1987 No. 155

AGRICULTURE

HORTICULTURE

Farm and Horticulture Development Regulations (Northern Ireland) 1987

Made	*30th March 1987*
Coming into operation . .	*1st April 1987*

The Department of Agriculture, being a department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the common agricultural policy of the European Economic Community in exercise of the powers conferred on it by the said section 2(2) and of all other powers enabling it in that behalf, hereby makes the following regulations.

Citation and commencement

1. These regulations may be cited as the Farm and Horticulture Development Regulations (Northern Ireland) 1987 and shall come into operation on 1st April 1987.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**c**) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

2.—(2) In these regulations, unless the context otherwise requires—

''agriculture'' includes horticulture, seed growing, dairy farming, the breeding and keeping of livestock, the use of land as grazing land, meadow land and osier land and the use of land for woodlands where that use is ancillary to the farming of land for other agricultutal purposes, and ''agricultural'' and references to farming shall be construed accordingly;

''agricultural business'' means a business consisting in, or such part of any business as consists in, the pursuit of agriculture, including the storage, preparation for market or transport of the produce of the business;

''agricultural produce'' includes anything (whether live or dead) produced in the course of agriculture, but does not include horticultural produce;

''the Department'' means the Department of Agriculture for Northern Ireland;

(**a**) S.I. 1972/1811

(**b**) 1972 c. 68 (Section 2 is subject to Schedule 2 of that Act and is to be read with Articles 4(6) and (8) of the Fines and Penalties (Northern Ireland) Order 1984 (S.I. 1984/703 (N.I. 3) S.R. 1984 No. 253)

(**c**) 1954 c. 33 (N.I.)

"approved" means approved by the Department in writing, and "approve" and "approval" shall be construed accordingly;

"dairy cows" means cows which have calved and which by reason of their breed or suitability are exclusively or principally kept for the production of milk either for human consumption or for processing into milk products;

"designated map" means—

(*a*) the map marked "map of less-favoured farming areas in Northern Ireland", dated 4th April 1984, signed by the Secretary of State for Northern Ireland and deposited at the offices of the Department at Dundonald House, Upper Newtownards Road, Belfast BT4 3SB;

"disadvantaged land" means land—

(*a*) which is, in the opinion of the Department, inherently suitable for extensive livestock production but not for the production of crops in quantity materially greater than that necessary to feed such livestock as are capable of being maintained on such land, and

(*b*) whose agricultural production is, in the opinion of the Department, restricted in its range by, or by any combination of, soil, relief, aspect or climate,

which land is within the area shaded blue or pink on the designated map;

"earned income", in relation to an agricultural business, means the revenue of the business as assessed by the Department provided that in any such assessment, the said revenue shall be taken to include net inventory changes and farmhouse consumption less remuneration of capital invested in the agricultural business and such charges and expenses as the Department may consider reasonable;

"ECU" means the unit of account used for the purposes of the common agricultural structures policy of the European Economic Community and any reference in these regulations to a specified number of ECU in relation to any expenditure or any grant shall be taken to be a reference to the sterling equivalent of that number of ECU converted into sterling at the agricultural exchange rate applicable on 1st January in the calendar year during which the decision to pay grant is taken;

"eligible person" has the meaning assigned to that expression by regulation 5;

"glasshouse" means a fixed or mobile structure, used for the production of horticultural produce for sale, which is mounted on durable foundations, is not less than 1.67 metres high at the ridge, and of which more than half the total area of the sides, ends and roof is of glass or such other translucent material as will give a durability and transparency similar to that of glass;

"heifers" means female bovine animals of two years of age or over which have not calved and are intended to replace dairy cows;

"horticultural produce" means—

(*a*) fruit,

(*b*) vegetables of a kind grown for human consumption, including fungi, but not including maincrop potatoes or peas grown for seed or for harvesting dry,

(*c*) flowers, pot plants and decorative foliage,

(*d*) herbs,

(*e*) seeds, other than pea seeds, and bulbs or other material being seeds, bulbs or material for sowing or planting for the production of fruit, of such vegetables, flowers, plants or foliage as aforesaid, or of herbs, or for reproduction of the seeds, bulbs or other material planted, or

(*f*) trees and shrubs, other than trees grown for the purpose of afforestation,

but does not include hops;

"horticultural production business" means an agricultural business consisting in, or such part of any agricultural business as consists in, the growing in Northern Ireland of horticultural produce for sale or the growing of produce as aforesaid and its storage, preparation for market or transport;

"labour unit" means the amount of work, other than work done by contractors, which would in the opinion of the Department occupy the full time, not exceeding 2,300 hours per year, of a full-time worker;

"less-favoured area" means land—

(*a*) which is situated in an area included in the list of less-favoured farming areas adopted by the Council or the Commission of the European Communities under Article 2 of Council Directive No. 75/268/EEC on mountain and hill farming in certain less-favoured areas(**a**). and

(*b*) which is shaded blue and pink on the designated map;

"livestock" includes any creature kept for the production of food or for the purpose of its use in the farming of land;

"main framework", in relation to a building or structure, means the floor, outer walls and roof of that building or structure and any internal dividing walls which are integral to that building or structure;

"preparation for market", in relation to produce, does not include canning, bottling, pulping or cooking, or preserving by sterlising, by freezing, by de-hydrating, by heat or by chemical process;

"severely disadvantaged land" means land

(*a*) which is, in the opininion of the Department, inherently suitable for extensive livestock production but not for the production of crops in quantity materially greater than that necessary to feed such livestock as are capable of being maintained on such land, and

(*b*) whose agricultural production is, in the opinion of the Department, severely restricted in its range by, or by any combination of, soil, relief, aspect or climate,

which land is within the area shaded pink on the designated map.

(a) OJ No. L128, 19.5.75, p. 1

Scope

3. The provisions of these regulations shall apply only to development plans approved under the Farm and Horticulture Development Regulations 1981(**a**)

Farm development grants

4.—(1) Subject to the provisions of these regulations the Department may make to any eligible person a grant towards expenditure incurred or to be incurred by him for the purposes of, or in connection with, the carrying on of an agricultural business being expenditure which:—

(*a*) was included in a development plan approved for that business under the Farm and Horticulture Development Regulations 1981;

(*b*) has been or is to be incurred in respect of any work or facility, or part thereof, or transaction of a kind specified in column 1 of Schedules 1, 2, 3, 4, 5, 6 and 7;

(*c*) appears to the Department to be of a capital nature or incurred in connection with expenditure of a capital nature; and

(*d*) is approved by the Department for the purposes of a grant under these regulations.

(2) The Department may make to an eligible person in respect of an approved development plan grants of amounts specified in regulation 10(2) for the keeping to the satisfaction of the Department of accounts of a kind described in regulation 10(1).

(3) Subject to the provisions of these regulations, the Department may make grants by way of guidance premiums of amounts calculated in accordance with regulation 11 to an eligible person in respect of an approved development plan which makes or made such provision for the breeding or keeping of cattle or sheep suitable for the production of beef or sheep meat that on completion of the plan the sales of such cattle and sheep, assessed in such manner as the Department shall consider appropriate, made in the carrying on of the business to which the development plan relates or related shall comprise more than half of all sales so made, assessed as aforesaid,

(4) The Department may, as it thinks fit, either refuse to approve expenditure or approve it in whole or in part for the purposes of a grant under paragraph (1) and may make or refuse to make a grant under paragraph (2) or (3) and any such approval may be given, or grant made, subject to such conditions as the Department thinks fit, and any payment by way of a grant under these regulations may be made at such time, or by such instalments at such intervals or times, as the Department may determine.

(5) Any approval of expenditure for the purposes of a grant under these regulations may be varied or withdrawn by the Department with the written consent of the person currently responsible for carrying on the agricultural business to which the development plan relates.

(6) Any application for a grant under these regulations, or for approval of expenditure for the purpose of such a grant, shall be made in such form and

(**a**) S.I. 1981/1707 amended by S.I. 1983/507, 1983/925, 1983/1762, 1984/620, 1984/1924 and 1986/1295

manner and at such time as the Department may from time to time require and the applicant for grant shall furnish all such particulars and information relating to the application as the Department may require.

(7) Where it appears to the Department that expenditure in respect of which approval for the purposes of a grant under paragraph (1) is applied for is expenditure incurred or to be incurred partly for the purposes of, or in connection with, the carrying on of an agricultural business and partly for other purposes, the Department may for the purposes of a grant under the said paragraph (1) treat as having been, or to be, incurred for the purposes of, or in connection with, the carrying on of an agricultural business so much of that expenditure as appears to the Department to be referable to the carrying on of an agricultural business.

Eligible persons

5.—(1) Subject to the provisions of these regulations the following kinds of person shall be eligible for a grant under these regulations—

(*a*) an individual carrying on an agricultural business; or

(*b*) a person acting for or on behalf of a body of persons carrying on an agricultural business; or

(*c*) persons carrying on an agricultural business in partnership;

whose development plan was approved under the Farm and Horticulture Development Regulations 1981.

(2) The Department shall not approve an application by an eligible person to replace the farm manager or other person through whom the agricultural business is carried on unless it is satisfied that the person who is to replace the farm manager or as the case may be other person through whom the business specified in the application is carried on—

(*a*) practises farming as his main occupation, in that not less than half of his annual income is derived from agricultural activities and the amount of time spent by him in activities connected with agriculture is equivalent to more than half the time spent by him in working: for the purposes of this sub-paragraph annual income shall be calculated in each case by reference to such year or years within 3 years immediately preceding the day on which the application is made as the Department shall determine, being a year or years which the Department is satisfied gives or give a fair indication of the normal amount of income derived from agricultural activities by that farm manager, or other person, as the case may be, and

(*b*) possesses sufficient agricultural skill and competence in that he holds an appropriate certificate issued by a teaching establishment recognised for this purpose by the Department or has been engaged in agricultural activities for not less than 5 years.

Variation and withdrawal of development plans

6. The Department may, on the written request of the person currently responsible for the carrying on of an agricultural business to which a development plan relates, vary or withdraw the approval of that plan.

