.

Amendment of registers.

10.—(1) The Minister may, at any time, on his own motion amend a register kept under this Act by correcting any manifest error therein.

(2) The Minister shall, on the application of the registered proprietor of premises registered in a register kept under this Act, amend such register by correcting any error in the description in such register of such registered proprietor or of such premises or by entering in such register a change in the ownership of such premises or a change (whether by addition, reduction, or otherwise) in such premises.

(3) Where the Minister is satisfied that the registered proprietor of premises registered in a register kept under this Act has died, the Minister shall amend such register by entering therein the fact of such death and registering in such register, as the proprietor of such premises, the personal representative (if any) of such deceased proprietor or the successor in title of such deceased proprietor or such other person as the Minister shall think proper in the circumstances of the case.

Cancellation of registration.

11.—(1) The Minister may, at any time, cancel the registration of any premises in a register kept under this Act upon the application of the registered proprietor of such premises.

(2) The Minister may, at any time, without any such application as aforesaid, cancel the registration of any premises in a register kept under this Act if he is satisfied—

(a) that the registration of such premises was obtained by fraud or by misrepresentation, whether fraudulent or innocent, or

(b) that, in the case of the cancellation after the expiration of two years from the passing of this Act of the registration of premises registered in the register of flax-growing premises, no flax has been grown on such premises during the period of two years immediately preceding such cancellation or, in the case of premises registered in the register of scutch-milling premises, the business of scutch milling has ceased to be carried on in such premises, or

(c) that the registered proprietor of such premises, if an individual has died, or, if a body corporate, has been dissolved and, in either case, no other person has within three months after such death or dissolution been registered as proprietor of such premises in place of the registered proprietor so dead or dissolved, or

(d) that there has, in the opinion of the Minister, been a contravention (whether by way of commission or of omission) of this Act or a regulation made thereunder by the registered proprietor of such premises.

(3) Before cancelling (otherwise than in accordance with an application in that behalf made under this section) the registration of any premises the Minister shall give at least one month's notice in writing of his intention so to cancel such registration

to the registered proprietor of such premises or his personal representative (if any) or its liquidator (as the case may be), and shall consider any representations made within seven days after the service of such notice by such registered proprietor, 5 personal representative, or liquidator (as the case may be).

(4) A notice under this section of the Minister's intention to cancel the registration of premises may be served by delivering it to the person to whom it is addressed or by sending it by post to the person to whom it is addressed at the premises to which such 10 notice relates.

12.—Every registered proprietor of registered flax-growing premises shall, on or before the prescribed date in every year, send to the Minister in the prescribed form and manner a return (in this Act referred to as the return of flax proposed to be 15 grown) stating whether he does or does not intend to sow any flax in such premises in such year and, where he so states that he intends so to sow any flax, also stating the acreage of the portion of such premises in which he intends so to sow flax. Returns of flax proposed to be grown.

13.—(1) Every registered proprietor of registered flax-growing 20 premises shall, not later than the 30th day of September in the year 1936 and not later than the 30th day of June in every subsequent year, send to the Minister in the prescribed form and manner a return (in this Act referred to as the return of flax sown) stating whether he has or has not sown any flax in such 25 premises in such year and, where he so states that he has so sown any flax also stating the registered scutch-milling premises to which he intends to send for scutching the produce of the flax so sown. Returns in respect of flax actually grown.

(2) Every registered proprietor of registered flax-growing 30 premises who fails to make in accordance with this section any return which he is required by this section to make shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty-five pounds.

14.—(1) Save as is otherwise provided by this section it shall 35 not be lawful for the registered proprietor of registered flax-growing premises to send flax grown on such premises for scutching to any scutch-milling premises except either the scutch-milling premises specified in the return made in that behalf under this Act in respect of such flax or such other scutch-milling 40 premises as shall be specially authorised for that purpose by the Minister. Obligation to send flax to specified scutch-mill.

