STATUTORY RULES AND ORDERS OF A GENERAL CHARACTER ISSUED IN 1954

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Agricultural Development Scheme

SCHEME DATED 27TH APRIL, 1954, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 6 OF THE AGRICULTURE ACT (NORTHERN IRELAND), 1949 (a).

1954. No. 70

The Ministry of Agriculture in exercise of the powers conferred on it by Subsection (1) of section 6 of the Agriculture Act (Northern Ireland), 1949, and of every other power enabling it in that behalf and with the approval of the Ministry of Finance, hereby makes the following Scheme:—

Short Title

1. This Scheme may be cited as the Agricultural Development Scheme, 1954.

Definitions

2. In this Scheme, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

"the Act" means the Agriculture Act (Northern Ireland), 1949;

"agricultural buildings" mean any permanent buildings necessary to the efficient farming of the agricultural land on which they are sited, or to be sited, or with which they are associated, but shall not include dwelling houses, movable houses and structures, or glass and greenhouses;

"agricultural land" shall have the same meaning as in the Agriculture Act (Northern Ireland), 1949, but shall not include any land used primarily or mainly for the growing and raising of flowers, or for nursery stock or for woodlands;

"approved cost" means the cost of the work as approved by the Ministry for the purpose of making a grant;

"the Ministry" means the Ministry of Agriculture, Northern Ireland;

(a) 12 & 13 Geo. 6, ch. 2.

"occupier" means a person who is in occupation of any land under an estate or interest, not less than a term of one calendar year;

"promoter" means the person who is responsible for carrying out work approved under this Scheme;

"sheep dipping" baths include the pens necessary for the gathering and holding of sheep before and after dipping and such arrangement as may be necessary for the disposal of the used dip.

Interpretation

3. The Interpretation Act, 1889 (a), as applied to Northern Ireland by the Interpretation Act (Northern Ireland), 1921 (b), shall apply for the interpretation of this Scheme as it applies for the purpose of an interpretation of an Act of Parliament.

Applications for Grant

4. Subject to the provisions of this Scheme, the Ministry may make payments by way of grants towards the cost of carrying out on agricultural land such works as are specified in the Schedule hereto.

5. Applications for assistance towards the cost of carrying out any of the works specified in the Schedule hereto will only be accepted from persons who are the owners or occupiers of the holdings in respect of which application is made.

6. Any person submitting an application under any Part of this Scheme shall do so on a form to be supplied by the Ministry, and before commencing any work shall obtain the approval, in writing, of the Ministry for the carrying out of the work:

Provided that in any case in which the Ministry is of opinion that any of the work specified in Part I of the Schedule of this Scheme is of such a kind that it should not be delayed, provisional approval may be obtained from the Ministry's County Agricultural Executive Officer, but any approval so given must be confirmed in writing by the Ministry before the work is eligible for grant.

PART I

LAND IMPROVEMENT

7. The Ministry will not approve an application under this Part of this Scheme from any person in respect of a farm on which work approved under a previous application has still to be completed unless it is satisfied that the additional work proposed is necessary in order to safeguard, in the public interest, the supply of food or other agricultural products.

8. Except as provided hereto and in the next succeeding paragraph the grant for work carried out under this Part of this Scheme shall be at the rate of 50 per cent. of the approved cost of labour and materials necessary for the completion of the work to the satisfaction of the Ministry.

(a) 52 & 53 Vict, c, 63, (b) 12 Geo, 5 c, 4 (N.I.),

Provided that

(i) no application for grant shall be approved by the Ministry unless the total cost of the work specified therein is estimated to be not less than £20;

(ii) in the case of field drainage the maximum grant shall not exceed £25 per statute acre directly drained; and

(iii) in respect of the construction of silos the maximum grant shall not exceed £2 per 40 cubic feet capacity of the silo.

9. Notwithstanding anything contained in the immediate preceding paragraph the Ministry may

(i) in respect of land mole drained pay grant at the rate of 50 per cent. of the approved cost subject to a maximum of £2 10s. 0d. per statute acre, together with 50 per cent. of the approved cost of piping the mains and/or outlets of the mole drains and such other work as, in the opinion of the Ministry, is necessary to enable the mole drains to function in a proper manner:

Provided that the minimum area which shall qualify for such grant shall not be less than two statute acres, and that land in respect of which a grant for mole drainage has been given will not again be eligible for assistance under this Scheme until a period of at least five years has elapsed; and

(ii) in respect of the construction or reconstruction of flax and catch dams pay grant at a rate which shall not exceed 75 per cent. of the cost of the labour involved as estimated by the Ministry, subject to the total estimated cost of the work being not less than £6.