Comparable income

7. For the purposes of these regulations the Department shall determine in respect of each calendar year—

(*a*) a comparable income per labour unit for Northern Ireland, having regard to the average earnings of full-time workers in occupations other than agriculture;

(*b*) a percentage increase in the comparable income, having regard to the average annual increase during the last preceding 5 years in the earnings of full-time workers in occupations other than agriculture after adjustment for changes in retail prices.

Restrictions on approval of grant under regulation 4(1) for variations

8.—(1) In respect of an application which was received on or after 2nd May 1984 for the variation of an approved development plan and subject to the provisions of paragraph (2) the Department shall not approve for the purposes of grant under regulation 4(1)—

(*a*) any expenditure in connection with the breeding or keeping of pigs where such expenditure is in respect of any work, facility or transaction which is of a kind specified in any of paragraphs 1 to 5 of column 1 of Schedules 4, 5, 6 and 7 unless it appears to the Department that, after completion of the work, facility or transaction, the number of pig places on the land occupied for the purposes of the agricultural business to which the plan relates will not exceed—

(i) 500 where the application is received before 31st December 1986;

(ii) 400 where the application is received on or after that date and before 31st December 1987, and

that the plan as varied provides that on its completion not less than 35 per cent of the feedingstuffs required for the pigs kept on the land occupied as aforesaid can be produced from the land;

(*b*) any expenditure in connection with the breeding or keeping of dairy cows or heifers (not being expenditure on the purchase of dairy cows or heifers) unless the Department is satisfied that the effect of such expenditure will not be to exceed the reference quantity or, where appropriate, the additional reference quantity determined in accordance with Council Regulation (EEC) No. 857/84(**a**) adopting general rules for the application of the levy referred to in Article 5c of Council Regulation (EEC) No. 804/68(**b**) in the milk and milk products sector and either—

(i) that such expenditure is no more than is necessary to enable the agricultural business to which the plan relates to achieve or maintain an earned income which is not less than the comparable income calculated in accordance with regulation 7 in relation to not more than 1.5 labour units and that such expenditure will not

(**a**) OJ No. L90, 1.4.84, p. 13 amended by Council Regulation (EEC) No. 590/85 (OJ No. L68, 8.3.85, p. 1) and Council Regulation (EEC) No. 1305/85 (OJ No. L137, 27.5.85, p. 12)

(**b**) OJ No. L148, 28.6.68, p. 13, Article 5c was inserted by Council Regulation (EEC) No. 856/84 (OJ No. L90, 1.4.84, p. 10) and subsequently amended by Council Regulation (EEC) No. 1557/84 (OJ No. L150, 6.6.84, p. 6) and Council Regulation (EEC) No. 1298/85 (OJ No. L137, 27.4.85, p. 5)

make possible an increase in the number of dairy cows kept on the land occupied for the purposes of the agricultural business to which the plan relates on completion of the plan to more than 40 dairy cows per labour unit reasonably required for that business under the system of production then existing up to a maximum of 1.5 labour units, or

(ii) in the case of an agricultural business which in the opinion of the Department reasonably requires more than 1.5 labour units under the existing system of production and in the carrying on of which dairy cows were kept at the date of submission of the development plan for approval, that such expenditure will not make possible an increase of more than 15 per cent in the number of dairy cows so kept at that date;

(*c*) any proposed expenditure in connection with replacing apple orchards or pear orchards to take place after 31st March 1988.

(2) Paragraph (1)(*a*) and (*b*) shall not apply in relation to any work, facility or transaction included in an application received before 3rd August 1985 for a variation to a development plan approved for the purposes of the Farm and Horticulture Development Regulations 1981 or any claim for grant towards expenditure incurred for the purposes of those regulations before that day and that paragraph shall not affect the operation of the Farm and Horticulture Development Regulations 1981 in relation to any such work, facility or transaction or claim for grant.

(3) For the purposes of this regulation "pig place" means the facilities necessary to house one fattening pig; save that where the herd includes breeding sows, the facilities necessary to house one such sow shall be taken to be the equivalent of 6.5 pig places.

Amounts of grant under regulation 4(1)

9.—(1) Subject to the provisions of this regulation and regulations 12 and 13 the amount of any grant payable under regulation 4(1) towards expenditure in respect of any work, facility or transaction of a kind specified in any of paragraphs 1 to 28 and 30 in column 1 of Schedule 1 and included in an application for approval of a development plan, or for a variation to such a plan, received before 1st February 1980 shall be the percentage of that expenditure specified in relation to that work, facility or transaction in column 2 of that Schedule, except that in the case of any work, facility or transaction which in the opinion of the Department—

(*a*) is for the purposes of, or in connection with, the carrying on of an agricultural business, or that part thereof, situated in a less-favoured area, the amount of grant so payable shall be the proportion of that expenditure, if any, specified in relation to that work or facility or transaction in column 3 of that Schedule;

(*b*) is for the purposes of, or in connection with, the carrying on of a horticultural production business as to which the Department is satisfied that at all times during the period of 24 months ending with the date of application for approval of that expenditure for the purposes of a grant under regulation 4(1) there has been occupied for the purposes of that business not less than 1.6 hectares of land,

calculated, as appropriate, in accordance with the provisions of paragraph (4), the amount of grant so payable shall be the proportion of that expenditure, if any, specified in relation to that work or facility or transaction in column 4 of that Schedule.

(2) Subject to the provisions of this regulation and regulations 12 and 13 the amount of any grant payable under regulation 4(1) towards expenditure in respect of any work, facility or transaction of a kind specified—

(*a*) in any of paragraphs 1 to 30 and 32 in column 1 of Schedule 2 and included in an application for approval of a development plan, or for a variation to such a plan, received on or after 1st February 1980;

(*b*) in any of paragraphs 1 to 32 and 34 in column 1 of Schedule 3 and included in an application for a variation to an approved development plan received on or after 1st July 1983;

(*c*) in any of paragraphs 1 to 26 and 28 in column 1 of Schedule 4 and included in an application for a variation to an approved development plan, received on or after 1st December 1983;

(*d*) in any of paragraphs 1 to 26 and 28 in column 1 of Schedule 5 and included in an application for a variation to an approved development plan, received on or after 2nd May 1984;

(*e*) in any of paragraphs 1 to 26 and 28 in column 1 of Schedule 6 and included in an application for a variation to an approved development plan, received on or after 12th December 1984;

(*f*) in any of paragraphs 1 to 26 and 28 in column 1 of Schedule 7 and included in an application for a variation to an approved development plan, received on or after 26th July 1986;

shall be the percentage of that expenditure specified in relation to that work, facility or transaction in column 2 of the appropriate Schedule, except that in the case of any work, facility or transaction which, in the opinion of the Department—

(i) is for the purposes of, or in connection with, the carrying on of an agricultural business, or that part thereof, situated in a less-favoured area on severely disadvantaged land the amount of grant so payable shall be the proportion of that expenditure, if any, specified in relation to that work or facility or transaction in column 3 of those Schedules;

(ii) is of a kind specified in any of paragraphs 1 to 8, 10 to 28 and 30 in column 1 of Schedule 2 or any of paragraphs 1 to 10, 12 to 32 and 34 in column 1 of Schedule 3 or any of paragraphs 1 to 8, 10 to 24 and 26 in column 1 of Schedules 4, 5, 6 or 7 respectively and is for the purposes of or in connection with the carrying on of an agricultural business, or that part thereof, situated in a less-favoured area on disadvantaged land, the amount of grant so payable shall be the proportion of that expenditure, if any, specified in relation to that work, facility or transaction in column 3 of the appropriate Schedule;

(iii) is for the purposes of, or in connection with the carrying on of a horticultural production business as to which the Department is satisfied that at all times during the period of 24 months ending

with the date of application for approval of that expenditure for the purposes of a grant under regulation 4(1) there has been occupied for the purposes of that business not less than 1.6 hectares of land, calculated, as appropriate, in accordance with the provisions of paragraph (4), the amount of grant so payable shall be the proportion of that expenditure, if any, specified in relation to that work or facility or transaction in column 4 of the appropriate Schedule

(3) (*a*) Any eligible person whose application for assistance was received before any of the dates specified in paragraph (2)(*a*), (2)(*b*), (2)(*c*), (2)(*d*), (2)(*e*) or (2)(*f*) respectively and whose development plan is or has been approved may with the consent of the Department be paid in respect of a particular work or facility or transaction, grant at the rate specified in Schedules 2, 3, 4, 5, 6 and 7 respectively in relation to that work or facility or transaction (if that rate is higher than the rate specified for the purposes of the approved development plan) if the expenditure incurred in respect of such work, facility or transaction was incurred on or after the date specified in paragraph (2)(*a*), (2)(*b*), (2)(*c*), (2)(*d*), (2)(*e*) or (2)(*f*) respectively.

(*b*) An eligible person whose land was with effect from 2nd May 1984 re-designated as disadvantaged land under the Farm and Horticulture Development Regulations 1981(**a**) and whose development plan is or has been approved shall be paid in respect of any work, facility or transaction specified in column 1 of any of the Schedules to these regulations grant at the rate specified in column 3 of the appropriate Schedule if the expenditure incurred towards a particular work, facility or transaction was so incurred on or after 29th February 1984.

(4) For the purposes of paragraph (1) or (2) there shall be added to the actual area of land occupied for the purposes of the horticultural production business any area given by multiplying—

(*a*) by 20 the area of land in any building so occupied for the production of rhubarb or mushrooms, and

(*b*) by 20 the area of land so occupied which is or can at any time be covered by any glasshouse in use or available for use thereon, and

(*c*) by 5 the area of any watercress bed on the land so occupied, and

(*d*) by 5 the area of any land so occupied which is or can at any one time be covered by any structure (not being a glasshouse) in use or available for use thereon and clad with glass or other translucent material, including lights, cloches and plastic tunnels designed and used to give all round protection to crops, and

(*e*) by 5 any part of the land so occupied which is necessary for access to horticultural produce growing or to be grown on any area mentioned in sub-paragraph (*c*) or (*d*).

(5) In this regulation—

(**a**) S.I. 1981/1707 amended by S.I. 1983/925, 1983/1762, 1984/620, 1984/1924 and 1986/1295

the area referred to in paragraph (4)(*a*) includes the superficial area of the soil or other material used for growing mushrooms in trays or on shelves.

