1952 No. 838

The Fertilisers (United Kingdom) Scheme, 1952

Made - - - - 24th April, 1952

In pursuance of Section 1 (1) of the Agriculture (Fertilisers) Act, 1952(a), the Minister of Agriculture and Fisheries and the Secretary of State for Scotland, being the appropriate Minister for a joint scheme for England and Wales, Scotland and Northern Ireland with the approval of the Treasury, hereby make the following scheme:—

1. This scheme, which may be cited as the Fertilisers (United Kingdom) Scheme, 1952, shall apply to England and Wales, Scotland and Northern Ireland.

2.—(1) In this scheme, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

" the Act " means the Agriculture (Fertilisers) Act, 1952 ;

" agricultural land " means any land used as arable meadow or pasture ground, or for the purpose of poultry farming, market gardens, nursery grounds, orchards or allotments, including allotment gardens within the meaning of the Allotments Act, 1922(b), or the Allotments (Scotland) Act, 1922(c) ;

" the Minister " means the Minister of Agriculture and Fisheries ;

" association " means—

(*a*) an association of farmers, allotment holders or small holders, or of occupiers of any land wholly or mainly cultivated for the production of vegetables or fruit, being an association which is registered under the Industrial and Provident Societies Acts, 1893-1928, or which has written rules governing its constitution and management ;

(*b*) an approved association for the purposes of the Agricultural Lime Schemes, 1947 and 1951(d).

(2) In England, Wales and Scotland the Interpretation Act, 1889(e), and in Northern Ireland that Act as applied by the Interpretation Act, 1921(f), shall apply to the interpretation of this scheme as it applies to the interpretation of an Act of Parliament.

3. Subject to the provisions of this scheme, where any fertiliser specified in the schedules to this scheme was purchased for use for adding to agricultural land to improve the fertility of the soil—

(*a*) by an occupier of such land, or

(*b*) by an association which acquires fertilisers in bulk for redistribution to its members,

and was delivered to the purchaser during the period beginning on 1st July, 1951, and ending on 30th June, 1952, the Minister may make a contribution to the purchaser calculated at the appropriate rate specified in respect of the fertiliser in the schedule to this scheme which relates to the country in which delivery was made.

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 15. (b) 12 & 13 Geo. 5. c. 51.
(c) 12 & 13 Geo. 5. c. 52.
(d) S.R. & O. 1947/1829; Rev. I, p. 127; 1947 I, p. 10; S.I. 1951/513; 1951 I, p. 9.
(e) 52 & 53 Vict. c. 63. (f) 12 Geo. 5. c. 4 (N.I.).

Provided that no contribution shall be made if the fertiliser, although delivered during the said period, appears by reason of its purchase at or below the maximum price set out in respect of that kind of fertiliser in the Fertilisers (Prices) (Amendment No. 5) Order, 1951(a), (which Order fixed maximum prices of fertilisers before 1st July, 1951), or for any other reason to be fertiliser the price of which was affected by any payments made out of monies provided by Parliament for that purpose.

4. Any person or association who desires to apply for a contribution to be paid in accordance with the provisions of this scheme shall apply to the Minister—

(*a*) in writing in such form as the Minister may from time to time require, and

(*b*) before 30th June, 1952, or within three months of delivery of the fertiliser, whichever may be the later, or within such further time as the Minister may in special circumstances allow.

5.—(1) No contribution shall be made in respect of fertilisers to which this scheme applies unless the total quantity of all the kinds of fertilisers to which the application relates is not less than 4 cwt.

(2) If any contribution is payable under any enactment other than the Act, or under any other scheme, in respect of fertilisers specified in this scheme, the Minister in determining the amount of contribution payable under this scheme may take into consideration the amount of contribution payable under the enactment or other scheme, and may reduce the amount payable under this scheme accordingly.

6. The Minister may require an applicant for a contribution to give to any person authorised by the Minister in that behalf reasonable facilities for the inspection of any fertilisers to which the application relates, and to produce any accounts, invoices, receipts or other documents and to give all information required by the Minister for the purpose of verifying the application.

7. It shall be a condition of the making of any payment under this scheme that there shall be repaid to the Minister any sum which, if a payment under this scheme were a debt accrued due to the person receiving it, would by reason of any mistake of fact be recoverable by the Minister from that person.

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this 24th day of April, 1952.

(L.S.) *Tom Dugdale.*

Given under the Seal of the Secretary of State for Scotland this 24th day of April, 1952.

(L.S.) *James Stuart.*

Approved
this 24th day of April, 1952.

Herbert Butcher,
Dennis Vosper,
Two of the Lords Commissioners
of Her Majesty's Treasury.

(a) S.I. 1951/636.

FIRST SCHEDULE

FERTILISERS DELIVERED IN ENGLAND, WALES AND SCOTLAND

Where the reference in this schedule to any fertiliser is made by a name specified in the Fourth Schedule to the Fertilisers and Feeding Stuffs Act, 1926(a), the reference shall be construed as meaning the fertiliser defined under that name in that schedule.