(iii) in respect of hill land reclamation work pay grant at the rate of 50 per cent. of the approved cost of ploughing, harrowing, rolling and the purchase and application of fertilisers and seeds, subject to a maximum grant of £16 per statute acre. The minimum area which shall qualify for grant shall not be less than two statute acres.

10. The Ministry, with the approval of the Ministry of Finance, may vary the maximum grant in respect of all or any one of the works specified in paragraphs 8 and 9 above.

Part II

The Construction or Reconstruction of Sheep Dipping Baths

11. Applications under this Part of this Scheme will only be accepted from persons who own not less than 50 ewes, or from associations of persons who between them own not less than 50 ewes.

12. The baths must be constructed on a site and to a specification approved by the Ministry.

13. The grant for work carried out under this Part of this Scheme shall be at the rate of 50 per cent. of the approved cost of the construction or reconstruction of baths, subject to a maximum grant of £50 in respect of any one bath or such other sum as the Ministry, with the approval of the Ministry of Finance, may determine.

PART III

WATER SUPPLIES

14. Applications under this Part of this Scheme will only be approved for the supply of water to agricultural land and agricultural buildings and, where water of suitable purity for domestic use is available, as an extension to dwelling houses on farms occupied as farm houses or by agricultural workers.

15. The Ministry may require applicants for assistance under this Part of this Scheme to submit tenders for the cost of the work from two or more recognised persons or firms in the trade.

16. The Ministry may withhold approval of any application under this Part of this Scheme in any case where it is of opinion that the proposed source of supply is not suitable and adequate for the requirements of the farm, or that the cost is not reasonable in relation to the benefits likely to be derived in the form of increased production and greater efficiency in the working of the farm.

17. Assistance towards the cost of any work for the supply of water from a private source will not normally be approved in any case where it appears to the Ministry that a supply from an existing main is available, or where it appears probable that a mains supply will be obtainable within a reasonable period.

18. Grants will be paid only in respect of the approved cost of securing and laying on of water to agricultural land, agricultural buildings and dwelling houses, and of such part of the cost of internal fittings in farm buildings as are specifically approved by the Ministry.

19. Except as provided hereafter the grant shall be at the rate of 50 per cent. of the approved cost of securing a water supply and of the labour and materials required for the completion of the works to the satisfaction of the Ministry:

Provided that no application for grant shall be approved by the Ministry unless the total cost of the work specified therein is estimated to be not less than £25.

PART IV

ELECTRICITY

20. Applications under this Part of this Scheme will only be approved for the purchase and installation of machines for the generation of electricity for use in agricultural buildings and as an extension to dwelling houses on farms occupied as farm houses or by agricultural workers, to which a supply of electricity is not, in the opinion of the Ministry, likely to be made available from a distributing main.

21. The Ministry may require applicants for assistance under this Part of this Scheme to submit tenders for the equipment and installation from two or more recognised firms in the trade.

22. The Ministry will require all work to be done under this Part of this Scheme to be carried out by recognised firms in the trade and may refuse to pay any grant unless the work is done according to the standards laid down by the Institution of Electrical Engineers.

23. Except as herein provided the grant shall be at the rate of 50 per cent. of the cost of the purchase and installation of electricity generating plants as approved by the Ministry.

The approved cost may include the cost of all exterior wiring and fittings necessary to enable current to be brought to such of the agricultural buildings as, in the opinion of the Ministry, require current for the efficient working of the farm and to the dwelling houses on the farm, but shall not include the cost of any interior wiring or fittings in buildings or dwelling houses;

Provided that no application for grant shall be approved by the Ministry unless the total cost of the work specified therein is estimated to be not less than £50.

GENERAL

24. The Ministry shall, in its consideration of any application for assistance under this Scheme, have regard as to whether the work is economic in relation to the size of the holding and the kind of farming practised, and in any such consideration shall also have regard to the provisions of the Act, having for their purpose the securing that agricultural land is maintained in good condition and farmed in accordance with the rules of good husbandry, and of safeguarding in the public interest the supply of food or other agricultural products.

25. The Ministry may make such inspections of the work as it considers necessary to ensure that it is carried out in a proper manner, and the promoter shall afford to the Ministry, or to any of its officers, such facilities and help as may be required in carrying out such inspections.