(6) Where it appears to the Department that expenditure towards which grant is payable under regulation 4(1) is expenditure incurred partly for the purposes of, or in connection with, the carrying on of a horticultural production business and partly for other purposes, the Department may for the purpose of determining the amount of grant so payable towards that expenditure treat as having been incurred for the purposes of, or in connection with, the carrying on of a horticultural production business so much of that expenditure as appears to the Department to be referable to the carrying on of that horticultural production business.

(7) Where it appears to the Department that expenditure towards which grant is payable under regulation 4(1) has been incurred for the purposes of, or in connection with the carrying on of an agricultural business situated partly in a less-favoured area on severely disadvantaged land or partly on disadvantaged land, the Department may, for the purpose of determining the amount of grant so payable towards that expenditure, treat as having been incurred for the purposes of, or in connection with, that part of the business situated on the severely disadvantaged land or on the disadvantaged land so much of that expenditure as appears to the Department to be referable to the carrying on of that part of the business.

(8) The amount of any grant payable under regulation 4(1) towards expenditure in respect of the carrying out or provision of any work or facility which is incidental to the carrying out or provision of another work or facility of any kind specified in any of paragraphs 1 to 28 in column 1 of Schedule 1; any of paragraphs 1 to 30 in column 1 of Schedule 2; any of paragraphs 1 to 32 in column 1 of Schedule 3 or in any of paragraphs 1 to 26 in column 1 of Schedules 4, 5, 6 or 7 respectively necessary or proper in the carrying out or provision of that other work or facility or for securing the full benefit thereof shall be calculated at the rate of grant appropriate to that other work or facility in accordance with the provisions of this regulation.

(9) Where it appears to the Department that the expenditure reasonably incurred in the carrying out of any development plan exceeds the expenditure approved for the purposes of grant under regulation 4(1) in respect of any work or facility or transaction of a kind specified in paragraphs 1 to 16, 20 to 23, 28 and 29 in column 1 of Schedule 1; paragraphs 1 to 18, 22 to 25, 30 and 31 in column 1 of Schedule 2; paragraphs 1 to 20, 24 to 27, 32 and 33 in column 1 of Schedule 3 or paragraphs 1 to 16, 19 to 22, 26 and 27 in column 1 of Schedules 4, 5, 6 or 7 respectively, the Department may approve for the purposes of grant the difference between the amount of expenditure so approved, and the amount of expenditure actually incurred.

Accounts and amounts of grant payable in connection therewith

10.—(1) The accounts referred to in regulation 4(2) are accounts relating to an agricultural business to which an approved development plan relates and the keeping of those accounts—

(*a*) shall comprise—

(i) the drawing up of an annual trading account and profit and loss account and balance sheet, and

(ii) the systematic and regular recording during the accounting year of the transactions in kind and in cash carried out in the course of carrying on the agricultural business;

(*b*) shall result in the submission to the Department at the end of each accounting year—

(i) of a description of the general characteristics of the agricultural business, and in particular of the factors of production used, and

(ii) of a detailed balance sheet and trading accounts and profit and loss accounts, and

(iii) of such information as is necessary to assess the efficiency of the management of the agricultural business as a whole, and in particular the earned income per labour unit and the income of the person carrying on the agricultural business, and as is necessary to assess the profitability of the main kinds of production of the agricultural business.

(2) Subject to the provisions of regulation 13, the amounts of grant payable under regulation 4(2) shall be, in respect of the first of the years in which the development plan is carried out, 259 ECU and, in respect of each of the next 3 years, 167 ECU.

Amounts of guidance premiums

11.—(1) Subject to the provisions of regulation 13, the amounts of grant payable by way of guidance premium under regulation 4(3) shall be calculated in relation to the number of hectares of land occupied for the purposes of the agricultural business to which the development plan relates, or in the case of a development plan which has been completed, related, being the number of hectares of land which in the opinion of the Department is, or was, necessary for the breeding or keeping of cattle or sheep suitable for the production of beef or sheep meat in the carrying out of that development plan, at the rate of—

(*a*) £30·56 per hectare in the first year;

(*b*) £20·67 per hectare in the second year;

(*c*) £10·52 per hectare in the third year;

(2) No payment of grant by way of guidance premium shall exceed £3,056 in respect of the first year, £2,067 in respect of the second year or £1,052 in respect of the third year.

Standard costs

12. In such cases, and subject to such conditions, as the Department may from time to time determine, the cost of any work or facility, or the amount of any other cost or expenditure, shall, if the applicant for grant so elects, be taken for the purpose of determining the amount of any grant payable under these regulations as such standard cost or amount as the Department may from time to time fix with the approval of the Department of Finance and Personnel.

Restrictions on grant

13. The Department may reduce or withhold any grant payable under these regulations in any case where—

(*a*) assistance in respect of expenditure towards which such grant is claimed is or may be given otherwise than under these regulations, or

(*b*) the carrying out or provision of the work or facility, towards the expenditure on which such grant is claimed, appears to the Department to frustrate the purposes served by assistance previously given out of money provided by the Parliament of the United Kingdom or the European Economic Community, or

(*c*) the greater part of the land affected by the development plan, in connection with the carrying out of which the grant is claimed, has been affected by another development plan within the immediately preceding 5 years.

14. The Department shall not pay any grant under these regulations in respect of replacing any apple orchards or pear orchards unless the claim for grant is received on or before 31st March 1988.

Recovery of grant and revocation of approval

15. If at any time after the Department has approved any expenditure for the purposes of a grant under these regulations or has made any grant under regulation 4(2) or (3) it appears to the Department—

(*a*) that any condition subject to which the approval was given or the grant has been made has not been complied with, or

(*b*) that any work or facility in respect of expenditure on which the approval was given has been badly done or provided, or has been or is being unreasonably delayed, or is unlikely to be completed, or

(*c*) that the person by whom the application for that approval or that grant was made gave information on any matter relevant to the giving of the approval or the making of the grant which was false or misleading in a material respect,

the Department may on demand recover an amount equal to the grant or such part thereof as the Department may specify and may revoke the approval in whole or in part; but before making a demand or revoking an approval in whole or in part under the preceding provisions of this regulation the Department—

(i) shall give to any person to whom any payment by way of such grant would be payable or from whom any such payment would be recoverable a written notification of the reasons for the action proposed to be taken by the Department, and

(ii) shall accord to each such person an opportunity of appearing before and being heard by a person appointed for the purpose by the Department, and

(iii) shall consider the report by a person so appointed and supply a copy of the report to each person who is entitled to appear before the person submitting it.

False statements

16. If any person, for the purposes of obtaining for himself or any other person any grant under these regulations, knowingly or recklessly makes a false statement, he shall be liable on summary conviction to a fine not exceeding £2,000.

Rights of entry

17. For the purpose of these regulations and, in particular, for the purpose of securing that grants under these regulations are made in proper cases only, any person duly authorised in that behalf by the Department may, upon production if so required of his appointment or authority, at all reasonable times enter upon and inspect any land, and inspect any premises, plant, equipment or livestock in respect of which grant under these regulations has been made or claimed.

Transitional provisions

18. Without prejudice to sections 28 and 29 of the Interpretation Act (Northern Ireland) 1954(**a**)—

(*a*) the provisions of these regulations shall apply to applications received, development plans submitted or approved, expenditure incurred or other act or thing done under the Farm and Horticulture Development Regulations 1981(**b**) and such applications, development plans or expenditure shall be deemed to have been received, submitted or incurred or other act or thing shall be deemed to have been done under, in accordance with and for the purposes of, the provisions of these regulations;

(*b*) anything whatsoever begun under the Farm and Horticulture Development Regulations 1981 may be continued under these regulations as if it had been begun under these regulations; and

(*c*) references in these regulations to applications received, development plans submitted or approved, expenditure incurred, or other act or thing done before the coming into operation of these regulations are to such applications received, development plans submitted or approved, expenditure incurred or act or thing done under the Farm and Horticulture Development Regulations 1981.

Revocation

19. The regulations specified in Schedule 8 insofar as they form part of the law of Northern Ireland, are hereby revoked.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 30th March 1987.

(L.S.) *L. Sinclair*
Assistant Secretary

(**a**) 1954 c. 33 (N.I.)
(**b**) S.I. 1981/1707 amended by S.I. 1983/507, 1983/925, 1983/1762, 1984/620, 1984/1924 and 1986/1295

SCHEDULE 1 Regulation 9(1), (8) and (9)

Eligible Works, Facilities and Transactions and Rates of Grant

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
1.	Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings and permanently sited durable structures for cladding with plastic (except living accommodation and buildings and structures designed and intended for horticultural use or for any use mentioned in paragraph 11 and works and facilities specified in paragraphs 2 and 3); silos designed and intended for use for grain storage, bulk dry stores, yards, loading platforms, ramps or banks.	25	30	Not applicable
2.	Provision, replacement, improvement, alteration, enlargement or reconditioning of silos (other than silos intended for grain storage); provision and installation of equipment for loading or unloading such silos.	40	40	Not applicable
3.	Provision, replacement, improvement, alteration, enlargement or reconditioning of permament buildings for cattle (except for any use mentioned in paragraph 11); dairy and parlour buildings and associated collecting yards; associated systems for disposal of waste; other associated services.	40	40	Not applicable

4.	Provision, replacement or improvement of systems for the disposal of farm waste except waste systems specified in paragraph 3.	25	30	30
5.	Provision, replacement or improvement of facilities for the supply of electricity or gas for agricultural purposes.	25	30	30
6.	Provision, replacement or improvement of facilities for the supply of water, including the provision, replacement or improvement of facilities for water storage.	25	50	30
7.	Field drainage, including under-drainage and ditching.	60	70	60
8.	Provision or improvement of farm flood protection works, protection or improvement of river banks.	25	50	25
9.	Provision, replacement or improvement of roads, paths and other permanent ways, hard standings, fords, bridges, culverts, railway crossings, creeps, piers, jetties or slips.	25	50	30
10.	Provision, replacement or improvement of sheep grids or cattle grids.	25	50	30
11.	Provision, replacement or improvement of pens, dips, stells, or other facilities designed and intended for use in connection with the gathering, treatment or feeding of sheep or cattle or for sheltering them in periods of adverse weather but not for in-wintering.	25	50	Not applicable
12.	Provision, replacement or improvement of permanent fences, hedges, walls or gates.	25	50	30

