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STATUTORY INSTRUMENTS

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**1977 No. 52**

**Noxious Weeds (Northern Ireland) Order 1977**

**Destruction of noxious weeds**

5.—(1) Where an authorised officer is satisfied that there are noxious weeds of any kind growing upon any land, he may serve on the occupier of the land, or on any person who by virtue of an agreement has a right to the exclusive use of the land for cropping or grazing, a notice in writing requiring him—

- (a) to cut down and dispose of, or otherwise destroy, those weeds in the manner specified in the notice; or
  - (b) where it appears to the officer to be expedient to do or refrain from doing any other thing for the purpose of preventing the spread of weeds of that kind on or from that land, to do or refrain from doing that thing.
- (2) A notice under paragraph (1) may specify the period—
- (a) within which anything required by the notice to be done must be done; or
  - (b) for which anything required by the notice to be refrained from being done must not be done.

(3) If any occupier or person such as is mentioned in paragraph (1) on whom a notice is served under that paragraph either fails to do anything which he is required by the notice to do or does anything which he is required by the notice to refrain from doing (or, where he is required by the notice to do, or refrain from doing, that thing within or for a specified period, does not do it within that period or, as the case may be, does not refrain from doing it for that period), he shall be guilty of an offence.

(4) Without prejudice to paragraph (3), where a notice under paragraph (1) requires anything to be done within a specified period and it is not done within that period, the Department may cause that thing to be done, doing no unnecessary damage, and may recover the cost summarily or in the county court as a debt due by the occupier or other person on whom the notice was served.

**Changes to legislation:**

There are currently no known outstanding effects for the Noxious Weeds (Northern Ireland) Order 1977, Section 5.