STATUTORY INSTRUMENTS

1980 No. 929

HORTICULTURE

HORTICULTURAL GRANTS

The Horticulture Capital Grant (Variation) (No. 2) Scheme 1980

Made - - - -	4*th July* 1980
Laid before Parliament	8*th July* 1980
Coming into Operation	1*st October* 1980

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred upon them by section 29 of the Agriculture Act 1970**(a)**, and of all other powers enabling them in that behalf, with the approval of the Treasury, hereby make the following scheme:—

Citation, extent and commencement

1. This scheme, which may be cited as the Horticulture Capital Grant (Variation) (No. 2) Scheme 1980, shall apply throughout the United Kingdom and shall come into operation on 1st October 1980.

Interpretation

2. In this scheme the "principal scheme" means the Horticulture Capital Grant Scheme 1973**(b)**.

Variation of paragraph 6 of the principal scheme

3. In paragraph 6 of the principal scheme there shall be substituted for the reference to "1st January 1981" a reference to "1st October 1980".

Variation of paragraph 10 of the principal scheme

4. For paragraph 10 of the principal scheme there shall be substituted the following paragraph—

"10. Where at the date on which a claim for grant under this scheme is received by the appropriate Minister, being a claim relating to an application for approval of expenditure for the purposes of grant, which application was received by that Minister on or after 1st February 1980—

(*a*) the expenditure which is included in the claim (hereinafter referred to as "the present claim") and towards which grant is payable, or

(*b*) the aggregate of that expenditure and any other expenditure towards which grant is payable or has been paid in respect of the same agricultural business under this scheme, under the Farm

(a) 1970 c. 40.
(b) S.I. 1973/1945, varied by S.I. 1976/761, S.I. 1980/104.

Capital Grant Scheme 1973(a) or under any regulations made under section 2(2) of the European Communities Act 1972(b) which provide for the payment of grant to a person carrying on an agricultural business as therein defined, the latter expenditure being expenditure—

(i) which was approved for the purposes of grant as the result of an application received by the appropriate Minister on or after 1st February 1980, and

(ii) which was incurred on or after 1st February 1980, and

(iii) in respect of which the claim for grant was received by the appropriate Minister during the period of six years ending with the date of receipt of the present claim,

exceeds 160,000 ECU, the appropriate Minister shall not pay grant towards so much of that expenditure or, as the case may be, that aggregate as exceeds that figure.".

Insertion of paragraph 11 in the principal scheme

5. There shall be inserted immediately after paragraph 10 of the principal scheme the following paragraph—

"*Termination of scheme*

11. The appropriate Minister shall pay grant under this scheme only as respects expenditure the claim for grant in respect of which is received by him before 1st January 1984 or, in special circumstances with the consent of that Minister, before 1st February 1984.".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 2nd July 1980.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

3rd July 1980.

George Younger,
Secretary of State for Scotland.

3rd July 1980.

Nicholas Edwards,
Secretary of State for Wales.

We approve,

Carol Mather,
David Waddington,
Two of the Lords Commissioners of Her Majesty's Treasury.

4th July 1980.

(a) S.I. 1973/1965, varied by S.I. 1976/547, S.I. 1976/1870, S.I. 1978/380, S.I. 1978/768, S.I. 1980/103.
(b) 1972 c. 68.

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

This Scheme, which applies to the whole of the United Kingdom, varies the Horticulture Capital Grant Scheme 1973 (as varied) and comes into operation on 1st October 1980.

The changes are—

(*a*) the bringing forward of the final date before which applications for approval of expenditure under the 1973 scheme must be received by the appropriate Minister from 1st January 1981 to 1st October 1980;

(*b*) the provision that claims for grant must be received by the appropriate Minister before 1st January 1984 or, in special circumstances with the consent of that Minister, before 1st February 1984; and

(*c*) the replacement of paragraph 10 of the principal Scheme with a revised paragraph for the purposes of elucidation only.