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* *Per cent*	*Agricultural business in Less-Favoured Area. Rate of grant* *Per cent*	*Horticultural production business. Rate of grant* *Per cent*
13.	Provision, replacement or improvement of shelter belts.	10	50	30
14.	(i) Reseeding and regeneration of grassland and laying down of permanent pasture, including the application of lime or fertiliser (other than normal husbandry applications).	25	Not applicable	Not applicable
	(ii) Reseeding and regeneration of grassland; laying down of permanent pasture, application of lime or fertiliser (other than normal husbandry applications) for the benefit of grassland.	Not applicable	50	Not applicable
	(iii) Clearance and reclamation of land; subsoiling; burning heather or grass or making muirburn, land levelling or grading (including filling in of ditches or ponds); removal of tree roots, boulders or other obstructions to cultivation; bracken control.	25	50	30
15.	Orchard grubbing.	25	25	30
16.	Provision, replacement or improvement of wirework for hop gardens.	25	25	Not applicable

17.	Provision or installation or replacement of:			
	(i) Plant or machinery (including fixtures and fittings) for agricultural purposes (excluding plant or machinery which has been used before installation or which is installed in, or is wholly for the benefit of, living accommodation or which is of a kind specified in sub-paragraphs (ii) and (iii) or paragraphs 24 to 26).	10	15	10
	(ii) Fans for barn hay drying and associated equipment, hay and silage making machinery (except tractors).	20	25	Not applicable
	(iii) Milking and associated equipment, bulk milk tanks.	20	25	Not applicable
18.	Provision, replacement or improvement of stakes and wirework for vineyards.	25	25	25
19.	Provision, replacement or improvement of stakes and wirework for cane fruit.	20	20	20
20.	Claying or marling or soil mixing.	10	10	10
21.	Provision or enlargement of permanent buildings, of permanently sited frames or of durable structures for cladding with plastic, designed and intended for the production of horticultural produce.	Not applicable	Not applicable	10
22.	(i) Replacement, reconstruction, alteration, reconditioning or other improvement of existing permanent buildings, of permanently sited frames or of durable structures for cladding with plastic, designed and intended for horticultural use (excluding any work or facility specified in paragraph 21).	Not applicable	Not applicable	30

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* Per cent	*Agricultural business in Less-Favoured Area. Rate of grant* Per cent	*Horticultural production business. Rate of grant* Per cent
	(ii) Provision or enlargement of permanent buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 21).	Not applicable	Not applicable	30
	(iii) Supply and installation of permanent thermal insulation, vapour sealing or gas sealing for the control of temperature or atmosphere in buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 21).	Not applicable	Not applicable	30
23.	Provision, replacement, improvement, alteration, enlargement or reconditioning of watercress beds.	Not applicable	Not applicable	30
24.	Plant or equipment designed and intended for the production or harvesting of horticultural produce (excluding plant or equipment of a kind specified in paragraph 25 or 26).	Not applicable	Not applicable	20
25.	Plant or equipment designed and intended for the storage or preparation for market of horticultural produce (excluding plant or equipment of a kind specified in paragraph 26).	Not applicable	Not applicable	20

26.	Plant or equipment, including tractors and ancillary equipment, designed and intended for the cultivation of horticultural crops and produce.	Not applicable	Not applicable	10
27.	(i) Purchase of livestock (except fresh water fish for food production).	10	15	Not applicable
	(ii) Purchase of fresh water fish for food production.	10	10	Not applicable
28.	Provision, replacement, improvement, alteration or enlargement of facilities for the farming of fresh water fish for food production.	10	10	Not applicable
29.	Any work or facility incidental to the carrying out or provision of any work or facility specified in any of paragraphs 1 to 28 or necessary or proper in carrying it out or providing it or securing the full benefit thereof.	The rate appropriate to that work or facility in accordance with the provisions of the Scheme		
30.	Preparation of development plans.	25	25	25

SCHEDULE 2 Regulation 9(2)(*a*), (3), (8) and (9)

Eligible Works, Facilities and Transactions and Rates of Grant

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* Per cent	*Agricultural business in Less-Favoured Area. Rate of grant* Per cent	*Horticultural production business. Rate of grant* Per cent
1.	Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings and permanently sited durable structures for cladding with plastic (except living accommodation and buildings and structures designed and intended for horticultural use or any use mentioned in paragraph 11 and works and facilities specified in paragraphs 2 and 3); silos designed and intended for use for grain storage, bulk dry stores, yards, loading platforms, ramps or banks.	32·5	37·5	Not applicable
2.	Provision, replacement, improvement, alteration, enlargement or reconditioning of silos (other than silos intended for grain storage); provision and installation of equipment for loading or unloading such silos.	32·5	37·5	Not applicable
3.	Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings for cattle (except for any use mentioned in paragraph 11); dairy and parlour buildings and associated collecting yards.	32·5	37·5	Not applicable

4.	Provision, replacement or improvement of systems for the disposal of farm waste.	32·5	37·5	32·5
5.	Provision, replacement or improvement of facilities for the supply of electricity or gas for agricultural purposes.	32·5	37·5	32·5
6.	Provision, replacement or improvement of facilities for the supply of water, including the provision, replacement or improvement of facilities for water storage.	32·5	50	32·5
7.	Field drainage, including under-drainage and ditching.	50	70	50
8.	Provision or improvement of farm flood protection works, protection or improvement of river banks.	32·5	50	32·5
9.	Provision, replacement or improvement of roads, paths and other permanent ways, hard standings, fords, bridges, culverts, railway crossings, creeps, piers, jetties or slips.	32·5	50	32·5
10.	Provision, replacement or improvement of sheep grids or cattle grids.	32·5	50	32·5
11.	Provision, replacement or improvement of pen dips, stells, or other facilities designed and intended for use in connection with the gathering, treatment or feeding of sheep or cattle or for sheltering them in periods of adverse weather but not for in-wintering.	32·5	50	Not applicable
12.	Provision, replacement or improvement of permanent fences, hedges, walls or gates.	32·5	50	32·5

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* Per cent	*Agricultural business in Less-Favoured Area. Rate of grant* Per cent	*Horticultural production business. Rate of grant* Per cent
13.	Provision, replacement or improvement of shelter belts.	5	50	32·5
14.	(i) Reseeding and regeneration of grassland and laying down of permanent pasture, including the application of lime or fertiliser (other than normal husbandry applications).	32·5	Not applicable	Not applicable
	(ii) Reseeding and regeneration of grassland; laying down of permanent pasture, application of lime or fertiliser (other than normal husbandry applications) for the benefit of grassland.	Not applicable	50	Not applicable
	(iii) Clearance and reclamation of land; subsoiling; burning heather or grass or making muirburn; land levelling or grading (including filling in of ditches or ponds); removal of tree roots, boulders or other obstructions to cultivation; bracken control.	32·5	50	32·5
15.	Orchard grubbing.	32·5	32·5	32·5
16.	Replacement of apple orchards (other than apple orchards consisting of trees producing cider apples) which have been grubbed up after 7th November 1982 by an equal or smaller area of apple orchards consisting of—	32·5	32·5	32·5

	(i) the varieties of apple trees known as Cox's Orange Pippin apple, Bramley's Seedling apple or Spartan apple; (ii) any other named varieties of apple trees required for pollination (other than varieties producing cider apples) not exceeding in total one third of the number of trees of the varieties specified in sub-paragraph (i); (iii) any species of crab apple tree and any hybrid varieties of crab apple tree required for pollination.			
17.	Replacement of pear orchards (other than pear orchards consisting of trees producing perry pears) which have been grubbed up after 7th November 1982 by an equal or smaller area of pear orchards consisting of— (i) the varieties of pear trees known as Conference pear or Doyenne du Comice pear; (ii) any other named varieties of pear trees required for pollination (other than varieties producing perry pears) not exceeding in total one third of the number of trees of the varieties specified in sub-paragraph (i).	32·5	32·5	32·5
18.	Provision, replacement or improvement of wirework for hop gardens.	32·5	32·5	Not applicable
19.	Provision or installation or replacement of: (i) Plant or machinery (including fixtures and fittings) for agricultural purposes (excluding plant or machinery which has been used before installation or which is installed in, or is wholly for the benefit of, living accommodation or which is of a kind specified in sub-paragraphs (ii) and (iii) or paragraph 26 to 28).	5	10	5

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
	(ii) Fans for barn hay drying and associated equipment, hay and silage making machinery (except tractors).	5	10	Not applicable
	(iii) Milking and associated equipment, bulk milk tanks.	5	10	Not applicable
20.	Provision, replacement or improvement of stakes and wirework for vineyards.	32·5	32·5	32·5
21.	Provision, replacement or improvement of stakes and wirework for cane fruit.	20	20	20
22.	Claying or marling or soil mixing.	5	10	5
23.	Provision or enlargement of permanent buildings, of permanently sited frames or of durable structures for cladding with plastic, designed and intended for the production of horticultural produce.	Not applicable	Not applicable	5
24.	(i) Replacement, reconstruction, alteration, reconditioning or other improvement of existing permanent buildings, of permanently sited frames or of durable structures for cladding with plastic, designed and intended for horticultural use (excluding any work or facility specified in paragraph 23).	Not applicable	Not applicable	32·5

	(ii) Provision or enlargement of permanent buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 23).	Not applicable	Not applicable	32·5
	(iii) Supply and installation of permanent thermal insulation, vapour sealing or gas sealing for the control of temperature or atmosphere in buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 23).	Not applicable	Not applicable	32·5
25.	Provision, replacement, improvement, alteration, enlargement or reconditioning of watercress beds.	Not applicable	Not applicable	32·5
26.	Plant or equipment designed and intended for the production or harvesting of horticultural produce (excluding plant or equipment of a kind specified in paragraph 27 or 28).	Not applicable	Not applicable	20
27.	Plant or equipment designed and intended for the storage or preparation for market of horticultural produce (excluding plant or equipment of a kind specified in paragraph 28).	Not applicable	Not applicable	20
28.	Plant or equipment, including tractors and ancillary equipment, designed and intended for the cultivation of horticultural crops and produce.	Not applicable	Not applicable	5
29.	(i) Purchase of livestock (except fresh water fish for food production).	5	10	Not applicable
	(ii) Purchase of fresh water fish for food production).	5	10	Not applicable