(2) The Minister may, whenever he so thinks fit, require the registered proprietor of registered flax-growing premises to send 45 flax grown on such premises for scutching to specified scutch-milling premises, and every such registered proprietor shall, on being required so to do, send flax grown on flax-growing premises of which he is the registered proprietor for scutching to the scutch-milling premises so specified by the Minister.

(3) Every registered proprietor of registered flax-growing 50 premises who shall send any flax grown on such premises for scutching to any scutch-milling premises in contravention of this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding five shillings for every stone of flax so sent.

15.—(1) The Executive Council shall, by order made at or 55 within the time mentioned in the next following sub-section of this section, fix in respect of every sale season the price per stone for flax grown and scutched in Saorstát Eireann which is The standard price.

to be the standard price for the purposes of this Act for such flax in such sale season.

(2) Every order made by the Executive Council under the next preceding sub-section of this section shall,

(a) in the case of the order so made in respect of the sale 5 season beginning on the 1st day of October, 1936, be made as soon as may be after the passing of this Act, and

(b) in the case of the order so made in respect of any subsequent sale season, be made not later than the 31st day 10 of January next preceding such sale season.

(3) In this Act the expression " standard price " means a price fixed under this section as a standard price for the purposes of this Act.

Inspection, etc.,
of flax in
scutch-mill.

16.—(1) All flax grown on registered flax-growing premises 15 which is lawfully sent by the registered proprietor of such premises for scutching to registered scutch-milling premises shall—

(a) be scutched at such scutch-milling premises, and

(b) when so scutched, be retained in such premises until the next paragraph of this sub-section has been complied 20 with in respect thereof, and

(c) be inspected, weighed, graded, and valued in such premises in accordance with the next following sub-section of this section.

(2) The following provisions shall have effect in relation to the 25 inspection, weighing, grading, and valuing of scutched flax in pursuance of the next preceding sub-section of this section, that is to say:—

(a) such scutched flax shall be so weighed by the proprietor of the scutch-milling premises in the presence of an 30 inspector at the time appointed for that purpose by such inspector who shall thereupon record the weight thereof;

(b) such scutched flax shall, immediately after being so weighed, be inspected, graded, and valued by an 35 inspector who shall thereupon record the grade and value thereof;

(c) the scutched flax grown in any particular flax-growing premises shall be weighed, inspected, graded, and valued in pursuance of this section separately and apart from 40 the flax grown in any other flax-growing premises, and the record of such weights, grades and values shall be made and kept similarly separate and apart;

(d) every inspector, when valuing any scutched flax in pursuance of this section, shall have regard to the current 45 market prices of scutched flax and, in particular to the current market price of the grade of scutched flax to which he has assigned the scutched flax so being valued, and such inspector shall value such scutched flax accordingly.

(3) The value, per stone, fixed by an inspector in pursuance of 50 this section, of any scutched flax is in this Act referred to as the ascertained value of such flax.

Payment of flax
bounty.

17.—(1) If the average ascertained value per stone of all the flax grown in the area to which this Act applies and lawfully sent for scutching to and scutched in registered scutch-milling premises 55 in any particular sale season is less by three pence or by any greater amount than the standard price per stone for that sale season, the Minister shall, subject to the restrictions imposed by this section,

pay to every registered proprietor of registered flax-growing premises a bounty (in this Act referred to as flax bounty) on every complete stone of flax grown on such premises and lawfully scutched as aforesaid equal to the difference between the said average ascertained value per stone and the said standard price per stone.

