STATUTORY INSTRUMENTS

1978 No. 768

AGRICULTURE

AGRICULTURAL GRANTS, GOODS AND SERVICES

The Farm Capital Grant (Variation) (No. 2) Scheme 1978

Made - - - -	*25th May* 1978
Laid before Parliament	*6th June* 1978
Coming into Operation	*7th June* 1978

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly in exercise of the powers conferred upon them by sections 28 and 29 of the Agriculture Act 1970**(a)** and the said Ministers also acting in exercise of all other powers enabling them in that behalf, with the approval of the Treasury, hereby make the following scheme:—

Citation, commencement and extent

1. This scheme, which may be cited as the Farm Capital Grant (Variation) (No. 2) Scheme 1978, shall come into operation on 7th June 1978 and shall apply throughout the United Kingdom.

Interpretation

2.—(1) The Interpretation Act 1889**(b)** shall apply to the interpretation of this scheme as it applies to the interpretation of an Act of Parliament.

(2) In this scheme the expression the "principal scheme" means the Farm Capital Grant Scheme 1973**(c)**, as varied by the Farm Capital Grant (Variation) Scheme 1976**(d)**, the Farm Capital Grant (Variation) (No. 2) Scheme 1976**(e)** and the Farm Capital Grant (Variation) Scheme 1978**(f)** and, unless the context otherwise requires, any reference herein to a numbered paragraph or Schedule shall be construed as a reference to the paragraph or Schedule bearing that number in the principal scheme.

Variation of the principal scheme

3.—(1) The principal scheme shall be varied in accordance with the following provisions of this paragraph.

(2) The following words shall be inserted immediately after the word and figures "15th March 1979" at the end of paragraph 6(1):—

"and in the case of application for such approval in relation to expenditure incurred on or after 1st November 1977 in respect of any work or facility or any part thereof of a kind specified in Schedule 6, if application for such approval is received by the appropriate Minister on or after 7th June 1978 and not later than 31st July 1979.".

(a) 1970 c. 40. **(b)** 1889 c. 63. **(c)** S.I. 1973/1965.
(d) S.I. 1976/547. **(e)** S.I. 1976/1870. **(f)** S.I. 1978/380.

(3) The following paragraphs shall be inserted after paragraph 7B:—

"7C.—(1) The amount of grant payable under paragraph 3(1) towards expenditure in respect of any work or facility of a kind specified in column 1 of Schedule 6 shall, according to whether or not the said work or facility is situated in a less-favoured area, be the percentage of that expenditure, specified in relation to that work or facility in columns 2 or 3 of that Schedule:

Provided that the said expenditure in respect of any such work or facility as aforesaid appears to the appropriate Minister to be required for or in connection with the replacement or reconditioning of any work or facility which has been destroyed or damaged by reason of severe weather conditions during the period 1st October 1977 to 31st March 1978 and that the appropriate Minister has been notified in writing of the said destruction or damage on or before 31st July 1978.

(2) The provisions of paragraphs 4(2), 5 and 8(2) shall not apply to expenditure in relation to any work or facility referred to in sub-paragraph (1) of this paragraph and specified in column 1 of Schedule 6.".

4. The Schedule to this scheme shall be added to the principal scheme as Schedule 6.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th May 1978.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

22nd May 1978.

Bruce Millan,
Secretary of State for Scotland.

23rd May 1978.

John Morris,
Secretary of State for Wales.

We approve,

25th May 1978.

T. E. Graham,
Donald R. Coleman,
Two of the Lords Commissioners of Her Majesty's Treasury.

SCHEDULE

Paragraph 3

ELIGIBLE WORKS AND FACILITIES AND RATES OF GRANT

	Column 1	Column 2	Column 3
	Work or Facility	Rate of Grant Per cent.	Rate of Grant in Less-Favoured Areas Per cent.
(*a*)	Replacement or reconditioning of permanent buildings (except living accommodation), including glasshouses and durable structures for cladding with plastic; associated yards; farm waste disposal systems; silos (for green crops or grain); bulk dry stores; associated services.	60*	60*
(*b*)	Replacement or reconditioning of farm flood protection works or river banks.	50*	70*
(*c*)	Replacement or reconditioning of roads, hardstandings, fords, bridges, culverts or creeps.	50*	70*
(*d*)	Replacement or reconditioning of sheep grids or cattle grids.	50*	70*
(*e*)	Replacement or reconditioning 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.	50*	70*
(*f*)	Replacement or reconditioning of permanent fences, hedges, walls or gates.	50*	70*
(*g*)	In Scotland only, the replacement or reconditioning of banks or channels of water courses designed to improve the drainage of agricultural land or to prevent or mitigate the flooding or erosion of agricultural land.	75*	85*
(*h*)	Any work or facility incidental to the carrying out or provision of any work or facility specified in (*a*) to (*g*) above or necessary or proper in carrying out or providing the said work or facility or securing the full benefit thereof.	The rate appropriate to that work or facility in accordance with the provisions of the Scheme.	

* In accordance with the provisions of paragraph 6(1) of the Scheme these rates of grant shall apply only to applications for approval received by the appropriate Minister on or after 7th June 1978 but not later than 31st July 1979, and provided the appropriate Minister has been notified in writing on or before 31st July 1978 of destruction or damage in relation to any work or facility in accordance with paragraph 7C(1).

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

This Scheme, which applies to the whole of the United Kingdom, varies the principal scheme (the Farm Capital Grant Scheme 1973 as varied) in order to provide grant at higher rates than currently provided in the Scheme to facilitate the replacement or reconditioning of buildings or other works or facilities destroyed or damaged by severe weather conditions during the period 1st October 1977 to 31st March 1978. Grant for the replacement or reconditioning of buildings will be at the rate of 60 per cent. For other works or facilities the rate of grant will be 50 per cent but with an increased rate of 70 per cent in less-favoured areas. In Scotland however work on the replacement or reconditioning of damaged banks and channels of water courses will attract grant at the rate of 75 per cent but with an increased rate of 85 per cent in less-favoured areas. Applications for the approval of proposals must be received on or after 7th June 1978 and not later than 31st July 1979, and written notification in relation to such destruction or damage as aforesaid must be received on or before 31st July 1978.

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