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
30.	Provision, replacement, improvement, alteration or enlargement of facilities for the farming of fresh water fish for food production.	5	10	Not applicable
31.	Any work or facility incidental to the carrying out or provision of any work or facility specified in any of paragraphs 1 to 30 or necessary or proper in carrying it out or providing it or securing the full benefit thereof.	The rate appropriate to that work or facility in accordance with the provisions of the Scheme		
32.	Preparation of development plans.	32·5	32·5	32·5

SCHEDULE 3 Regulation 9(2)(*b*), (3), (8) and (9)

Eligible Works, Facilities and Transactions and Rates of Grant

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* *Per cent*	*Agricultural business in Less-Favoured Area. Rate of grant* *Per cent*	*Horticultural production business. Rate of grant* *Per cent*
1.	Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings and permanently sited durable structures for cladding with plastic (except living accommodation and buildings and structures designed and intended for horticultural use or for any use mentioned in paragraph 13 and works and facilities specified in paragraphs 2, 3, 4 and 5); bulk dry stores, (other than bulk dry stores intended for grain drying or storage), yards, loading platforms, ramps or banks.	32·5	37·5	Not applicable
2.	Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings, bulk dry stores or silos designed and intended for grain drying or storage other than buildings, bulk dry stores or silos falling within paragraph 3.	22·5	27·5	Not applicable
3.	Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings, bulk dry stores or silos designed and intended solely for the drying or storage of grain for consumption by livestock kept on the land used in connection with the carrying on of the agricultural business to which the claim for grant relates.	32·5	37·5	Not applicable

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
4.	Provision, replacement, improvement, alteration, enlargement or reconditioning of silos (other than silos intended for grain storage); provision and installation of equipment for loading or unloading such silos.	32·5	37·5	Not applicable
5.	Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings for cattle (except for any use mentioned in paragraph 13); dairy and parlour buildings and associated collecting yards.	32·5	37·5	Not applicable
6.	Provision, replacement, or improvement of systems for the disposal of farm waste.	32·5	37·5	32·5
7.	Provision, replacement or improvement of facilities for the supply of electricity or gas for agricultural purposes	32·5	37·5	32·5
8.	Provision, replacement or improvement of facilities for the supply of water, including the provision, replacement or improvement of facilities for water storage.	32·5	50	32·5
9.	Field drainage, including under-drainage and ditching.	50	70	50

10.	Provision or improvement of farm flood protection works, protection or improvement of river banks.	32·5	50	32·5
11.	Provision, replacement or improvement of roads, paths and other permanent ways, hard standings, fords, bridges, culverts, railway crossings, creeps, piers, jetties or slips.	32·5	50	32·5
12.	Provision, replacement or improvement of sheep grids or cattle grids.	32·5	50	32·5
13.	Provision, replacement or improvement of pens, dips, stells, or other facilities designed and intended for use in connection with the gathering, treatment or feeding of sheep or cattle or for sheltering them in periods of adverse weather but not for in-wintering.	32·5	50	Not applicable
14.	Provision, replacement or improvement of permanent fences, hedges, walls or gates.	32·5	50	32·5
15.	Provision, replacement or improvement of shelter belts.	5	50	32·5
16.	(i) Reseeding and regeneration of grassland and laying down of permanent pasture, application of lime or fertiliser (other than normal husbandry application).	32·5	Not applicable	Not applicable
	(ii) Reseeding and regeneration of grassland; laying down of permanent pasture, including the application of lime or fertiliser (other than normal husbandry applications) for the benefit of grassland.	Not applicable	50	Not applicable

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* *Per cent*	*Agricultural business in Less-Favoured Area. Rate of grant* *Per cent*	*Horticultural production business. Rate of grant* *Per cent*
	(iii) Clearance and reclamation of land; subsoiling; burning heather or grass or making muirburn; land levelling or grading (including filling in of ditches or ponds); removal of tree roots, boulders or other obstructions to cultivation; bracken control.	32·5	50	32·5
17.	Orchard grubbing.	32·5	32·5	32·5
18.	Replacement of apple orchards (other than apple orchards consisting of trees producing cider apples) which have been grubbed up after 7th November 1982 by an equal or smaller area of apple orchards consisting of— (i) the varieties of apple trees known as Cox's Orange Pippin apple, Bramley's Seedling apple or Spartan apple; (ii) any other named varieties of apple trees required for pollination (other than varieties producing cider apples) not exceeding in total one third of the number of trees of the varieties specified in sub-paragraph (i);	32·5	32·5	32·5

	(iii) any species of crab apple tree and any hybrid varieties of crab apple tree required for pollination.			
19.	Replacement of pear orchards (other than pear orchards consisting of trees producing perry pears) which have been grubbed up after 7th November 1982 by an equal or smaller area of pear orchards consisting of— (i) the varieties of pear trees known as Conference pear or Doyenne du Comice pear; (ii) any other named varieties of pear trees required for pollination (other than varieties producing perry pears) not exceeding in total one third of the number of trees of the varieties specified in sub-paragraph (i).	32·5	32·5	32·5
20.	Provision, replacement or improvement of wirework for hop gardens.	32·5	32·5	Not applicable
21.	Provision or installation or replacement of:			
	(i) Plant or machinery (including fixtures and fittings) for agricultural purposes (excluding plant or machinery which has been used before installation or which is installed in, or is wholly for the benefit of, living accommodation or which is of a kind specified in sub-paragraphs (ii) and (iii) or paragraphs 28 to 30.	5	10	5
	(ii) Fans for barn hay drying and associated equipment, hay and silage making machinery (except tractors).	5	10	Not applicable
	(iii) Milking and associated equipment, bulk milk tanks.	5	10	Not applicable

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* *Per cent*	*Agricultural business in Less-Favoured Area. Rate of grant* *Per cent*	*Horticultural production business. Rate of grant* *Per cent*
22.	Provision, replacement or improvement of stakes and wirework for vineyards.	32·5	32·5	32·5
23.	Provision, replacement or improvement of stakes and wirework for cane fruit.	20	20	20
24.	Claying or marling or soil mixing.	5	10	5
25.	Provision or enlargement of permanent buildings, of permanently sited frames or of durable structures for cladding with plastic designed and intended for the production of horticultural produce.	Not applicable	Not applicable	5
26.	(i) Replacement, reconstruction, alteration, reconditioning or other improvement of existing permanent buildings, of permanently sited frames or of durable structures for cladding with plastic, designed and intended for horticultural use (excluding any work or facility specified in paragraph 25).	Not applicable	Not applicable	32·5
	(ii) Provision or enlargement of permanent buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 25).	Not applicable	Not applicable	32·5

	(iii) Supply and installation of permanent thermal insulation vapour sealing or gas sealing for the control of temperature or atmosphere in buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 25).	Not applicable	Not applicable	32·5
27.	Provision, replacement, improvement, alteration, enlargement or reconditioning of watercress beds.	Not applicable	Not applicable	32·5
28.	Plant or equipment designed and intended for the production or harvesting of horticultural produce (excluding plant or equipment of a kind specified in paragraph 29 or 30).	Not applicable	Not applicable	20
29.	Plant or equipment designed and intended for the storage or preparation for market of horticultural produce (excluding plant or equipment of a kind specified in paragraph 30).	Not applicable	Not applicable	20
30.	Plant or equipment, including tractors and ancillary equipment designed and intended for the cultivation of horticultural crops and produce	Not applicable	Not applicable	5
31.	(i) Purchase of livestock (except fresh water fish for food production).	5	10	Not applicable
	(ii) Purchase of fresh water fish for food production.	5	10	Not applicable
32.	Provision, replacement, improvement, alteration or enlargement of facilities for the farming of fresh water fish for food production.	5	10	Not applicable

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
33.	Any work or facility incidental to the carrying out or provision of any work or facility specified in any of paragraphs 1 to 32 or necessary or proper in carrying it out or providing it or securing the full benefit thereof.	The rate appropriate to that work or facility in accordance with the provisions of the Scheme		
34.	Preparation of development plans.	32·5	32·5	32·5

SCHEDULE 4 Regulations 8, 9(2)(*c*), (3), (8) and (9)

Eligible Works, Facilities and Transactions and Rates of Grant

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
1.	(i) Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings and permanently sited durable structures for cladding with plastic (except living accomodation and buildings and structures designed and intended for horticultural use or for any use mentioned in paragraph 11 and works and facilities specified in sub-paragraph (ii), paragraphs 2 and 3); bulk dry stores (other than bulk dry stores intended for grain drying or storage), yards, loading platforms, ramps or banks.	32·5	37·5	Not applicable
	(ii) Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings, bulk dry stores or silos designed and intended solely for the drying or storage of grain for consumption by livestock kept on the land used in connection with the carrying on of the agricultural business to which the claim for grant relates	32·5	37·5	Not applicable

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* *Per cent*	*Agricultural business in Less-Favoured Area. Rate of grant* *Per cent*	*Horticultural production business. Rate of grant* *Per cent*
2.	Provision, replacement, improvement, alteration, enlargement or reconditioning of silos (other than silos intended for grain storage); provision and installation of equipment for loading or unloading such silos.	32·5	37·5	Not applicable
3.	Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings for cattle (except for any use mentioned in paragraph 11); dairy and parlour buildings and associated collecting yards.	32·5	37·5	Not applicable
4.	Provision, replacement or improvement of systems for the disposal of farm waste.	32·5	37·5	32·5
5.	Provision, replacement or improvement of facilities for the supply of electricity or gas for agricultural purposes.	32·5	37·5	32·5
6.	Provision, replacement or improvement of facilities for the supply of water, including the provision, replacement or improvement of facilities for water storage.	32·5	50	32·5
7.	Field drainage, including under-drainage and ditching but excluding any hedge removal.	50	70	50