(2) The following restrictions shall apply and have effect in relation to the payment by the Minister of flax bounty under this section, that is to say:—

10 (a) if the quantity of flax grown in any particular registered flax-growing premises and qualified under the next preceding sub-section of this section for flax bounty in any particular sale season exceeds the quota allotted to such premises for such sale season, flax bounty shall not be payable on the excess of such flax above such quota;

15 (b) no flax bounty shall be payable in any particular sale season to the registered proprietor of any registered flax-growing premises in respect of which the Minister has, under the power in that behalf conferred on him by this Act, refrained from fixing a quota for such sale season;

20 (c) the Minister may, if he so thinks proper, refrain from paying flax bounty in any particular sale season to a registered proprietor of registered flax-growing premises who has failed to make, in accordance with this Act, any return which he was required, by or under this Act, to make during the year in which such sale season commenced;

25 (d) the Minister may, if he so thinks proper, refrain from paying flax bounty on any flax which was scutched in scutch-milling premises to which it was not lawful under this Act to send such flax for scutching.

30 (3) Where the amount of flax bounty payable in respect of scutched flax which was grown in any particular registered flax-growing premises is less than fifty pounds and there is, at the time when such flax bounty is payable, no living person registered as the proprietor of such premises, the Minister may pay such flax bounty to such person or among such persons as appears or appear to him to be the occupier or occupiers of such premises, and, where there are two or more such persons, in such proportions as he thinks proper, and the receipt or other acknowledgment given by such person or persons to the Minister for such flax bounty so paid to him or them shall be a good discharge to the Minister for such flax bounty.

35 (4) No scutched flax of which the ascertained value per stone is less than the minimum value per stone fixed under this Act and applicable in relation to such flax shall be reckoned in the calculation for the purposes of this section of the average ascertained value of the scutched flax.

18.—(1) The Executive Council shall by order fix, in respect of every sale season, the maximum quantity of flax on which flax bounty will be paid under this Act in respect of such sale season.

Limit on amount of flax bounty.

55 (2) The order to be made by the Executive Council in pursuance of the next preceding sub-section of this section in respect of the sale season beginning on the 1st day of October, 1936, shall be made as soon as conveniently may be after the passing of this Act, and the order to be so made in respect of any subsequent sale season shall be made before the 1st day of February next before the commencement of the sale season to which such order relates.

Flax quotas.

19.—(1) When the Executive Council has made an order under this Act fixing the maximum quantity of flax on which flax bounty will be paid in respect of any particular sale season, the Minister shall, as soon as conveniently may be thereafter and (except in regard to the sale season beginning on the 1st day of October, 1936) not later than the 31st day of March next after the making of such order, fix in respect of every registered flax-growing premises the maximum quantity (in this Act referred to as the quota) of flax grown in such premises on which flax bounty will be paid under this Act in respect of the sale season to which such order relates, and shall so fix every such quota that the total amount of all such quotas so fixed in respect of such sale season does not exceed the said maximum quantity of flax fixed by the said order in respect of such sale season.

(2) When fixing under this section a quota in respect of any particular registered flax-growing premises, the Minister shall have regard to the acreage on which flax was grown in such premises in previous years and to the acreage which in the opinion of the Minister is the maximum acreage on which flax could, in accordance with the principles of good husbandry, be grown in such premises.

(3) Where a registered proprietor of registered flax-growing premises has failed to make in accordance with this Act in respect of any year a return of flax proposed to be grown in such premises, the Minister may, if he so thinks proper, refrain from fixing any quota in respect of such premises for the sale season commencing in such year.

The minimum value for the purposes of this Act.

20.—(1) Before the beginning of every sale season the Minister shall by order fix the value per stone which shall be the minimum value for the purposes of this Act in respect of such sale season.

(2) In this Act the expression "minimum value per stone" means the minimum value per stone for the purposes of this Act fixed under this section in respect of the sale season in relation to which the expression is used.

Recovery of over-payment of bounties.

21.—(1) Whenever any person has obtained payment of any flax bounty under this Act to which or to part of which he was not lawfully entitled, such flax bounty, or such part thereof, shall be a debt due by such person to the Minister and shall (whether criminal proceedings have or have not been taken against such person in respect thereof) be recoverable by the Minister as a civil debt in any court of competent jurisdiction.

