The levy is to be imposed in respect of the first levy period commencing with the date upon which the Order comes into operation and ending on 5th April 1968. The levy will be assessed by the Board and there will be a right of appeal against an assessment to an industrial tribunal.

**1967. No. 339** **[C]**

## FISHING VESSELS

### Fishing Vessels (Grants) Scheme (Northern Ireland) 1967

SCHEME*, DATED THE 26TH OCTOBER 1967, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 1 OF THE FISHING VESSELS (GRANTS) ACT (NORTHERN IRELAND) 1967.

The Ministry of Agriculture (hereinafter called "the Ministry") in exercise of the powers conferred on it by Section 1 of the Fishing Vessels (Grants) Act (Northern Ireland) 1967(a) and of all other powers enabling it in that behalf hereby makes the following scheme:—

**1.** This scheme may be cited as the Fishing Vessels (Grants) Scheme (Northern Ireland) 1967 and shall come into operation seven days after it has been approved by both Houses of Parliament.

**2.** In this scheme unless the context otherwise requires "improvement" has the meaning assigned to it by Article 3(1)(*c*). "The control period" has the meaning assigned to it by Article 14(2). "Length" in relation to a sea fishing vessel means its length as calculated for the purpose of registration under the Merchant Shipping Acts 1894 to 1964.

**3.**—(1) Subject to the provisions of this scheme the Ministry may make a grant to a person carrying on or proposing to carry on a business in the fishing industry in Northern Ireland in respect of expenditure incurred

(*a*) in providing a fishing vessel including equipment required for the operation of the vessel which is sold with the vessel;

(*b*) in providing an engine for a fishing vessel; or

(*c*) in the acquisition, installation, modification, renewal or replacement of any part of a sea fishing vessel other than an engine or of any relevant equipment required for, or installed or used on such a vessel (such acquisition, installation, modification, renewal or replacement being hereinafter referred to as "an improvement").

Provided that no grant shall be made in respect of

(i) expenditure incurred in the acquisition of any vessel, engine, part, equipment or apparatus which appears to the Ministry to be second-hand; or

(ii) expenditure incurred in relation to an improvement in so far as the Ministry considers such expenditure can be regarded as incurred in the routine repair, maintenance or replacement in respect of the

(a) 1967. c. 8 (N.I.).

*This Scheme was approved by a Resolution of the Senate on 12th December 1967 and by Resolution of the House of Commons on 30th November 1967.

vessel or of its engine or of any relevant equipment required for the vessel or installed or used thereon.

(2) Applications for a grant shall be made in writing in such form as the Ministry may from time to time require.

**4.** Applications for grants may be made only by British subjects resident in Northern Ireland or companies incorporated under the laws of Northern Ireland.

**5.** Applicants for grants under this scheme in respect of the acquisition of a vessel shall be required to satisfy the Ministry with regard to the prospect of their being able to operate the vessel successfully and that they have the ability to manage and sufficient financial resources for the purposes of the business in which the fishing vessel will be employed.

**6.** The Ministry may require applicants to make a full statement of their financial position, including assets, debts and obligations and to make available for inspection such books of accounts and other records and documents as the Ministry may reasonably require.

**7.** Where expenditure is shared by two or more persons applications for grants may be made in respect of either the full expenditure or part of the expenditure incurred and may be made by individual applicants or by two or more applicants jointly.

**8.** In considering whether or not to approve an application for a grant the Ministry

(*a*) shall have regard to the needs and interests of the fishing industry or to that section thereof to which the application relates but

(*b*) shall not approve the application in so far as it relates to any proportion or item of the proposed expenditure which in its opinion is unnecessary or unwarranted having regard to the benefit likely to be derived from the expenditure in respect of which the application is made.

**9.** The amount which may be paid under this scheme by way of grant in respect of expenditure approved by the Ministry shall be

(*a*) 45 per cent. of the approved expenditure where the vessel in question is less than 80 ft. in registered length;

(*b*) 40 per cent. of the approved expenditure in any other case.

Provided that the expenditure in respect of which the grant is payable shall have been incurred on or after 1st January 1967.

Provided also that the amount of any such grant in respect of expenditure incurred in the acquisition of a vessel or part of a vessel constructed elsewhere than in the United Kingdom shall be at the rate of 20 per cent. of such expenditure unless the Ministry is satisfied that the expenditure was incurred at a cost which compares favourably with the cost at which the construction of the vessel or the part thereof, could have been carried out in the United Kingdom.

Provided also that for the purpose of this article any expenditure which is incurred in the acquisition of an engine or part of an engine or any relevant equipment, incorporated into a vessel at the time of its construction elsewhere than in the United Kingdom, shall be deemed to be expenditure incurred in the acquisition of such vessel.

**10.**—(1) Applications shall be accompanied by the appropriate plans and specifications, the completed tender or tenders relating to the expenditure to be incurred, and the form of contract to be entered into between the applicant and the builder, supplier or other contractor and no contract shall be placed without the prior approval of the Ministry.

(2) The vessel in respect of the acquisition of which an application for a grant is made shall be constructed and equipped, and the engine in respect of which an application for a grant is made shall be supplied and installed, and the improvement in respect of which an application for a grant is made shall be carried out to the satisfaction of the Ministry and in accordance with the plans and specifications approved as aforesaid.

**11.** Any person authorised by the Ministry shall have the right to inspect the vessel in respect of which a grant has been or is to be made, at all reasonable times within the control period.