26. The promoter shall be solely responsible for carrying out any work approved under this Scheme and for obtaining all such consents, agreements and wayleaves as are necessary to enable the work to be done, and for complying with any requirement under any enactment or bye-law affecting the work to be done.

27. In any case where two or more persons desire to join together to do work under this Scheme for the benefit of their several holdings such application shall be regarded as a joint application, and the Ministry shall require the agreement in such form as it may specify, of the several parties to the proposed work and of such other persons or bodies as have an interest in the lands affected by the proposed works, and the Ministry will further require the several parties to nominate as promoter one of the persons on whose land the work is to be done, or such other person as the parties may themselves appoint.

28. The Ministry will, as a condition of any approval for works to be done under this Scheme, require the promoter to give an undertaking to maintain the works in good order, and, should the promoter fail so to maintain the works to its satisfaction, the Ministry may require him to refund either in whole or in part the amount paid as grant.

29. Promoters shall inform the Ministry of the date on which they propose to commence any work approved under this Scheme, and shall also notify the Ministry of the date on which the work is completed.

30. The Ministry may require promoters of works under this Scheme to keep and to produce for inspection such records and properly receipted vouchers and such other information as it may consider necessary in respect of the carrying out of the work.

31. In any case in which the Ministry has paid a grant on completed works and where a further application is received having for its purpose the extension to, or the improvement of, such works the Ministry may, in so far as it thinks it reasonable to do so, take into account the amount paid in grant in respect of the previous work:

Provided, however, that the amount payable by way of grant shall in no case exceed the amount which would have been eligible or paid had the last application been submitted and approved as part of the original application.

32. The Ministry may from time to time make payments by way of advances of grant on parts of the work which have been completed in accordance with the approval issued and with the conditions of this Scheme, provided that in no case shall the payment by way of advance exceed 50 per cent. of the estimated approved cost of the work done at the time the payment of the advance is made.

33. The Ministry may, nothwithstanding any approval which it may have given, cancel such approval, or reduce, or withhold in whole or in part a grant in any case in which, in the opinion of the Ministry, the work has not been carried out in accordance with the terms of the approval, or where the work has not been fully or satisfactorily completed within a reasonable time, or has not been done in a manner which will lead to the efficient working of the holding, and in each of these respects the decision of the Ministry shall be final:

Provided that any such cancellation of approval shall not prejudice the approval of any new application submitted.

34. The Ministry may reduce or withhold in whole or in part the grant payable in respect of any work carried out under this Scheme if other assistance is given out of public or Trust funds towards its cost.

35. The Ministry shall not pay any grant in respect of any work done under this Scheme, notwithstanding that such work has been approved, in any case in which the person who would otherwise be entitled to receive the grant is convicted in any Court of Law for fraudulent practices in connection with that work.

36. The Ministry may fix a period or periods in each year during which applications under the whole of this Scheme, or any part of this Scheme, or in respect of any one or more of the works specified in the Schedule to this Scheme may be submitted, provided that if such period or periods are fixed the Ministry shall give notice in two or more newspapers circulating in each County of the periods during which applications may be submitted:

Provided that, nothwithstanding any such period or periods being fixed, the Ministry may receive applications during other periods of the year in any case in which it is of opinion that the work proposed to be done is necessary in the interests of food production or of efficient farming.

37. The Ministry's decision on any question arising out of any application made under this Scheme shall be final.

38. The Agricultural Development Scheme, 1949, dated September 16th, 1949, is hereby revoked but any application made or consent, authorisation, or approval issued or given under any of the provisions of that Scheme shall, if in force at the commencement of this Scheme, and so far as it could have been made, issued or given under this Scheme, continue in force and have effect as if made, issued or given under the corresponding provision of this Scheme.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 27th day of April, 1954, in the presence of

(L.S.) *Signed* *W. C. Glover,*
Assistant Secretary.

The Ministry of Finance hereby approves of the foregoing Scheme.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 28th day of April, 1954, in the presence of

(L.S.) *Signed* *Thom McCrea,*
Assistant Secretary.

SCHEDULE

WORKS ELIGIBLE FOR GRANT

PART I

1. Construction or reconstruction of field drains in any manner which, in the opinion of the Ministry, will ensure lasting benefit.

