STATUTORY INSTRUMENTS

1978 No. 380

AGRICULTURE

AGRICULTURAL GRANTS, GOODS AND SERVICES

The Farm Capital Grant (Variation) Scheme 1978

Made - - - -	*8th March* 1978
Laid before Parliament	*15th March* 1978
Coming into Operation	*16th March* 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) Scheme 1978, shall come into operation on 16th March 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) and the Farm Capital Grant (Variation) (No. 2) Scheme 1976(e) 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 paragraph shall be substituted for paragraph 6(1) thereof:—

> "(1) Subject to the provisions of paragraph 3 expenditure shall qualify for grant under this scheme if application for approval for the purposes of such grant is received by the appropriate Minister before 1st January 1981 save that in the case of applications for such approval in relation to expenditure in respect of any work or facility or any part thereof of a kind specified in Schedule 5, if application for such approval is received by the appropriate Minister on or after 16th March 1978 and not later than 15th March 1979.".

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

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

"7B.—(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 5 shall be the percentage of that expenditure, specified in relation to that work or facility in column 2 of that Schedule:

Provided that the said expenditure in respect of any such work or facility as aforesaid shall be such that it appears to the appropriate Minister to constitute a programme, or to be connected with a programme, of remedial work of a kind required in the opinion of the appropriate Minister to restore the productivity of agricultural land which has been affected by flooding.

(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 5.".

4. The Schedule to this scheme shall be added to the principal scheme as Schedule 5.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 28th February 1978.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

3rd March 1978.

Bruce Millan,
Secretary of State for Scotland.

7th March 1978.

John Morris,
Secretary of State for Wales.

We approve.

T. E. Graham,
T. M. Cox,
Two of the Lords Commissioners of Her Majesty's Treasury.

8th March 1978.

SCHEDULE

Paragraph 3

ELIGIBLE WORKS AND FACILITIES AND RATES OF GRANT

Column 1	Column 2
Work or Facility	Standard Rate of Grant Per cent.
1 (*a*) Reseeding or regeneration of grassland including the reinstatement of permanent pasture; restoration of arable land and land used for horticulture; the application of gypsum, lime or fertiliser (other than normal husbandry applications) when part of these operations.	50*
(*b*) Clearance and reclamation of land; sub-soiling; land levelling or grading; removal of boulders or other obstructions to cultivation.	50*
(*c*) Any work or facility incidental to the carrying out or provision of any work or facility specified in paragraphs 1(*a*) and (*b*) of this Schedule or necessary or proper in carrying out or providing the said work or facility or securing the full benefit thereof.	50*

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 for grant at the rate of 50 per cent of expenditure incurred in cases where a programme of work is considered to be necessary to restore the productivity of land affected by flooding. Applications for the approval of programmes must be received on or after 16th March 1978 and not later than 15th March 1979.

* In accordance with the provisions of paragraphs 6(1) and 7B of the scheme this rate of grant shall apply only to applications for approval received by the appropriate Minister on or after 16th March 1978 and not later than 15th March 1979.

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