**12.** No grant shall be payable in respect of an improvement unless the Ministry is satisfied that the expenditure in relation to which it would be payable is likely to result in an increase in the efficiency or economy of the operation of the vessel in respect of or in connection with which the application is made as regards one or more of the following matters, that is to say,

(*a*) the catching of fish,

(*b*) the handling, processing or storage of fish,

(*c*) the working conditions of the crew,

(*d*) the condition of fish or the products of fish at the time of landing, and

(*e*) the safety and seaworthiness of the vessel,

regard having been had to the technical and economic standards prevailing in the appropriate section of the fishing industry at the time of consideration of the application by the Ministry and to the results of any experiments and research which have relation to the subject of the particular expenditure.

**13.**—(1) If any person makes a false statement or furnishes false information in respect of any of the matters required to be disclosed in connection with an application for a grant or if any of the conditions relating to the payment of grants are not complied with by an applicant, any payment of or on account of a grant to that applicant may at any time be refused and any such payment already made in relation to that application may be recovered by the Ministry.

(2) A person making a false statement or furnishing false information in connection with such application shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding one hundred pounds.

**14.**—(1) Any person whose application for a grant under this scheme is approved by the Ministry may be required to give such undertakings as the Ministry may consider appropriate, and in particular shall be required in any case

(*a*) during the control period, and as may be appropriate to the case, either to employ the vessel in respect of or in connection with which the application was made or to take all reasonable steps to secure its employment in the diligent and vigorous prosecution of the catching of fish to the satisfaction of the Ministry;

(*b*) during the control period to ensure that except with the consent in writing of the Ministry the persons employed as skipper and members of the crew shall be persons ordinarily resident in Northern Ireland:

(*c*) where the grant exceeds £300 to insure the vessel and keep it insured against such risks and in such sums as required by the Ministry during the control period;

(*d*) to keep and make available for inspection by the Ministry at all reasonable times during the control period any books, records or other documents necessary to enable the Ministry to satisfy itself that the conditions of the grant have been complied with;

(*e*) if there occurs within the control period—

(i) the total loss of the vessel arising out of any insured risk, to repay to the Ministry the whole of the grant or, if the loss occurs more than three years from the commencement of the control period, such proportion of the grant as the Ministry may require;

(ii) a breach of any undertaking or condition subject to which the grant was made, or a disposition by way of mortgage, transfer of registration, charter for any purpose not approved by the Ministry, sale of the vessel or any part thereof or of its engine or any part thereof or of any equipment or apparatus used on or in connection therewith, or of any part of the vessel, engine, part of an engine or relevant equipment which is the subject of the improvement in respect of which the grant or any part of it was made, to repay to the Ministry such proportion of the grant as the Ministry may require.

(2) For the purpose of Article 11 and paragraph (1) of Article 14 the control period shall mean—

(*a*) in the case of a grant paid in providing a fishing vessel, a period of ten years commencing with the date on which the final payment was made in respect of the grant;

(*b*) in the case of a grant paid in improving a sea fishing vessel being an improvement for which the expenditure approved by the Ministry exceeds £10,000, a period of ten years commencing with the date on which the final payment was made in respect of the grant; and

(*c*) in the case of a grant paid in providing an engine for a fishing vessel, or in improving a sea fishing vessel where the expenditure approved does not exceed £10,000, a period of five years commencing with the date on which the final payment was made in respect of the grant.

Provided that where the grant paid in providing a fishing vessel does not exceed £300, the control period shall be five years.

**15.** A grant exceeding £2,000 shall not be made without the special approval of the Ministry of Finance.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 26th day of October 1967 in the presence of

(L.S.) *W. G. Malcolm,*
Assistant Secretary.

The Ministry of Finance hereby approves the foregoing scheme.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 30th day of October 1967 in the presence of

(L.S.) *James V. Morrison,*
Assistant Secretary.

EXPLANATORY NOTE

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

Section 1 of the Fishing Vessels (Grants) Act 1967 empowers the Ministry of Agriculture to make a scheme providing for grants towards the cost of commercial fishing vessels and engines for such vessels and towards improving commercial sea fishing vessels. This scheme is an exercise of that power.

This scheme provides generally for grants of 40% and 45% of approved expenditure for boats of over 80 ft. and under 80 ft. respectively, and grants are payable on gear sold with the boat. No grants may be made under this scheme on second-hand vessels, engines, parts, equipment or apparatus, and improvement grants do not extend to any work which the Ministry considers to be routine repair, maintenance, or replacement.

Under this scheme applicants should be British subjects resident in Northern Ireland or companies incorporated under the laws of Northern Ireland. Applications under this scheme must be accompanied by appropriate plans and specifications, tenders and forms of contract, and no contract on which a grant is sought may be placed without the prior approval of the Ministry. This scheme requires that a successful applicant for a grant should normally employ only Northern Ireland residents in the boat concerned during the control period.

The grant, or a proportion thereof, made under this scheme, is repayable in certain circumstances including the sale or loss of the vessel, engine or equipment within the control period, or the failure of the grantee to observe any undertaking or conditions subject to which the grant was made.

**1967. No. 340**

As this Order has been classified as local it is not printed at length in this volume. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading GAS.

**1967. No. 341** **[NC]**

**DISEASES OF ANIMALS**

**Foot and Mouth Disease—Pigeon Racing and Showing**

ORDER, DATED 22ND DECEMBER 1967, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 53 OF THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND) 1958.

The Ministry of Agriculture in exercise of the powers conferred on it by Section 53 of the Diseases of Animals Act (Northern Ireland) 1958(a) and of every other power enabling it in that behalf hereby makes the following Order:—

*Citation and Commencement*

**1.** This Order may be cited as the Foot and Mouth Disease (Pigeon Racing

(a) 1958. c. 13.