1965 No. 1394

AGRICULTURE

The Agricultural Lime (Amendment) Scheme 1965

Made - - - -	13*th July* 1965
Laid before Parliament	21*st July* 1965
Coming into Operation	15*th August* 1965

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with agriculture in Scotland and in Northern Ireland, in exercise of the powers vested in them by section 1 of the Agriculture Act 1937(**a**), as amended by section 27 of the Agriculture (Miscellaneous War Provisions) Act 1940(**b**) and section 1 of the Agriculture (Miscellaneous Provisions) Act 1943(**c**) and amended and extended by section 97 of the Agriculture Act 1947(**d**), and of all other powers enabling them in that behalf, with the approval of the Treasury, hereby make the following Scheme:—

Citation, Commencement and Interpretation

1.—(1) This Scheme may be cited as the Agricultural Lime (Amendment) Scheme 1965 and shall come into operation on 15th August 1965.

(2) This Scheme and the Agricultural Lime Scheme 1964(**e**) (hereinafter referred to as "the principal Scheme") may be cited together as the Agricultural Lime Schemes 1964 to 1965.

(3) The Interpretation Act 1889(**f**) shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

Amendment of Agricultural Lime Scheme 1964

2. The principal Scheme is hereby amended as follows:—

(a) In paragraph 5(3) for the words "three quarters" there shall be substituted the words "seven tenths".

(b) In paragraph 9(1) for the words "either/or" there shall be substituted the words "either or".

(c) For paragraph 9(11) there shall be substituted the following sub-paragraph—

"(11) (a) Before refusing to approve any person as an approved supplier or withdrawing the approval of any person as an approved supplier and before amending the certificate of approval of an approved producer in pursuance of sub-paragraph (7) of this paragraph the Ministers shall give to such person or approved producer notice in writing stating the

(**a**) I Edw. 8 & 1 Geo. 6. c. 70.
(**b**) 3 & 4 Geo. 6. c. 14.
(**c**) 6 & 7 Geo. 6. c. 16.
(**d**) 10 & 11 Geo. 6. c. 48.
(**e**) S.I. 1964/903 (1964 II, p. 1908).
(**f**) 52 & 53 Vict. c. 63.

grounds on which they propose to act and shall give him an opportunity of being heard by a person appointed by them for that purpose.

(b) If by virtue of sub-paragraph (7)(a) of this paragraph an approved producer shall have been prohibited from selling any lime otherwise than as lime of a quality to which it appeared to the Ministers to conform but the Ministers have subsequently decided, on the ground that it no longer appeared to them that such lime was of a quality lower than that to which it originally purported to conform, not to proceed with a proposal to withdraw or amend the certificate of approval of the approved producer and the Ministers shall not already have given to the approved producer a notice in accordance with sub-paragraph (11)(a) of this paragraph, they shall give him a notice in writing stating the grounds upon which they proposed to act and shall give him an opportunity of being heard by a person appointed by them for that purpose."

(d) At the end of paragraph 9 there shall be added the following sub-paragraph—

"(12) Where an approved supplier or other person has been heard by a person appointed by the Ministers, the Ministers shall consider the report of the person appointed by them and, where appropriate in order to give effect to any recommendation in such report, may make a contribution under this Scheme or increase any contribution already made thereunder."

(e) For Schedule 1 and Schedule 2 to the said Scheme there shall be substituted respectively Schedule 1 and Schedule 2 to this Scheme.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 5th July 1965.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 8th July 1965.

(L.S.)

William Ross,
Secretary of State for Scotland.

Given under the hand of the Secretary of State for the Home Department on 12th July 1965.

Frank Soskice,
Secretary of State for the Home Department.

Approved
13th July 1965.

G. H. R. Rogers,
Harriet Slater,
Two of the Lords Commissioners of Her Majesty's Treasury.

SCHEDULE 1

Paragraphs 4 and 5

In this Schedule "limestone" and "lime" respectively include magnesian limestone and magnesian lime, that is to say naturally occurring combinations of magnesium carbonate and calcium carbonate and the oxides and hydroxides derived therefrom.

