(ii) GRASS AND FORAGE CROP DRYING

The Grass and Forage Crop Co-operative Drying (Financial Assistance) (Scotland) Scheme, 1949

1949 No. 1366 (S. 95)

Made - - - -	19*th July*, 1949
Laid before Parliament	21*st July*, 1949
Coming into Operation	26*th July*, 1949

In exercise of the powers conferred upon me by section 5 of the Agriculture (Miscellaneous Provisions) Act, 1949(**a**), and of all other powers enabling me in that behalf and with the approval of the Treasury I hereby make the following Scheme:—

Short Title and Commencement

1. This Scheme may be cited as the Grass and Forage Crop Co-operative Drying (Financial Assistance) (Scotland) Scheme, 1949, and shall come into operation on the 26th day of July, 1949.

Interpretation

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

Purpose of the Scheme

3. Subject to the provisions of this Scheme, the Secretary of State may provide financial assistance to such bodies in Scotland and on such conditions as are specified in this Scheme in respect of expenses incurred in collective projects for the artificial drying of grass or forage crops as a service to farmers: Provided that the Secretary of State may refuse such financial assistance at his discretion and in particular may refuse it where such a collective project as aforesaid does not appear to him likely to develop into a self-supporting method of supplying the farmers participating in such project with a high quality animal feeding stuff.

Bodies to whom Financial Assistance may be provided

4.—(1) Financial assistance may be provided to:

(*a*) any farmers' co-operative society or organisation carrying on business for the mutual benefit of the farmers being a society or organisation

(i) registered under the Industrial and Provident Societies Acts, 1893 to 1928(**c**); or

(ii) licensed under Section 19 of the Companies Act, 1948(**d**); or

(*b*) any board administering any marketing scheme in force under the Agricultural Marketing Acts, 1931 to 1949(**e**).

(2) An application by such a society, organisation or board (hereinafter referred to as "the applicants") for financial assistance shall be made in writing to the Secretary of State.

(**a**) 12, 13 & 14 Geo. 6. c. 37.
(**b**) 52 & 53 Vict. c. 63.
(**c**) 56 & 57 Vict. c. 39; 57 & 58 Vict. c. 8; 58 & 59 Vict. c. 30; 3 & 4 Geo. 5. c. 31; 18 & 19 Geo. 5. c. 4.
(**d**) 11 & 12 Geo. 6. c. 38.
(**e**) 21 & 22 Geo. 5. c. 42; 23 & 24 Geo. 5. c. 31; 24 Geo. 5. c. 1; 12, 13 & 14 Geo. 6. c. 38.

Nature of Financial Assistance that may be provided

5.—(1) The financial assistance that may be provided as aforesaid shall be a proportion of the total capital expenses incurred, during the period beginning with the 21st day of August, 1947, and ending with the 31st March, 1952, in the acquisition, adaptation and erection of buildings and the acquisition and installation of plant and equipment for any such collective project as aforesaid (hereinafter referred to as " the capital expenses ").

(2) *Grants:* The proportion of the capital expenses that may be provided by way of grant shall be a sum not exceeding:—

(i) 40 per cent. if the plant and equipment were in operation on the 1st day of June, 1948; or, if the Secretary of State is satisfied that the coming into operation of the plant and equipment has been delayed by circumstances beyond the control of the applicants, such later date not being later than one month after the 1st day of June, 1948, as the Secretary of State may determine.

(ii) 33⅓ per cent. in any other case.

(3) *Loans:* The proportion of the capital expenses that may be provided by way of loans made from time to time shall not exceed 33⅓ per cent. and such loans may be provided in addition to any grant provided under the provisions of the last preceding paragraph.

Conditions appertaining to Financial Assistance

6. Financial assistance under this Scheme shall not be provided unless:—

(1) the approval of the Secretary of State has been given to the applicants' collective project as a whole including the site, type of plant, buildings, transport, equipment, organisation and administrative arrangements;

(2) the plant and equipment acquired or installed for the applicants' collective project has come into operation before the 1st day of June, 1950, or, if the Secretary of State is satisfied that the coming into operation of the plant and equipment has been delayed by circumstances beyond the control of the applicants, such later date, not being later than the 31st day of March, 1952, as the Secretary of State may determine;

(3) the applicants shall have entered into an undertaking with the Secretary of State:—

(*a*) to maintain until the commencement of operations the buildings, plant and equipment and to maintain such buildings and to maintain and operate such plant and equipment fairly and efficently and to the satisfaction of the Secretary of State for a period of four years from the commencement of operations;

