1967 No. 875

AGRICULTURE

AGRICULTURAL GRANTS, GOODS AND SERVICES

The Farm Improvements (Apportionment of Cost) Regulations 1967

Made - - - -	*6th June* 1967
Laid before Parliament	*15th June* 1967
Coming into Operation	*16th June* 1967

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred on them by section 36 of the Agriculture Act 1967(**a**) and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation, commencement and extent

1. These regulations, which apply throughout the United Kingdom, may be cited as the Farm Improvements (Apportionment of Cost) Regulations 1967; and shall come into operation on 16th June 1967.

Interpretation

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

"the Act" means the Agriculture Act 1967, and any reference in these regulations to a section is a reference to a section of the Act;

"the appropriate Minister" means, in relation to England and Wales or Northern Ireland, the Minister of Agriculture, Fisheries and Food and, in relation to Scotland, the Secretary of State;

"qualifying cost" has the meaning assigned to it by regulation 3 hereof.

(2) The Interpretation Act 1889(**b**) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Apportionment of cost

3. Where the appropriate Minister is satisfied—

(*a*) that the cost of an improvement proposed for grant under section 30 does not qualify for such a grant solely because the cost or the scope of that improvement is too great to comply with the requirements of subsection (4)(*b*) or (4)(*c*) of that section, but

(*b*) that the improvement will nevertheless provide at least such facilities of benefit in the farming of agricultural land as described in subsection (4)(*a*) of that section that if the improvement had been of less cost or scope but still provided those facilities he would have been satisfied as to the matters set out in the said subsections (4)(*b*) and (4)(*c*),

(**a**) 1967 c. 22. (**b**) 1889 c. 63.

that part of the cost of the improvement so proposed which in the opinion of the appropriate Minister represents the reasonable cost of providing those facilities (hereinafter called " the qualifying cost ") shall be regarded for the purposes of sections 30 and 36(1) as being the cost qualifying for grant in respect of the improvement so proposed ; and in relation to that improvement references to the cost of the improvement in paragraphs (*b*) and (*c*) of section 30(4) shall be construed as references to the qualifying cost.

Authorisation of making of grant

4. Where such an improvement proposed for grant as is mentioned in the last preceding regulation otherwise qualifies for grant under section 30, the appropriate Minister may approve it for grant under and subject to the provisions of that section as they have effect in relation to that improvement by virtue of these regulations and the amount of the grant so payable shall be one quarter of the qualifying cost.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 6th June 1967.

(L.S.) *Frederick Peart,*
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 6th June 1967.

(L.S.) *William Ross,*
Secretary of State for Scotland.

EXPLANATORY NOTE

(*This Note is not part of the regulations.*)

These regulations, made under section 36 of the Agriculture Act 1967, prescribe tests by which the cost of certain improvements for the benefit of agricultural land not otherwise qualifying for grant under section 30 of that Act may be regarded as partly expenditure qualifying for grant and partly not.

Grant is to be related to a part of the total cost when the proposed improvement is too great in cost or scope to comply with the requirements of section 30(4)(*b*) or (*c*) of the Act but provides facilities at least adequate to meet these tests. In such cases, grant is to be based on the cost which the appropriate Minister considers reasonable for providing the acceptable facilities.