PART I
RATES OF CONTRIBUTION WHERE THE LIME HAS BEEN ACQUIRED BY PURCHASE

Column 1	Column 2	Column 3 Fineness (where relevant) as declared by the approved producer		Column 4
		(a)	(b)	
Kind of lime (See Note A below)	Neutralising value as declared by the approved producer	Percentage which will pass through a sieve having square apertures of the size indicated in, or, as the case may be, a sieve described in, column 3(b) of this Part of this Schedule opposite the reference to the said percentage	Size of apertures of, or description of, sieve	Contribution per ton (See Note D below)
				s. d.
Lump lime ...	70 to 85 inclusive	—	—	44 3
	Over 85	—	—	49 3
Kibbled lime ...	70 to 85 inclusive	100	1 inch	46 6
	Over 85	100	1 inch	51 6
Ground lime ...	70 to 85 inclusive	100	½ inch	48 9
	Over 85	100	½ inch	53 9
Other kinds of burnt lime	65 to 85 inclusive	—	—	27 6
	Over 85	—	—	28 6
Hydrated lime ...	65 and over	—	—	59 6
Mixed lime (see Note B below)				
Ground limestone	40 and over but under 50	40 to 45 inclusive	100 mesh (See Note C below)	17 6
		Over 45	100 mesh	18 3
	50 and over	40 to 45 inclusive	100 mesh	18 6
		Over 45	100 mesh	19 3
Agricultural limestone dust and pulverised sea shells	40 and over but under 50	20 and over but under 25	100 mesh	10 6
		25 to 35 inclusive	100 mesh	12 0
		Over 35 up to and including 45	100 mesh	12 9
		Over 45	100 mesh	13 9
	50 and over	20 and over but under 25	100 mesh	11 6
		25 to 35 inclusive	100 mesh	12 9
		Over 35 up to and including 45	100 mesh	13 9
		Over 45	100 mesh	14 9

Column 1	Column 2	Column 3		Column 4
		(a)	(b)	
				s. d.
Ground chalk	40 to 45 inclusive	100	$\frac{1}{8}$ inch	17 3
	Over 45 up to and including 50	100	$\frac{1}{8}$ inch	18 3
	Over 50	100	$\frac{1}{8}$ inch	19 3
	40 to 45 inclusive	100	$\frac{1}{4}$ inch	15 3
	Over 45 up to and including 50	100	$\frac{1}{4}$ inch	16 3
	Over 50	100	$\frac{1}{4}$ inch	17 6
Screened chalk	40 to 45 inclusive	100	$\frac{1}{4}$ inch	12 9
	Over 45	100	$\frac{1}{4}$ inch	13 6
	40 to 45 inclusive	100	$\frac{1}{2}$ inch	11 6
	Over 45	100	$\frac{1}{2}$ inch	12 3
	40 to 45	100	1 inch	10 3
	Over 45	100	1 inch	11 0
Other screened chalk, lump chalk and chalk as dug	40 and over	—	—	6 9
Shell sand (dredged)	25 and over	—	—	7 3
Shell sand (processed)	25 and over	—	—	6 0
Other shell sand	25 and over	—	—	4 9
Processed waste, processed by-product lime and marl	40 to 45 inclusive	—	—	10 6
	Over 45	—	—	11 6
Processed carbide waste lime	60 and over	—	—	14 0
Other waste or by-product lime	23 to 30 inclusive	—	—	3 6
	Over 30	—	—	6 0
Any form of calcium oxide, calcium hydroxide or calcium carbonate, or naturally occurring combinations of calcium carbonate or magnesium carbonate and the oxides and hydroxides derived therefrom, in respect of which contributions are not payable by virtue of the foregoing provisions of this Part of this Schedule	23 and over	—	—	For each whole unit of neutralising value 1

Column 1	Column 2	Column 3		Column 4
		(a)	(b)	
				s. d.
being material which appears to the Ministers to be suitable for use for adding to agricultural land in order to improve the fertility of the soil				

Notes:

A. The description in this column of any article by a name appearing in the first column of the Fourth Schedule to the Fertilisers and Feeding Stuffs Act 1926(a), as substituted by the Fertilisers and Feeding Stuffs Regulations 1960(b), shall be deemed to refer to that article, as defined in the second column of the said Schedule.

B. Mixed lime will be regarded as consisting wholly of its principal ingredient and contribution will be made by reference to the neutralising value and degree of fineness of the mixture: Provided that where the neutralising value is not less than 55 and 100 per cent. of the lime will pass through a sieve having square apertures of $\frac{1}{4}$ inch the contribution payable shall be at a rate of not less than 18s. 6d. per ton.

C. "100 mesh" means a British Standard Test Sieve Mesh No. 100.

D. Additional contributions may be made in accordance with the succeeding provisions of this Part of this Schedule.

ADDITIONAL CONTRIBUTIONS

1. Where any lime, other than waste lime or by-product lime, has been produced in Scotland and acquired for the purpose of being added to agricultural land in Scotland, an additional contribution may be made in respect of such lime equivalent to one sixth of the contribution which would otherwise be payable.

2. (a) Subject to sub-paragraph (b) of this paragraph where any lime, other than hydrated lime, is delivered in non-returnable bags an additional contribution may be made at the rate of 4s. 6d. per ton of the lime.