(2) In any proceedings under this section a certificate sealed with the official seal of the Minister stating that a person has obtained payment of a specified amount of flax bounty and that such person was not entitled to such payment or to a specified part thereof shall be prima facie evidence of those matters as stated in such certificate.

Returns by registered proprietors of registered premises.

22.—(1) The Minister may by order make regulations requiring registered proprietors of premises registered in a register kept under this Act to make periodical returns to the Minister, and the Minister may by such regulations prescribe—

(a) the returns so to be made to him by registered proprietors of registered flax-growing premises, and the times at which and the form and manner in which such returns are to be made, and

(b) the returns so to be made to him by registered proprietors of registered scutch-milling premises, and the

times at which and the manner in which such returns are to be made.

5 (2) Every person, required by regulations made under this section to make any return, who fails or refuses to make such return in accordance in all respects with such regulations shall be guilty of an offence under this section and shall be liable on summary conviction thereof, in the case of a first such offence, to a fine not exceeding ten pounds and, in the case of a second or any subsequent such offence, to a fine not exceeding twenty-five pounds.

15 23.—(1) Every registered proprietor of registered scutch-milling premises shall keep or cause to be kept in such premises the prescribed records in the prescribed form, and shall make or cause to be made in every such record the prescribed entries at or within the prescribed times.

Records to be kept at registered scutch-milling premises.

20 (2) Every record kept in pursuance of this section may be inspected at all reasonable times by an inspector, and it shall be the duty of the person liable under this section to keep such record to produce for the inspection of such inspector on demand such record and also all invoices, consignment notes, receipts and other documents (including copies thereof where the originals are not available) reasonably demanded by such inspector for the purpose of verifying any entry in or explaining any omission from such record.

25 (3) If any person—

- (a) fails to keep or cause to be kept such record as is required by this section to be kept or caused to be kept by him, or
- 30 (b) fails to make or cause to be made in such record within the prescribed time any entry required by this section to be made by him therein; or
- (c) fails to produce or cause to be produced for inspection by an inspector on demand any record, document, or copy of a document which he is required by this section to produce or obstructs any inspector in the making of such inspection; or
- 35 (d) wilfully or negligently makes or causes to be made in such record any entry which is false or misleading in any material particular,

40 he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty pounds.

(4) For the purposes of this section—

- 45 (a) inspection of a record shall include taking copies thereof or making extracts therefrom; and
- (b) a demand for inspection of a record or other document shall be deemed to have been duly made to the registered proprietor if such demand is made verbally on the registered premises to any person in the employment of the registered proprietor; and
- 50 (c) a refusal or failure to produce a record or other document for inspection, if made or committed on the registered premises, by a person in the employment of the registered proprietor shall be deemed to have been made or committed by the registered proprietor.
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24.—(1) The Minister may publish, in such manner as he may think fit, all or any of the matters entered in a register kept under this Act, and notice of the cancellation or alteration of any registration in any such register.

Publication of contents of registers and other matters.

(2) No individual return or part of a return furnished in pursuance of this Act shall be published or disclosed except for the purposes of a prosecution under this Act.

(3) The Minister may, from time to time, collect and publish such statistical information (including statistics derived from returns made pursuant to this Act) as he may think fit with respect to any matter to which this Act relates, but so far as is reasonably practicable no statistical information so published shall contain any particulars which would enable any person to identify such particulars as being particulars relating to any individual person, business, or concern.

Evidence of contents of registers.

25.—(1) Every register kept under this Act shall be—

(a) deemed to be in the proper custody when in the custody of the Minister or of an officer of the Minister authorised in that behalf by the Minister, and 15

(b) admissible in evidence without further proof, on production from the proper custody.