8.	Provision or improvement of farm flood protection works, protection or improvement of river banks.	32·5	50	32·5
9.	Provision, replacement or improvement of roads, paths and other permanent ways, hard standings, fords, bridges, culverts, railway crossings, creeps, piers, jetties or slips.	32·5	50	32·5
10.	Provision, replacement or improvement of sheep grids or cattle grids.	32·5	50	32·5
11.	Provision, replacement or improvement of pens, dips, stells, or other facilities designed and intended for use in connection with the gathering, treatment or feeding of sheep or cattle or for sheltering them in periods of adverse weather but not for in-wintering.	32·5	50	Not applicable
12.	(i) Provision, replacement or improvement of hedges, walls and associated gates.	32·5	60	32·5
	(ii) Provision, replacement or improvement of permanent fences and associated gates.	32·5	50	32·5
13.	Provision, replacement or improvement of shelter belts.	5	60	32·5
14.	(i) Reseeding and regeneration of grassland and laying down of permanent pasture, including the application of lime or fertiliser (other than normal husbandry applications).	32·5	Not applicable	Not applicable
	(ii) Reseeding and regeneration of grassland; laying down of permanent pasture, application of lime or fertiliser (other than normal husbandry applications) for the benefit of grassland.	Not applicable	50	Not applicable

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* *Per cent*	*Agricultural business in Less-Favoured Area. Rate of grant* *Per cent*	*Horticultural production business. Rate of grant* *Per cent*
	(iii) Clearance and reclamation of land; subsoiling; burning heather or grass or making muirburn; land levelling or grading (including filling in of ditches or ponds); removal of tree roots, boulders or other obstructions to cultivation, bracken control.	32·5	50	32·5
15.	(i) Orchard grubbing.	32·5	32·5	32·5
	(ii) Replacement of apple orchards (other than apple orchards consisting of trees producing cider apples) which have been grubbed up after 7th November 1982 by an equal or smaller area of apple orchards consisting of— (*a*) the varieties of apple trees known as Cox's Orange Pippin apple, Bramley's Seedling apple or Spartan apple; (*b*) any other named varieties of apple trees required for pollination (other than varieties producing cider apples) not exceeding in total one third of the number of trees of the varieties specified in head (*a*);	32·5	32·5	32·5

	(*c*) any species of crab apple tree and any hybrid varieties of crab apple tree required for pollination.			
	(iii) Replacement of pear orchards (other than pear orchards consisting of trees producing perry pears) which have been grubbed up after 7th November 1982 by an equal or smaller area of pear orchards consisting of—	32·5	32·5	32·5
	(*a*) the varieties of pear trees known as Conference pear or Doyenne du Comice pear;			
	(*b*) any other named varieties of pear trees required for pollination (other than varieties producing perry pears) not exceeding in total one third of the number of trees of the varieties specified in head(*a*).			
16.	Provision, replacement or improvement of wirework for hop gardens.	32·5	32·5	Not applicable
17.	Provision, replacement or improvement of stakes and wirework for vineyards.	32·5	32·5	32·5
18.	Provision, replacement or improvement of stakes and wirework for cane fruit.	20	20	20
19.	Claying or marling or soil mixing.	5	10	5
20.	Provision or enlargement of permanent buildings, of glasshouses or of durable structures for cladding with plastic (except the outer cladding of such structures unless this outer cladding is of adequate durability) where such buildings, glasshouses or structures are designed and intended for the production of horticultural produce.	Not applicable	Not applicable	5

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
21.	(i) Replacement, reconstruction, alteration, reconditioning or other improvement of permanent buildings, of glasshouses (except glasshouses of a kind specified in sub-paragraph (iv) or of durable structures for cladding with plastic (except the outer cladding of such structures unless this outer cladding is of adequate durability) where such buildings, glasshouses or structures are designed and intended for horticultural use (excluding any work or facility specified in paragraph 20).	Not applicable	Not applicable	32·5
	(ii) Provision or enlargement of permanent buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 20).	Not applicable	Not applicable	32·5
	(iii) Supply and installation of permanent thermal insulation, vapour sealing or gas sealing for the control of temperature or atmosphere in buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 20).	Not applicable	Not applicable	32·5

	(iv) Replacement, reconstruction, alteration or other improvement (including the supply and installation of permanent thermal insulation) of heated glasshouses in existence on 1st December 1983 being heated internally by means of permanent installations for the consumption of fuel (excluding any work or facility specified in paragraph 20).	Nil	Nil	50
22.	Provision, replacement, improvement, alteration, enlargement or reconditioning of watercress beds.	Not applicable	Not applicable	32·5
23.	Plant or equipment designed and intended for the preparation for market of harvested horticultural produce.	Not applicable	Not applicable	20
24.	Provision, installation or replacement of glasshouse heating systems including boilers.	Not applicable	Not applicable	20
25.	(i) Purchase of livestock (except freshwater fish for food production).	5	10	Not applicable
	(ii) Purchase of freshwater fish for food production.	5	10	Not applicable
26.	Provision, replacement, improvement, alteration or enlargement of facilities for the farming of freshwater fish for food production.	5	10	Not applicable
27.	Any work or facility incidental to the carrying out or provision of any work or facility specified in any of paragraphs 1 to 26 or necessary or proper in carrying it out or providing it or securing the full benefit thereof.	The rate appropriate to that work or facility in accordance with the provisions of the Scheme		
28.	Preparation of development plans.	32·5	32·5	32·5

SCHEDULE 5 Regulation 8, 9(2)(*d*), (3), (8) and (9)

Eligible Works, Facilities and Transactions and Rates of Grant

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
1.	(i) Provision, replacement, improvement, alteration, enlargement or reconditioning of the main framework of permanent buildings and permanently sited durable structures for cladding with plastic (except living accommodation and buildings and structures designed and intended for horticultural use or for any use mentioned in paragraph 11 and works and facilities specified in sub-paragraph (ii), paragraphs 2 and 3); bulk dry stores (other than bulk dry stores intended for grain drying or storage), yards, loading platforms, ramps or banks.	32·5	37·5	Not applicable
	(ii) Provision, replacement, improvement, alteration, enlargement or reconditioning of the main framework of permanent buildings, bulk dry stores or silos designed and intended solely for the drying or storage of grain for consumption by livestock kept on the land used in connection with the carrying on of the agricultural business to which the claim for grant relates.	32·5	37·5	Not applicable

2.	Provision, replacement, improvement, alterations, enlargement or reconditioning of silos (other than silos intended for grain storage); provision and installation of equipment for loading or unloading such silos.	32·5	37·5	Not applicable
3.	Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings for cattle (except for any use mentioned in paragraph 11); dairy and parlour buildings and associated collecting yards.	32·5	37·5	Not applicable
4.	Provision, replacement of improvement of systems for the disposal of farm waste.	32·5	37·5	32·5
5.	Provision, replacement or improvement of facilities for the supply of electricity or gas for agricultural purposes.	32·5	37·5	32·5
6.	Provision, replacement or improvement of facilities for the supply of water, including the provision, replacement or improvement of facilities for water storage.	32·5	50	32·5
7.	Field drainage, including under-drainage and ditching but excluding any hedge removal.	50	70	50
8.	Provision or improvement of farm flood protection works, protection or improvement of river banks.	32·5	50	32·5
9.	Provision, replacement or improvement of roads, paths and other permanent ways, hard standings, fords, bridges, culverts, railway crossings, creeps, piers, jetties or slips.	32·5	50	32·5
10.	Provision, replacement or improvement of sheep grids or cattle grids.	32·5	50	32·5

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
11.	Provision, replacement or improvement of pens, dips, stells, or other facilities designed and intended for use in connection with the gathering, treatment or feeding of sheep or cattle or for sheltering them in periods of adverse weather but not for in-wintering.	32·5	50	Not applicable
12.	(i) Provision, replacement or improvement of hedges, walls and associated gates.	32·5	60	32·5
	(ii) Provision, replacement or improvement of permanent fences and associated gates.	32·5	50	32·5
13.	Provision, replacement or improvement of shelter belts.	5	60	32·5
14.	(i) Reseeding and regeneration of grassland and laying down of permanent pasture, including the application of lime or fertiliser (other than normal husbandry applications).	32·5	Not applicable	Not applicable
	(ii) Reseeding and regeneration of grassland; laying down of permanent pasture, application of lime or fertiliser (other than normal husbandry applications) for the benefit of grassland.	Not applicable	50	Not applicable

	(iii) Clearance and reclamation of land; subsoiling; burning heather or grass or making muirburn; land levelling or grading (including filling in of ditches or ponds); removal of tree roots, boulders or other obstructions to cultivation; bracken control.	32·5	50	32·5
15.	(i) Orchard grubbing.	32·5	32·5	32·5
	(ii) Replacement of apple orchards (other than apple orchards consisting of trees producing cider apples) which have been grubbed up after 7th November 1982 by an equal or smaller area of apple orchard consisting of— (*a*) the varieties of apple trees known as Cox's Orange Pippin apple; Bramley's Seedling apple or Spartan apple; (*b*) any other named varieties of apple trees required for pollination (other than varieties producing cider apples) not exceeding in total one third of the number of trees of the varieties specified in head (*a*); (*c*) any species of crab apple tree and any hybrid varieties of crab apple tree required for pollination.	32·5	32·5	32·5
	(iii) Replacement of pear orchards (other than pear orchards consisting of trees producing perry pears) which have been grubbed up after 7th November 1982 by an equal or smaller area of pear orchards consisting of— (*a*) the varieties of pear trees known as Conference pear or Doyenne du Comice pear;	32·5	32·5	32·5

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
	(*b*) any other named varieties of pear trees required for pollination (other than varieties producing perry pears) not exceeding in total one third of the number of trees of the varieties specified in head (*a*).			
16.	Provision, replacement or improvement of wirework for hop gardens.	32·5	32·5	Not applicable
17.	Provision, replacement or improvement of stakes and wirework for vineyards.	32·5	32·5	32·5
18.	Provision, replacement or improvement of stakes and wirework for cane fruit.	20	20	20
19.	Claying or marling or soil mixing.	5	10	5
20.	Provision or enlargement of the main framework of permanent buildings, of glasshouses or of durable structures for cladding with plastic (except the outer cladding of such structures unless this outer cladding is of adequate durability) where such buildings, glasshouses or structures are designed and intended for the production of horticultural produce.	Not applicable	Not applicable	5