(b) Where any lime other than hydrated lime, is packed in non-returnable bags and an additional contribution is payable in respect thereof under either paragraph (d) of Part I of Schedule 2 to this Scheme, sub-paragraphs (i), (ii) or (iv)(a) of paragraph (d) of Part II of the said Schedule 2 or paragraph (f) of Part II of the said Schedule 2 an additional contribution may be made at the rate of 9s. 3d. per ton of lime in lieu of the additional contribution referred to in sub-paragraph (a) of this paragraph.

3. Where any lime, not being shell sand, has been produced in any of the islands hereinafter in this paragraph mentioned an additional contribution may be made in relation to such lime at the appropriate rate as follows:—

Island	*Rate of contribution per ton of lime*
	s. d.
Islay and Skye	8 3
Shetland	10 6

(a) 16 & 17 Geo. 5. c. 45. (b) S.I. 1960/1165 (1960 I, p. 185).

PART II

RATE OF CONTRIBUTION WHERE THE LIME HAS BEEN ACQUIRED OTHERWISE THAN BY PURCHASE

1. For any lime acquired otherwise than by purchase the contribution shall be payable at the rate of 1d. per ton for each unit of neutralising value. Provided that in a case where an approved producer has spread on agricultural land in his occupation in order to improve the fertility of the soil any lime of a kind to which his approval relates and which has been produced by him, a contribution may be made equivalent to three quarters of the appropriate rate calculated in accordance with Part I of this Schedule.

SCHEDULE 2

Paragraphs 4 and 5

RATES OF CONTRIBUTION IN RESPECT OF THE TRANSPORT OF LIME

PART I

England and Wales

(a) Where any lime is delivered in England and Wales elsewhere than in the counties of Cornwall, Montgomery, Cardigan, Merioneth and Pembroke a contribution may be made in accordance with the following table:

Mileage necessary to effect direct delivery from the place of production	*Rate of contribution per ton of lime*
	s. d.
Up to 5 miles	3 10
For every mile over 5 miles up to 25 miles	4
For every mile over 25 miles up to 50 miles	2

(b) Where any lime is delivered in the county of Cornwall a contribution may be made in accordance with the following table:

Mileage necessary to effect direct delivery from the place of production	*Rate of contribution per ton of lime*
	s. d.
Up to 5 miles	3 10
For every mile over 5 miles up to 25 miles	4
For every mile over 25 miles up to 100 miles	2

(c) Where any lime is delivered in the counties of Montgomery, Cardigan, Merioneth and Pembroke a contribution may be made in accordance with the following table:

Mileage necessary to effect direct delivery from the place of production	*Rate of contribution per ton of lime*
	s. d.
Up to 5 miles	3 10
For every mile over 5 miles up to 25 miles	4
For every mile over 25 miles up to 75 miles	2

(d) Where any lime is delivered in England and Wales after being transported by sea on a voyage falling within sub-paragraphs (i) or (ii) below, such transport necessarily involving the transfer of the lime from a land vehicle to a vessel an additional contribution may be made in accordance with the following table, provided that the distance of the sea voyage shall be disregarded in determining the amount of any con-

tribution that may be payable in accordance with paragraph (a), (b) or (c) of this part of this Schedule

Voyage	*Rate of contribution per ton of lime* s.	d.
(i) from the mainland of Great Britain to the Isles of Scilly	36	9
(ii) from the mainland of Great Britain to any island not within the Isles of Scilly...	22	0

PART II

Scotland

(a) Where any lime is delivered in Scotland, not being lime falling within paragraphs (b) or (e) of this part of this Schedule, a contribution may be made in accordance with the following table:

Mileage necessary to effect direct delivery from the place of production	*Rate of contribution per ton of lime* s.	d.
(i) Where the lime is delivered in those counties of Scotland not falling within the next succeeding sub-paragraph		
Up to 5 miles	3	10
For every mile over 5 miles up to 25 miles ...		4
For every mile over 25 miles up to 100 miles ...		2
For every mile over 100 miles up to 175 miles ...		1
(ii) Where the lime is delivered in the counties of Berwick, Dumfries, East Lothian, Peebles, Roxburgh and Selkirk:		
Up to 5 miles	3	10
For every mile over 5 miles up to 25 miles ...		4
For every mile over 25 miles up to 100 miles ...		2

(b) Where any lime is delivered in the counties of Aberdeen, Angus, Argyll, Banff, Bute, Caithness, Clackmannan, Fife, Inverness, Kincardine, Kinross, Moray, Nairn, Orkney, Perth, Ross and Cromarty, Sutherland and Zetland, being lime which has been brought into Scotland from a place of production in England or Wales and deposited and reloaded in, and distributed from a depot situated in one of those counties a contribution may be made in accordance with the following table:

