EXPLANATORY NOTE

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

This amendment to the Grass and Forage Crop Drying (Loans) (England and Wales) Scheme (No. 2), 1949, which required security to be given in respect of loans made thereunder, enables the Minister of Agriculture and Fisheries at his discretion to dispense with security in any particular case.

The Grassland Fertilisers Scheme, 1950

1950 No. 1320

Made - - - -	*3rd August,* 1950
Laid before Parliament	*4th August,* 1950
Coming into Operation	*11th August,* 1950

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In pursuance of subsection (1) of section 2 of the Agriculture (Miscellaneous Provisions) Act, 1950, the Minister of Agriculture and Fisheries (being for the purposes of this Scheme the appropriate Minister within the meaning of subsection (2) of section 6 of the said Act), with the approval of the Treasury, hereby makes the following Scheme:—

Citation, Extent and Commencement

1. This Scheme, which may be cited as the Grassland Fertilisers Scheme, 1950, applies to England and Wales and Northern Ireland, and shall come into operation on the eleventh day of August, 1950.

Interpretation

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

"The Act" means the Agriculture (Miscellaneous Provisions) Act, 1950(**a**).

"Agricultural land" means land comprising more than one acre that is used for agriculture, or on which fertilisers are used with a view to bringing it into agricultural use, but shall not include grass orchards or land used as pleasure grounds, private gardens, or for sport or recreation, or for allotment gardens as defined in subsection (1) of section 22 of the Allotments Act, 1922(**b**).

(a) 14 Geo. 6. c. 17. (b) 12 & 13 Geo. 5. c. 51.

"Agricultural unit" means land which is occupied as a unit for agricultural purposes.

"Contribution" means a contribution which the Minister is authorised by section 2 of the Act to make.

"Fertiliser year" means a period within the period referred to in paragraph 3 (*b*) of this Scheme beginning on the 1st July and ending on the 30th June next following.

"A half-yearly period" means a period beginning on the 1st January and ending on the 30th June or beginning on the 1st July and ending on the 31st December in a fertiliser year.

"Land under grass" includes any grazing land, and in particular land under clover or lucerne or mixtures of clover or lucerne with grass, but does not include one year leys.

"The Minister" means the Minister of Agriculture and Fisheries.

"One year ley" means a ley for grazing, hay or seeds production for one year taken in the normal course of arable crop rotation and sown predominantly with short lived species.

"Rough grazings" means mountain, heath, moor, down or other rough land used for grazings whether enclosed by boundary fences or not.

(2) For the purposes of this Scheme the expression "occupier" shall not include a person granted grazing rights over agricultural land, or rights under any letting in conacre of such land.

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

Qualifications for Contributions

3. Contributions may only be made under this Scheme—

(*a*) to the occupier of agricultural land that is under grass or has been ploughed up from grass;

(*b*) when the sale and any agreement for the sale, of the fertilisers to the occupier of the land is made, and where the fertilisers are used on the land, within the period beginning on the 1st July, 1950 and ending on the 30th June, 1953, or within such further period as may be defined by an order made in accordance with the proviso to subsection (2) of section 3 of the Act.

Description of Fertilisers

4. The only fertilisers in respect of which contributions will be made under this Scheme are those mentioned in the Schedule hereto.

Calculation of Contributions

5.—(1) Contributions made under this Scheme shall be—

(*a*) in the case of land under grass (other than rough grazings) in an agricultural unit, one third of the cost incurred by the occupier during a fertiliser year in acquiring and transporting fertilisers used on that land but so that the amount of contribution shall not exceed an amount calculated at a rate of 25s. per acre for half the total acreage under grass (other than rough grazings) in such unit;

(*b*) in the case of land consisting of rough grazings in an agricultural unit, one third of such cost but so that the amount of contribution shall not exceed an amount calculated at a rate of 25s. per acre for half the total acreage of rough grazings in such unit;

(a) 52 & 53 Vict. c. 63.

(*c*) in the case of land ploughed up from grass in an agricultural unit, two-thirds of the cost incurred by the occupier in acquiring and transporting fertilisers used on the land but so that the amount of contribution shall not exceed a rate of £3 per acre for the total acreage so treated in such unit.