(2) Prima facie evidence of any entry in a register kept under this Act may be given in any court or any legal proceedings by the production of a copy of such entry purporting to be certified to be a true copy by any officer of the Minister authorised in that behalf, and it shall not be necessary to prove the signature of such officer or that he was in fact such officer or was so authorised. 20

(3) A certificate, purporting to be under the hand of an officer of the Minister authorised in that behalf by the Minister, that any premises specified in such certificate are not entered in the register kept under this Act specified in such certificate shall be conclusive evidence of the matters so certified, and it shall not be necessary to prove the signature of such officer, or that he was in fact such officer, or was in fact so authorised. 25 30

(4) Any person may—

(a) obtain a copy, certified in manner hereinbefore mentioned to be a true copy, of any entry in a register kept under this Act on payment of a fee of sixpence for each folio of seventy-two words of the copy; 35

(b) obtain such certificate as is hereinbefore mentioned that any specified premises are not registered in a specified register kept under this Act on payment of the fee of one shilling.

(5) All fees payable under this section shall be collected in money and taken in such manner as the Minister for Finance shall from time to time direct, and shall be paid into or disposed of for the benefit of the Exchequer in accordance with the directions of the said Minister. 40

(6) The Public Offices Fees Act, 1879, shall not apply in respect of any fees payable under this section. 45

Inspection of registered premises.

26.—(1) Any inspector shall be entitled at all reasonable times to enter any registered premises or any premises in respect of which an application for registration has been made and to inspect such premises and the plant, appliances, and equipment therein and all flax, flax seed, and scutched flax in such premises and to observe all or any of the processes and methods used in the preparation for scutching or the scutching (as the case may be) of flax in such premises. 50

(2) Every person who obstructs or impedes an inspector in the exercise of any of the powers conferred on him by this section shall be guilty of an offence under this section and shall 55

be liable on summary conviction thereof to a fine not exceeding five pounds.

27.—If any person, for the purpose of obtaining flax bounty for himself or any other person, makes any statement or representation which is to his knowledge false or misleading in any material particular, such person and, in the case of a body corporate, every director, manager, and secretary thereof, shall be guilty of an offence under this section and shall be liable on summary conviction thereof, in the case of a first such offence, to a fine not exceeding twenty-five pounds and, in the case of a second or any subsequent such offence, to a fine not exceeding fifty pounds or, at the discretion of the Court, to imprisonment for any term not exceeding six months or to both such fine and such imprisonment.

Penalty for false statement.

28.—Every inspector shall be provided with a certificate of his appointment as such inspector and, when exercising any of the powers conferred on an inspector by this Act, shall, if so required, produce such certificate to any person affected.

Inspectors' certificates of appointment.

29.—The Minister may by order make regulations prescribing any matter or thing which is referred to in this Act as prescribed or to be prescribed.

Regulations.

30.—All expenses incurred by the Minister in carrying this Act into execution shall, to such extent as shall be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

Expenses.

31.—Every offence under any section of this Act may be prosecuted by or at the suit of the Minister as prosecutor.

Prosecution of offences.

32.—This Act may be cited as the Flax Act, 1936.

Short title.

Saorstát Éireann.

BILLE LIN, 1935.

BILLE

dá ngairmtear

Acht chun soeruithe do dhéanamh i dtreo go bhfásfar níos mó lín agus chun soeruithe do dhéanamh, chuige sin, chun fás, scuitseáil, agus díol lín do rialáil agus do stiúradh agus i dtaobh nithe iomdha bhaineas no ghabhas leis na nithe roimhráite.

Rithte ag Dáil Éireann, 9adh Meitheamh, 1936.

BAILE ATHA CLIATH:
FOILLSITHE AG OIFIG AN tSOLATHAIR.

Le ceannach trí aon díoltóir leabhar, no díreach ó Oifig Díolta Foillseacháin Rialtais, 5, Sráid Thobair Phádraig, Baile Atha Cliath, C.2.

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Saorstát Éireann.

FLAX BILL, 1935.

BILL

entitled

An Act to make provision for promoting the more extensive growing of flax, and for that purpose to make provision for the regulation and control of the growing, scutching, and sale of flax, and for divers matters ancillary to or connected with the matters aforesaid.

Passed by Dáil Éireann, 9th June, 1936.

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