Mileage necessary to effect delivery from the depot	*Rate of contribution per ton of lime* s.	d.
Up to 5 miles	3	10
For every mile over 5 miles up to 25 miles ...		4
For every mile over 25 miles up to 100 miles ...		2

(c) Where any lime falling within the last preceding paragraph is delivered in the counties of Scotland referred to in that paragraph an additional contribution may be made in relation to the situation of the depot and the place of delivery in accordance with the following table:

Situation of depot	*Situation of place of delivery*	*Rate of contribution per ton of lime* s.	d.
(i) In the counties of Aberdeen, Banff, Caithness, Inverness, Moray, Nairn, Orkney, Ross and Cromarty, Sutherland and Zetland	In the counties specified in the preceding column in this sub-paragraph	23	9

Situation of depot	*Situation of place of delivery*	*Rate of contribution per ton of lime* s.	d.
(ii) In the counties of Angus, Argyll, Bute, Clackmannan, Fife, Kincardine, Kinross and Perth	In the counties specified in the preceding column in sub-paragraph (i) of this paragraph	19	9
(iii) In the counties specified in this column in sub-paragraphs (i) and (ii) of this paragraph	In the counties specified in the preceding column in sub-paragraph (ii) of this paragraph	19	9

(d) Where any lime not being lime in respect of which an additional contribution may be made in accordance with the last preceding paragraph is delivered in Scotland after being transported by sea on a voyage falling within sub-paragraphs (i) to (iv) below an additional contribution may be made in accordance with the following table, provided that the distance of the sea voyage shall be disregarded in determining the amount of any contribution that may be payable in accordance with paragraph (a) of this Part of this Schedule.

Voyage	*Rate of contribution per ton of lime* s.	d.
(i) From the mainland of Great Britain, except from those counties mentioned in sub-paragraph (ii) below to		
(a) the Inner and Outer Hebrides	36	9
(b) Stroma, Orkney and Shetland	22	0
(c) islands in Bute County		
(ii) From the mainland of the counties of Sutherland, Ross and Cromarty, Inverness and Argyll to		
*(a) the Inner and Outer Hebrides except voyages mentioned in sub-paragraph (iii) below		
(b) Stroma, Orkney and Shetland	22	0
(c) islands in Bute County except voyages mentioned in sub-paragraph (iii) below		
(iii) By ferry to		
(a) Skye from Kyle of Lochalsh or Glenelg ...	3	9
(b) Isle of Bute from Colintraive		
(iv) From Northern Ireland to		
(a) islands in Bute County and the Inner Hebrides ...	22	0
(b) the mainland of Scotland	18	0

(e) Where any lime is produced and delivered in the Outer Hebrides a contribution may be made in accordance with the following table:

Mileage necessary to effect direct delivery from the place of production	*Rate of contribution per ton of lime* s.	d.
Up to 5 miles	5	3
For every mile over 5 miles up to 25 miles		6
For every mile over 25 miles up to 100 miles		2

(f) Where any lime is transported from any island in the following groups of islands that is to say Orkney, Shetland, The Hebrides or Bute County to any other island

* This contribution shall not apply to voyages to Luing by Cuan Ferry.

within the same group an additional contribution of 22s. 0d. per ton may be made provided that the contribution shall apply only in relation to such voyage as is immediately followed by delivery of the lime and provided that the distance of the sea voyage shall be disregarded in determining the amount of any contribution that may be payable in accordance with paragraphs (a), (b) and (e) of this part of this Schedule.

PART III

Northern Ireland

Where any lime is delivered in Northern Ireland a contribution may be made in accordance with the following table:

Mileage necessary to effect direct delivery from the place of production	*Rate of contribution per ton of lime*
	s. d.
Up to 5 miles	4 0
For every mile over 5 miles up to 18 miles	4
For every mile over 18 miles up to 30 miles	2

PART IV

In a case where it is shown to the satisfaction of the Ministers that, having regard to the situation of the land on which it was spread it was not practicable to arrange for the delivery of any lime without changing the conveyance or mode of conveyance in the course of such delivery (not being a change to or from transport by sea in respect of which contribution is payable under Parts I and II of this Schedule) and thereby incurring extra expense an additional contribution may be made, at the discretion of the Ministers, at a rate not exceeding 4s. 9d. per ton of lime.

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

This Scheme amends the Agricultural Lime Scheme 1964

(a) by reducing the maximum contribution towards the acquisition, spreading and transport of lime from three-quarters to seven-tenths of the cost incurred by the applicant;

(b) by extending the circumstances in which an approved producer, whose lime has been down-graded by the Ministers, may be heard by an appointed person;

(c) by substituting new schedules providing lower rates of contribution and incorporating minor variations.