(*b*) in the first year of operation and in each of the three succeeding years, to enter into contracts previously approved by the Secretary of State with a minimum number to be specified by the Secretary of State of farmers in the applicants' locality who desire to have their grass and forage crops treated by the plant and equipment;

(*c*) in the first year of operation and in each of the three succeeding years to dry a minimum total tonnage of grass or forage crops to be specified by the Secretary of State;

(*d*) not to use the plant or equipment during any cropping season for any purposes other than those of drying grass or forage crops for the farmers participating in the project except with the written consent of the Secretary of State;

(*e*) not to dispose of more than 10 per cent. of the total output of dried grass or forage crops from the plant and equipment in any cropping season to persons other than farmers participating in the project except with the written consent of the Secretary of State and then only at prices previously approved by him;

(*f*) to insure to the satisfaction of the Secretary of State the buildings fixtures, plant and equipment against damage by fire and the movable plant and equipment against damage by fire, collision or accident;

(*g*) to keep complete records and accounts of the operations of the plant and equipment and the financial transactions of the applicants in connection therewith and to produce such records and accounts as required for inspection or examination by any person authorised by the Secretary of State;

(*h*) to permit any person authorised by the Secretary of State to enter and inspect the plant and equipment from time to time and to take samples of the produce therefrom;

(*i*) not to dispose of the buildings, plant and equipment in any manner whatsoever within the period of four years mentioned in sub-paragraph (*a*) of this paragraph, except with the written consent of and on such terms and conditions as may be determined by the Secretary of State; and

(*j*) to execute a Bond and Disposition in security in favour of the Secretary of State, if and when required so to do, over any heritable property belonging to the applicants for the purpose of securing the payment to the Secretary of State of the amount for the time being due from the applicants in respect of any loan to them.

Repayment of Loans and Interest Thereon

7. Financial assistance provided by way of loan under this Scheme shall be repaid to the Secretary of State by four instalments together with interest at the rate of three per centum per annum on the amount outstanding from time to time. The first instalment shall be paid on a date to be fixed by the Secretary of State and the remaining instalments shall be paid yearly thereafter. The amount of the instalments shall be respectively one-fourth, one-third, one-half and the balance of the amount of loan outstanding at the due date.

Breach of Undertaking

8. In the event of a breach of any undertaking mentioned in Article 6 hereof the Secretary of State may by written notice require any society, organisation, or board to repay to him upon a date specified in the notice any financial assistance provided by way of grant or such part thereof as he may determine or any financial assistance provided by way of loan which has not been repaid at the date of such notice together with interest as aforesaid, and such financial assistance and interest, if any, shall be repayable accordingly.

Dated this 19th day of July, 1949.

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

We approve

Wm. Hannan,
J. W. Snow,
Two of the Lords Commissioners of His Majesty's Treasury.

EXPLANATORY NOTE

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

The Agriculture (Miscellaneous Provisions) Act, 1949, provides that schemes may be made for subsidising grass and forage crop conservation out of monies provided by Parliament. This Scheme, made by the Secretary of State for Scotland with the approval of the Treasury, under the above-mentioned authority, makes provision for financial assistance by way of grants or loans towards capital expenses incurred in the establishment of collective projects for the artificial drying of grass or forage crops as a service to the farmer. It also specifies the bodies to whom and the conditions in which such financial assistance may be provided and the terms of repayment.

The Grass and Forage Crop Co-operative Drying (Financial Assistance) (Scotland) (No. 2) Scheme, 1949

1949 No. 2319 (S. 158)

Made - - - -	*13th December,* 1949
Laid before Parliament	*14th December,* 1949
Coming into Operation	*19th December,* 1949

In exercise of the powers conferred upon me by section 5 of the Agriculture (Miscellaneous Provisions) Act, 1949(a), and of all other powers enabling me in that behalf, and with the approval of the Treasury, I hereby make the following Scheme:—

1. This Scheme may be cited as the Grass and Forage Crop Co-operative Drying (Financial Assistance) (Scotland) (No. 2) Scheme, 1949, and shall come into operation on the 19th day of December, 1949.

2. The Grass and Forage Crop Co-operative Drying (Financial Assistance) (Scotland) Scheme, 1949(b), is hereby varied to the following extent—

in paragraph (2) of Article 6 for the expression " 1st day of June, 1950," there shall be substituted the expression " 1st day of June, 1951 ".

Dated this 13th day of December, 1949.

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

We approve.

R. J. Taylor,
Wm. Hannan,
Two of the Lords Commissioners of H.M. Treasury.

(a) 12, 13 & 14 Geo. 6. c. 37.

(b) S.I. 1949 No. 1366, p. 136 above.