(2) Where a grant or contribution towards the cost of fertilisers is payable under any enactment other than the Act, the Minister shall, in determining the amount of contribution under this Scheme, have regard to the amount of grant or contribution payable under any other such enactment as aforesaid.

(3) No contribution shall be made where the cost of acquiring and transporting fertilisers is less than 30s. for a half-yearly period.

(4) In calculating the amount of contribution pence shall be disregarded.

Disqualifications for contributions

6. Contributions may be withheld in any case at the discretion of the Minister, and, in particular where in the opinion of the Minister—

(*a*) the fertilisers have not been used economically or to the best advantage ;

(*b*) (in the case of fertilisers used on land under grass) the occupier of the agricultural unit has an excessive proportion of land under grass, having regard to local conditions, and in particular, to the type of farming carried on in the locality ;

(*c*) the occupier fails to allow the Minister such facilities as he may reasonably require for inspection of the land in respect of which an application for contribution under this Scheme has been made, or to give such information (including in particular information as to the constituents of seeds mixture used in the case of land under grass in its first year), or produce such accounts, or other documents, as the Minister may require for the purposes of this Scheme.

Further disqualifications in the case of land ploughed up from grass

7. Contributions shall not be made in the case of land ploughed up from grass unless—

(*a*) the land was ploughed up after the 31st December, 1949 ;

(*b*) the land had been under grass throughout the period of seven years immediately before such ploughing up ; and

(*c*) the fertilisers were used on the land not later than twelve months after the commencement of the half-yearly period next following the ploughing up Provided that where fertilisers are not used on the land during the same half-yearly period as that in which the land was ploughed up the occupier shall within one month after the expiration of such half-yearly period give notice to the Minister of his intention to use fertilisers on such land.

Transport charges

8. For the purpose of ascertaining the amount of contributions under paragraph 5 of this Scheme the cost of transporting fertilisers shall be reckoned as follows—

(*a*) where the fertilisers are delivered to the occupier's farm, or to an intermediate delivery point, by the supplier, the charge made to the occupier in respect thereof ; and

(*b*) where the fertilisers are not delivered by the supplier to the occupier's farm, the cost incurred by the occupier in transporting them to his farm but so as to leave out of account any cost in excess of such rates (ascertained by reference to the distance over which they are transported) as the Minister considers reasonable.

Application for contributions

9. Application for contributions shall be made by the occupier—

(*a*) within one month of the expiration of the half-yearly period during which the fertilisers were used in default of which the contribution shall be withheld, unless the Minister decides, having regard to special circumstances, to make a contribution;

(*b*) in such manner and in such form as the Minister may from time to time determine.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this third day of August, 1950.

(L.S.)

T. Williams,
Minister.

Approved,

H. W. Bowden,
Charles Royle,
Two of the Lords Commissioners of His Majesty's Treasury.

3rd August, 1950.

SCHEDULE

Any expression which is a name specified in the first column of Part I of the Fourth Schedule of the Fertilisers and Feeding Stuffs Act, 1926(a), shall mean the article defined for that name in the second column of Part I of the Fourth Schedule.

Basic Slag.
Compound Fertilisers (including "nitro-chalk").
Ground Phosphate Rock.
Muriate of Potash.
Sulphate of Ammonia.
Sulphate of Potash.
Superphosphate of Lime (Ordinary and Triple).

EXPLANATORY NOTE

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

The Agriculture (Miscellaneous Provisions) Act, 1950, provides that a scheme may be made for making contributions towards the cost of acquiring and transporting fertilisers used on agricultural land. This Scheme, made by the Minister of Agriculture and Fisheries, with the approval of the Treasury, sets forth the qualifications for obtaining, and the method of calculating the amount of, such contributions.

The period to which the Scheme relates begins on the 1st July, 1950, and ends on the 30th June, 1953, but this period may be extended to a date not later than the 30th June, 1955, by an order made under section 3 (2) of the Act.

The Scheme applies to England and Wales, and Northern Ireland, but not to Scotland.

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