21.	(i) Replacement, reconstruction, alteration, reconditioning or other improvement of the main framework of permanent buildings, of glasshouses (except glasshouses of a kind specified in sub-paragraph (iv) or of durable structure for cladding with plastic (except the outer cladding of such structures unless this outer cladding is of adequate durability) where such buildings, glasshouses or structures are designed and intended for horticultural use (excluding any work or facility specified in paragraph 20).	Not applicable	Not applicable	32·5
	(ii) Provision or enlargement of the main framework of permanent buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 20).	Not applicable	Not applicable	32·5
	(iii) Supply and installation of permanent thermal insulation, vapour sealing or gas sealing for the control of temperature or atmosphere in buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 20).	Not applicable	Not applicable	32·5
	(iv) Replacement, reconstruction, alteration or other improvement (including the supply and installation of permanent thermal insulation) of heated glasshouses in existence on 1st December 1983 being heated internally by means of permanent installations for the consumption of fuel (excluding any work or facility specified in paragraph 20).	Nil	Nil	50
22.	Provision, replacement, improvement, alteration, enlargement or reconditioning of watercress beds.	Not applicable	Not applicable	32·5

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
23.	Plant or equipment designed and intended for the preparation for market of harvested horticultural produce.	Not applicable	Not applicable	20
24.	Provision, installation or replacement of glasshouse heating systems including boilers.	Not applicable	Not applicable	20
25.	(i) Purchase of livestock (except freshwater fish for food production).	5	10	Not applicable
	(ii) Purchase of freshwater fish for food production.	5	10	Not applicable
26.	Provision, replacement, improvement, alteration or enlargement of facilities for the farming of freshwater fish for food production.	5	10	Not applicable
27.	Any work or facility incidental to the carrying out or provision of any work or facility specified in any of paragraphs 1 to 26 or necessary or proper in carrying it out or providing it or securing the full benefit thereof.	The rate appropriate to that work or facility in accordance with the provisions of the Scheme		
28.	Preparation of development plans.	32·5	32·5	32·5

SCHEDULE 6 Regulation 8, 9(2)(*e*), (3), (8) and (9)

Eligible Works, Facilities and Transactions and Rates of Grant

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
1.	(i) Provision, replacement, improvement, alteration, enlargement, or reconditioning of the main framework of permanent buildings and permanently sited durable structures for cladding with plastic (except living accommodation and buildings and structures designed and intended for horticultural use or for any use mentioned in paragraph 11 and works and facilities specified in sub-paragraph (ii), paragraphs 2 and 3); bulk dry stores (other than bulk dry stores intended for grain drying or storage), yards, loading platforms, ramps or banks.	32·5	37·5	Not applicable
	(ii) Provision, replacement, improvement, alteration, enlargement or reconditioning of the main framework of permanent buildings, bulk dry stores or silos designed and intended for the drying or storage of grain for consumption solely by livestock kept on the land used in connection with the carrying on of the agricultural business to which the claim for grant relates.	32·5	37·5	Not applicable

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
2.	Provision, replacement, improvement, alteration, enlargement or reconditioning of silos (other than silos intended for grain storage); provision and installation of equipment for loading or unloading such silos.	32·5	37·5	Not applicable
3.	Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings for cattle (except for any use mentioned in paragraph 11); dairy and parlour buildings and associated collecting yards.	32·5	37·5	Not applicable
4.	Provision, replacement or improvement of systems for the disposal of farm waste.	32·5	37·5	32·5
5.	Provision, replacement or improvement of facilities for the supply of electricity or gas for agricultural purposes.	32·5	37·5	32·5
6.	Provision, replacement or improvement of facilities for the supply of water, including the provision, replacement or improvement of facilities for water storage.	32·5	50	32·5
7.	Field drainage, including under-drainage and ditching but excluding any hedge removal.	32·5	50	32·5

8.	Provision or improvement of farm flood protection works, protection or improvement of river banks.	32·5	50	32·5
9.	Provision, replacement or improvement of roads, paths and other permanent ways, hard standings, fords, bridges, culverts, railway crossings, creeps, piers, jetties or slips.	32·5	50*	32·5
10.	Provision, replacement or improvement of sheep grids or cattle grids.	32·5	50	32·5
11.	Provision, replacement or improvement of pens, dips, stells, or other facilities designed and intended for use in connection with the gathering, treatment or feeding of sheep or cattle or for sheltering them in periods of adverse weather but not for in-wintering.	32·5	50	Not applicable
12.	(i) Provision, replacement or improvement of hedges, walls and dykes (where the walls and dykes are built of materials traditional in the locality) and associated gates.	32·5	60	32·5
	(ii) Provision, replacement or improvement of permanent fences, walls and dykes (where the walls and dykes are not built of materials traditional in the locality) and associated gates.	32·5	50	32·5
13.	Provision, replacement or improvement of shelter belts.	5	60	32·5
14.	(i) Reseeding and regeneration of grassland, laying down of permanent pasture and bracken control, including as part of a complete programme of work the application of lime or fertilizer.	32·5	Not applicable	Not applicable

* In accordance with regulation 9(2) this rate of grant is available only to agricultural businesses situated on severely disadvantaged land.

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* *Per cent*	*Agricultural business in Less-Favoured Area. Rate of grant* *Per cent*	*Horticultural production business. Rate of grant* *Per cent*
	(ii) Reseeding and regeneration of grassland and laying down of permanent pasture; bracken control; application of lime or fertilizer (other than normal husbandry applications) for the benefit of grassland.	Not applicable	50	Not applicable
	(iii) Burning heather or grass or making muirburn or regenerating heather by cutting.	32·5	50	32·5
	(iv) Reclamation of land, including the removal of obstructions to cultivation.	32·5	50	32·5
15.	(i) Orchard grubbing.	32·5	32·5	32·5
	(ii) Replacement of apple orchards (other than apple orchards consisting of trees producing cider apples) which have been grubbed up after 7th November 1982 by an equal or smaller area of apple orchards consisting of— (*a*) the varieties of apple trees known as Cox's Orange Pippin apple, Bramley's Seedling apple or Spartan apple; (*b*) any other named varieties of apple trees required for pollination (other than varieties producing cider apples) not exceeding in total one third of the number of trees of the varieties specified in head (*a*);	32·5	32·5	32·5

	(*c*) any species of crab apple tree and any hybrid varieties of crab apple tree required for pollination.			
	(iii) Replacement of pear orchards (other than pear orchards consisting of trees producing perry pears) which have been grubbed up after 7th November 1982 by an equal or smaller area of pear orchards consisting of—	32·5	32·5	32·5
	(*a*) the varieties of pear trees known as Conference pear or Doyene du Comice Pear;			
	(*b*) any other named varieties of pear trees required for pollination (other than varieties producing perry pears) not exceeding in total one third of the number of trees of the varieties specified in head (*a*).			
16.	Provision, replacement or improvement of wirework for hop gardens.	32·5	32·5	Not applicable
17.	Provision, replacement or improvement of stakes and wirework for vineyards.	32·5	32·5	32·5
18.	Provision, replacement or improvement of stakes and wirework for cane fruit.	20	20	20
19.	Claying or marling or soil mixing.	5	10	5
20.	Provision or enlargement of the main framework of permanent buildings, of glasshouses or of durable structures for cladding with plastic (except the outer cladding of such structures unless this outer cladding is of adequate durability) where such buildings, glasshouses or structures are designed and intended for the production of horticultural produce.	Not applicable	Not applicable	5

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant*	*Agricultural business in Less-Favoured Area. Rate of grant*	*Horticultural production business. Rate of grant*
		Per cent	*Per cent*	*Per cent*
21.	(i) Replacement, reconstruction, alteration, reconditioning or other improvement of the main framework of permanent buildings, of glasshouses (except glasshouses of a kind specified in sub-paragraph (iv)) or of durable structures for cladding with plastic (except the outer cladding of such structures unless this outer cladding is of adequate durability) where such buildings, glasshouses or structures are designed and intended for horticultural use (excluding any work or facility specified in paragraph 20).	Not applicable	Not applicable	32·5
	(ii) Provision or enlargement of the main framework of permanent buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 20).	Not applicable	Not applicable	32·5
	(iii) Supply and installation of permanent thermal insulation, vapour sealing or gas sealing for the control of temperature or atmosphere in buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 20).	Not applicable	Not applicable	32·5

	(iv) Replacement, reconstruction, alteration or other improvement (including the supply and installation of permanent thermal insulation) of heated glasshouses in existence on 1st December 1983 being heated internally by means of permanent installations for the consumption of fuel (excluding any work or facility specified in paragraph 20).	Nil	Nil	50
22.	Provision, replacement, improvement, alteration, enlargement or reconditioning of watercress beds.	Not applicable	Not applicable	32·5
23.	Plant or equipment designed and intended for the preparation for market of harvested horticultural produce.	Not applicable	Not applicable	20
24.	Provision, installation or replacement of glasshouse heating systems including boilers.	Not applicable	Not applicable	20
25.	(i) Purchase of livestock (except freshwater fish for food production).	5	10	Not applicable
	(ii) Purchase of freshwater fish for food production.	5	10	Not applicable
26.	Provision, replacement, improvement, alteration or enlargement of facilities for the farming of freshwater fish for food production.	5	10	Not applicable
27.	Any work or facility incidental to the carrying out or provision of any work or facility specified in any of paragraphs 1 to 26 or necessary or proper in carrying it out or providing it or securing the full benefit thereof.	The rate appropriate to that work or facility in accordance with provisions of the Scheme		
28.	Preparation of development plans.	32·5	32·5	32·5

SCHEDULE 7 Regulation 8, 9(2)(*f*), (3), (8) and (9)