2. Construction of mole drains.

3. Construction or reconstruction of hill drains.

4. Construction or reconstruction of wide open drains.

5. Reconditioning of streams and main drains not being main watercourses scheduled under the Drainage Act (Northern Ireland), 1947, (Reprint to 1952).

6. Reclamation of land to enable it to be used for agricultural purposes: Provided that land so reclaimed must be ploughed and/or treated in such manner as the Ministry may specify.

7. Reclamation of hill land which, in the opinion of the Ministry, can only be reclaimed by special measures.

8. Eradication of bracken by cutting or crushing, the work to be carried out at the proper times in each of three successive years.

9. Construction, reconstruction or removal of permanent fences (including hedges and ditches) where such work is necessary for the more efficient working of the farm.

10. Construction or reconstruction of flax dams (including catch dams).

11. Construction or reconstruction of farm roads, including bridges, where necessary for the more efficient working of the farm and, in particular, to facilitate the transport of farm produce and the passage of agricultural machinery.

12. Construction or reconstruction of roads into turbary bogs to facilitate the transport of turf for use on farms.

13. Construction of permanent type trench and tower silos.

14. Provision of means for the disposal of farm sewage.

15. Any other works not specified above which will, in the opinion of the Ministry, improve any land used or to be used for agricultural purposes, or which will increase the fertility of any such land, the productive capacity of any farm, or which are necessary for the more efficient working of any farm may, with the approval of the Ministry of Finance, be eligible for a grant.

NOTE:—Works which are confined to annual repairs and maintenance, e.g., the cleaning or reconditioning of sheughs, are not eligible.

PART II

SHEEP DIPPING BATHS

16. The construction or reconstruction of sheep dipping baths including the pens necessary for the gathering and holding of sheep before and after dipping, and such arrangement as may be necessary for the disposal of the used dip.

PART III

WATER SUPPLIES

17. Connections with water sources including water mains (with the approval of the appropriate Water Authority.

18. Sinking of wells.

19. Lining and heading of wells.

20. Installation and erection of the following types of pumping plant together with the necessary storage tanks, piping and fittings including the provision of suitable buildings or other structures or works necessary for the protection of the plant and installation:

Manual pumps;
engines and pumps;
electric motors and pumps;
hydraulic rams;

or such other types as are, in the opinion of the Ministry, suitable for the work to be performed.

21. Piping of supplies by gravitation from a suitable source.

22. Supply of drinking troughs to fields and the laying of the necessary pipes and fittings.

PART IV
ELECTRICITY SUPPLIES

23. Installation and erection of suitable plants for the provision of electricity (and the necessary wiring and fittings) including the provision of suitable buildings or other structures necessary for the protection of the plant and installations.

Blackface Rams Scheme

SCHEME DATED 5TH OCTOBER, 1954, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 9 OF THE AGRICULTURE ACT (NORTHERN IRELAND) 1949 (a).

1954. No. 151

The Ministry of Agriculture in exercise of the powers conferred on it by Section 9 of the Agriculture Act (Northern Ireland) 1949, and of every other power enabling it in that behalf and with the approval of the Ministry of Finance hereby makes the following Scheme:—

1. In order to improve the breeding and quality of sheep in the mountainous districts of Northern Ireland the Ministry is prepared to give financial assistance to selected farmers grazing sheep in such districts by way of a grant towards the purchase of Blackface Rams.

This Scheme may be cited as the Blackface Rams Scheme.

Definitions

2. "Ministry" means the Ministry of Agriculture for Northern Ireland.

"County Committee of Agriculture" means a County Committee of Agriculture appointed pursuant to Section 2 (1) of the Agriculture Act (Northern Ireland) 1949.

"Approved Standard" means approved as suitable after an inspection by an authorised officer of the Ministry of Agriculture.

"Approved Sale" means a sheep sale approved as a Selection Centre by the Ministry of Agriculture.

Interpretation

3. The Interpretation Act, 1889 (b), as applied to Northern Ireland by the Interpretation Act (Northern Ireland), 1921 (c), shall apply to the interpretation of this Scheme as it applies to the interpretation of an Act of Parliament.

Conditions Governing Grant

4.—(1) (*a*) Grants shall be made only to persons (hereinafter called "the Purchasers") nominated therefor by the County Committee of Agriculture of the County in which the lands are situate upon which the Ram or Rams are to be grazed;

(a) 12 & 13 Geo. 6 C.2. (b) 52 & 53 Vict. C.63. (c) 12 Geo. 5 C.4 (N.I.).