(iii) MARGINAL PRODUCTION

The Marginal Agricultural Production (Scotland) Scheme, 1949

1949 No. 610 (S. 32)

Made - - - -	28*th March*, 1949
Laid before Parliament	30*th March*, 1949
Coming into Operation	31*st March*, 1949

In exercise of the powers conferred upon me by Section 75 of the Agriculture (Scotland) Act, 1948(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 Marginal Agricultural Production (Scotland) Scheme, 1949, and shall come into operation on the 31st day of March, 1949.

Interpretations and Definitions.

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

(ii) In this Scheme, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them—

" The Act " means the Agriculture (Scotland) Act, 1948.

" Agricultural unit " has the like meaning as in the Act.

" Approved programme of agricultural operations " means in relation to any agricultural unit a programme of agricultural operations approved by the Committee as being calculated to maintain or increase the agricultural output of that unit.

" Committee " means an Agricultural Executive Committee established under subsection (1) of section 68 of the Act and in relation to any agricultural unit means the Agricultural Executive Committee in whose area the unit or the greater part of the unit is comprised.

" Occupier " means any person as respects whom the Committee are satisfied that he is farming an agricultural unit.

Powers.

3. Subject to the provisions of this Scheme, the Committee, with the approval of the Secretary of State, may, to such extent as is in the Committee's opinion necessary, provide assistance in respect of the cost of any or all of the goods and services mentioned in paragraph 6 of this Scheme to enable the occupier of any agricultural unit to carry out on that unit an approved programme of agricultural operations, whether such goods and services are provided by the Secretary of State under the Agricultural Goods and Services (Scotland) Scheme, 1948(c), or otherwise:

(a) 11 & 12 Geo. 6. c. 45. (b) 52 & 53 Vict. c. 63.
(c) S.I. 1948 (No. 514) I, p. 91.

Provided that:

(i) the assistance to be given in respect of any item of the said goods and services shall not exceed 50 per cent. of the net cost (including, as regards goods, any cost of carriage) necessarily incurred by the occupier in respect of that item; and

(ii) in calculating the net cost of any such item there shall be deducted the amount of any grant or subsidy that the occupier may be entitled to receive under any other Scheme or under any Act of Parliament or otherwise in respect of that item.

Conditions of eligibility.

4. Before making any offer of assistance in respect of an approved programme of agricultural operations, the Committee shall be satisfied—

(i) that the programme is satisfactory in relation to the rules of good husbandry as contained in the Act;

(ii) that it is desirable, having regard to national production requirements at the time, that the agricultural output of the unit be maintained or increased to the extent provided for in the programme;

(iii) that the productivity of the unit as a whole is such that the occupier could not reasonably be expected to carry out the programme if no such assistance were given.

Other conditions.

5.—(i) Any offer of assistance made under this Scheme shall be made in such form as the Secretary of State may from time to time approve and shall contain such conditions with regard to the carrying out of the approved programme of agricultural operations and other matters as in his opinion are necessary to ensure that assistance may properly be provided under this Scheme.

(ii) Any such offer of assistance shall become void unless the person to whom it has been made shall have signified his acceptance of the offer to the Committee in writing within such period as may be specified in the offer.

(iii) If the person who accepts such an offer fails to carry out any of the conditions thereof to the satisfaction of the Secretary of State, the Committee, with the approval of the Secretary of State, may withhold the assistance agreed to be given or may reduce such assistance and in any event may recover any assistance already given.

Kinds of goods and services.

6.—(i) The goods and services in respect of which assistance may be provided under this Scheme are:—

(*a*) *goods:* fertilisers, seeds;

(*b*) *services:* ploughing, cultivating, sowing, harvesting;

(ii) The Secretary of State, in any case in which he considers it to be necessary so to do in accordance with this Scheme, may also authorise the Committee to give assistance in respect of the cost of any or all of the following goods and services, that is to say—

(*a*) *goods:* machinery, implements, livestock, sera and vaccines;

(*b*) *services:* threshing, pest destruction, control of disease, fencing, bush clearing, reclamation of semi-derelict land;

or in respect of the cost of such other goods and services as the Secretary of State may from time to time determine.

7.—(i) The Committee, in addition to performing any functions which under this Scheme they may be required or authorised to perform, shall do such things as the Secretary of State may from time to time direct for the purpose of giving effect to this Scheme. Directions to the Committee by the Secretary of State.

(ii) The Committee shall in the administration of this Scheme keep such records and make such reports to the Secretary of State as he may direct.

8. No offers of assistance under this Scheme shall be made or accepted after the thirty-first day of August, nineteen hundred and fifty-two. Duration of the Scheme.

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

St. Andrew's House,
Edinburgh, 1.

28th March, 1949.

We approve,

Wm. Hannan,
R. J. Taylor,
Two of the Lords Commissioners of His Majesty's Treasury.

28th March, 1949.

EXPLANATORY NOTE

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

This Scheme, which provides for the continuation of services in substantially the form in which they have operated in recent years under the authority of the annual Appropriation Acts, has with the approval of the Treasury been made under Section 75 of the Agriculture (Scotland) Act, 1948, and applies to Scotland only. It provides that the Secretary of State may give assistance, subject to certain defined conditions, in respect of specified goods and services.

The Scheme is intended to encourage the fullest possible production on farms of inferior type where such production would not be possible without assistance.