FERTILISER	*RATE OF CONTRIBUTION per ton*
Superphosphate	£ s. d. 4 17 0 less 5s. 6d. for each 1 per centum or part thereof by which the phosphoric acid (P_2O_5) is below 18 per centum by weight.
Triple superphosphate	£ s. d. 13 0 0 less 5s. 6d. for each 1 per centum or part thereof by which the phosphoric acid (P_2O_5) is below 48 per centum by weight.
Ground rock phosphate	£ s. d. 4 0 0 less 3s. 0d. for each 1 per centum or part thereof by which the phosphoric acid (P_2O_5) is below 29 per centum by weight.
Basic slag containing phosphoric acid (P_2O_5) of not less than:	£ s. d.
6 per centum by weight ...	1 9 0
7 per centum by weight ...	1 11 0
8 per centum by weight ...	1 13 0
9 per centum by weight ...	1 15 0
10 per centum by weight ...	1 17 0
11 per centum by weight ...	1 19 0
12 per centum by weight ...	2 2 0
13 per centum by weight ...	2 5 0
14 per centum by weight ...	2 8 0
15 per centum by weight ...	2 12 0
16 per centum by weight ...	2 16 0
17 per centum by weight ...	3 1 0
18 per centum by weight ...	3 7 0
19 per centum by weight ...	3 13 0
20 per centum by weight ...	3 19 0
21 per centum by weight ...	4 5 0
22 per centum by weight ...	4 11 0
Any compound fertiliser except one in which the phosphate ingredient is wholly derived from organic material:	
For each 1 per centum or part thereof pro rata by weight of soluble phosphoric acid (P_2O_5)	6 6
For each 1 per centum or part thereof pro rata by weight of insoluble phosphoric acid (P_2O_5)	4 0

(a) 16 & 17 Geo. 5. c. 45.

Provided that no contribution made in respect of any compound fertiliser shall exceed one-third of the price of the fertiliser delivered at that railway station which is nearest to the buyer's address.

	s. d.
Any other inorganic phosphatic fertiliser:	
For each 1 per centum or part thereof pro rata by weight of soluble phosphoric acid (P_2O_5)	5 6
For each 1 per centum or part thereof pro rata by weight of insoluble phosphoric acid (P_2O_5)	3 0

SECOND SCHEDULE

FERTILISERS DELIVERED IN NORTHERN IRELAND

Where the reference in this schedule to any fertiliser is made by a name specified in the Fourth Schedule to the Fertilisers and Feeding Stuffs Act, 1926(a), the reference shall be construed as meaning the fertiliser defined under that name in that schedule.

FERTILISER	*RATE OF CONTRIBUTION per ton*
	£ s. d.
Superphosphate	4 17 0 less 5s. 6d. for each 1 per centum or part thereof by which the phosphoric acid (P_2O_5) is below 18 per centum by weight.
	£ s. d.
Triple superphosphate	13 0 0 less 5s. 6d. for each 1 per centum or part thereof by which the phosphoric acid (P_2O_5) is below 48 per centum by weight.
	£ s. d.
Ground rock phosphate	4 0 0 less 3s. 0d. for each 1 per centum or part thereof by which the phosphoric acid (P_2O_5) is below 29 per centum by weight.
Basic slag containing phosphoric acid (P_2O_5) of not less than:	£ s. d.
14 per centum by weight ...	2 8 0
15 per centum by weight ...	2 12 0
16 per centum by weight ...	2 16 0
17 per centum by weight ...	3 1 0
18 per centum by weight ...	3 7 0
19 per centum by weight ...	3 13 0
20 per centum by weight ...	3 19 0
21 per centum by weight ...	4 5 0

(a) 16 & 17 Geo. 5. c. 45.

	£ s. d.
Semsol:	
Containing 9 per centum soluble phosphoric acid (P_2O_5) and 12·75 per centum insoluble phosphoric acid (P_2O_5)	4 10 0
Containing 9 per centum soluble phosphoric acid (P_2O_5) and 14·5 per centum insoluble phosphoric acid (P_2O_5)	4 14 0
Any compound fertiliser except one in which the phosphate ingredient is wholly derived from organic material:	
For each 1 per centum or part thereof pro rata by weight of soluble phosphoric acid (P_2O_5)	6 6
For each 1 per centum or part thereof pro rata by weight of insoluble phosphoric acid (P_2O_5)	4 0

Provided that no contribution made in respect of any compound fertiliser shall exceed one-third of the price of the fertiliser delivered at that railway station which is nearest to the buyer's address.

	s. d.
Any other inorganic phosphatic fertiliser:	
For each 1 per centum or part thereof pro rata by weight of soluble phosphoric acid (P_2O_5)	5 6
For each 1 per centum or part thereof pro rata by weight of insoluble phosphoric acid (P_2O_5)	3 0

EXPLANATORY NOTE

(This note is not part of the scheme, but is intended to indicate its general purport.)

The Agriculture (Fertilisers) Act, 1952, provides that schemes may be made for the payment of contributions in respect of fertilisers applied to agricultural land. This scheme made by the Minister of Agriculture and Fisheries and the Secretary of State for Scotland, with the approval of the Treasury, relates to the United Kingdom and provides for the payment of contributions in respect of phosphatic fertilisers to occupiers of agricultural land. The fertilisers have to be delivered during the period beginning on 1st July, 1951, and ending on 30th June, 1952, and there is provision for the payment of contributions to associations of farmers, allotment holders and other similar bodies who buy fertilisers in bulk for re-distribution to their members. The scheme also contains consequential provisions about the time within which, and the manner in which, applications may be made and prescribes the minimum quantity of fertilisers for which contributions will be payable.