Eligible Works, Facilities and Transactions and Rates of Grant

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* *Per cent*	*Agricultural business in Less-Favoured Area. Rate of grant* *Per cent*	*Horticultural production business. Rate of grant* *Per cent*
1.	(i) Provision, replacement, improvement, alteration, enlargement or reconditioning of the main framework of permanent buildings and permanently sited durable structures for cladding with plastic (except living accommodation and buildings and structures designed and intended for horticultural use or for any use mentioned in paragraph 11 and works and facilities specified in sub-paragraph (ii), paragraphs 2 and 3); bulk dry stores (other than bulk dry stores intended for grain drying or storage), yards, loading platforms, ramps or banks.	15	30	Not applicable
	(ii) Provision, replacement, improvement, alteration, enlargement or reconditioning of the main framework of permanent buildings, bulk dry stores or silos designed and intended for the drying or storage of grain for consumption solely by livestock kept on the land used in connection with the carrying on of the agricultural business to which the claim for grant relates.	15	30	Not applicable

2.	Provision, replacement, improvement, alteration, enlargement or reconditioning of silos (other than silos intended for grain storage); provision and installation of equipment for loading or unloading such silos.	15	30	Not applicable
3.	Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings for cattle (except for any use mentioned in paragraph 11); dairy and parlour buildings and associated collecting yards.	15	30	Not applicable
4.	Provision, replacement or improvement of systems for the disposal of farm waste.	30	37·5	30
5.	Provision, replacement or improvement of facilities for the supply of electricity or gas for agricultural purposes.	15	30	15
6.	Provision, replacement or improvement of facilities for the supply of water, including the provision, replacement or improvement of facilities for water storage.	15	30	15
7.	Field drainage, including under-drainage and ditching but excluding any hedge removal.	15	30	15
8.	Provision or improvement of farm flood protection works, protection or improvement of river banks.	15	30	15
9.	Provision, replacement or improvement of roads, paths and other permanent ways, hard standings, fords, bridges, culverts, railway crossings, creeps, piers, jetties or slips.	15	20*	15

* In accordance with regulation 9(2) this rate of grant is available only to agricultural businesses situated on severely disadvantaged land.

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* *Per cent*	*Agricultural business in Less-Favoured Area. Rate of grant* *Per cent*	*Horticultural production business. Rate of grant* *Per cent*
10.	Provision, replacement or improvement of sheep grids or cattle grids.	15	20	15
11.	Provision, replacement or improvement of pens, dips, stells, or other facilities designed and intended for use in connection with the gathering, treatment or feeding of sheep or cattle or for sheltering them in periods of adverse weather but not for in-wintering.	15	30	Not applicable
12.	(i) Provision, replacement or improvement of hedges, walls and dykes (where the walls and dykes are built of materials traditional in the locality) and associated gates.	30	60	30
	(ii) Provision, replacement or improvement of permanent fences, walls and dykes (where the walls and dykes are not built of materials traditional in the locality) and associated gates.	15	30	15
13.	Provision, replacement or improvement of shelter belts.	5	60	15

14.	(i) Reseeding and regeneration of grassland, laying down of permanent pasture and bracken control, including as part of a complete programme of work the application of lime or fertilizer.	15	Not applicable	Not applicable
	(ii) Reseeding and regeneration of grassland and laying down of permanent pasture; bracken control; application of lime or fertilizer (other than normal husbandry applications) for the benefit of grassland.	Not applicable	30	Not applicable
	(iii) Burning heather or grass or making muirburn or regenerating heather by cutting.	15	30	15
	(iv) Reclamation of land, including the removal of obstructions to cultivation.	15	30	15
15.	(i) Orchard grubbing.	15	15	15
	(ii) Replacement of apple orchards (other than apple orchards consisting of trees producing cider apples) which have been grubbed up after 7th November 1982 by an equal or smaller area of apple orchards consisting of— (*a*) the varieties of apple trees known as Cox's Orange Pippin apple, Bramley's Seedling apple or Spartan apple; (*b*) any other named varieties of apple trees required for pollination (other than varieties producing cider apples) not exceeding in total one third of the number of trees of the varieties specified in head (*a*); (*c*) any species of crab apple tree and any hybrid varieties of crab apple tree required for pollination.	32·5	32·5	32·5

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* *Per cent*	*Agricultural business in Less-Favoured Area. Rate of grant* *Per cent*	*Horticultural production business. Rate of grant* *Per cent*
	(iii) Replacement of pear orchards (other than pear orchards consisting of trees producing perry pears) which have been grubbed up after 7th November 1982 by an equal or smaller area of pear orchards consisting of— (*a*) the varieties of pear trees known as Conference pear or Doyenne du Comice pear; (*b*) any other named varieties of pear trees required for pollination (other than varieties producing perry pears) not exceeding in total one third of the number of trees of the varieties specified in head (*a*).	32·5	32·5	32·5
16.	Provision, replacement or improvement of wirework for hop gardens.	15	15	Not applicable
17.	Provision, replacement or improvement of stakes and wirework for vineyards.	15	15	15
18.	Provision, replacement or improvement of stakes and wirework for cane fruit.	15	15	15
19.	Claying or marling or soil mixing.	5	10	5

20.	Provision or enlargement of the main framework of permanent buildings, of glasshouses or of durable structures for cladding with plastic (except the outer cladding of such structures unless this outer cladding is of adequate durability) where such buildings, glasshouses or structures are designed and intended for the production of horticultural produce.	Not applicable	Not applicable	5
21.	(i) Replacement, reconstruction, alteration, reconditioning or other improvement of the main framework of permanent buildings, of glasshouses (except glass houses of a kind specified in sub-paragraph (iv) or of durable structures for cladding with plastic (except the outer cladding of such structures unless this outer cladding is of adequate durability) where such buildings, glass houses or structures are designed and intended for horticultural use (excluding any work or facility specified in paragraph 20).	Not applicable	Not applicable	25
	(ii) Provision or enlargement of the main framework of permanent buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 20) where the building is situated—			
	(*a*) in a less-favoured area;	Not applicable	Not applicable	30
	(*b*) outside a less-favoured area.	Not applicable	Not applicable	15
	(iii) Supply and installation of permanent thermal insulation, vapour sealing or gas sealing for the control of temperature or atmosphere in buildings designed and intended for horticultural use (excluding buildings of a kind specified in paragraph 20).	Not applicable	Not applicable	15

	Column 1	Column 2	Column 3	Column 4
	Kind of work or facility or transaction	*Agricultural business. Rate of grant* *Per cent*	*Agricultural business in Less-Favoured Area. Rate of grant* *Per cent*	*Horticultural production business. Rate of grant* *Per cent*
	(iv) Replacement, reconstruction, alteration or other improvement (including the supply and installation of permanent thermal insulation) of heated glasshouses in existence on 1st December 1983 being heated internally by means of permanent installations for the consumption of fuel (excluding any work or facility specified in paragraph 20).	Not applicable	Not applicable	50
22.	Provision, replacement, improvement, alteration, enlargement or reconditioning of watercress beds.	Not applicable	Not applicable	15
23.	Plant or equipment designed and intended for the preparation for market or harvested horticultural produce.	Not applicable	Not applicable	20
24.	Provision, installation or replacement of glasshouse heating systems including boilers.	Not applicable	Not applicable	20
25.	(i) Purchase of livestock (except freshwater fish for food production).	5	5	Not applicable
	(ii) Purchase of freshwater fish for food production.	5	10	Not applicable

26.	Provision, replacement, improvement, alteration or enlargement of facilities for the farming of freshwater fish for food production.	5	10	Not applicable
27.	Any work or facility incidental to the carrying out or provision of any work or facility specified in any of paragraphs 1 to 26 or necessary or proper in carrying it out or providing it or securing the full benefit thereof.	The rate appropriate to that work or facility in accordance with the provisions of the Scheme		
28.	Preparation of development plans.	15	30	15

SCHEDULE 8 Regulation 19

Revocations

Column 1 *Regulations revoked*	Column 2 *References*
The Farm and Horticulture Development Regulations 1981	S.I. 1981/1707
The Farm and Horticulture Development (Amendment) Regulations 1983	S.I. 1983/507
The Farm and Horticulture Development (Amendment) (No. 2) Regulations 1983	S.I. 1983/925
The Farm and Horticulture Development (Amendment) (No. 3) Regulations 1983	S.I. 1983/1762
The Farm and Horticulture Development (Amendment) Regulations 1984	S.I. 1984/620
The Farm and Horticulture Development (Amendment) (No. 2) Regulations 1984	S.I. 1984/1924
The Farm and Horticulture Development (Amendment) Regulations 1986	S.I. 1986/1295

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations revoke, as they apply in Northern Ireland, and remake with amendments the Farm and Horticulture Development Regulations 1981, as amended. The regulations are made under Section 2(2) of the European Communities Act 1972 in implementation of Directive 72/159/EEC of the Council (OJ No. L96, 23.4.72, p. 1 (OJ/SE1972 (II) p. 324)) on the modernisation of farms and of Directive 75/268/EEC of the Council (OJ No. L128, 19.5.75, p. 1) on mountain and hill farming in certain less-favoured areas. The principal amendments are those necessary to transfer to the Department of Agriculture the functions previously exercised by the Minister of Agriculture, Fisheries and Food under the superseded regulations.

The regulations make provision for aid for agricultural and horticultural businesses in relation to development plans. This aid is mainly in the form of grants in respect of expenditure of a capital nature. The works, facilities and transactions and the rates of grant applicable to them, set out in Schedules 1 to 7 remain the same as those provided for in the superseded regulations.

The provisions of the regulations apply only in respect of development plans approved under the superseded regulations (regulation 3). Development plans so approved may be varied (regulation 6). The classes of persons who may benefit from grants are defined (regulation 5).

The regulations also provide for the payment of grants to farmers and growers who keep and submit accounts related to approved development plans (regulation 4(2)), and for the payment of grants by way of guidance premium to farmers whose development plans provide for their business to concentrate on the breeding or keeping of cattle or sheep suitable for the production of beef or sheepmeat (regulation 4(3)).

The Regulations also—

(*a*) provide for certain restrictions on grants (regulation 8);

(*b*) provide for standard costs (regulation 12);

(*c*) provide for the reduction or withholding of grant in certain circumstances where it would otherwise be payable (regulation 13) and for the recovery of grant paid (regulation 15); and

(*d*) create an offence, punishable on summary conviction with a maximum fine of £2,000, of knowingly or recklessly making a false statement to obtain grant (regulation 17).