The Ploughed-up Grassland (Fertilisers) Scheme, 1951

1951 No. 1153

Made - - - -	*26th June*, 1951
Laid before Parliament	*29th June*, 1951
Coming into Operation	*1st July*, 1951

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In pursuance of subsection (1) of section 2 and subsection (2) of section 4 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 Ploughed-up Grassland (Fertilisers) Scheme, 1951, applies to England and Wales and Northern Ireland, and shall come into operation on the first day of July, 1951.

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**);

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

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

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

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

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

(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 has been ploughed up from grass after the 31st December, 1949, the land having been under grass throughout the period of seven years immediately before such ploughing up;

(*b*) where 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; and

(*c*) where the fertilisers were used on the land not later than twelve months after the 1st January or the 1st July next following the ploughing up: Provided that where fertilisers are not used on the land during the same fertiliser year as that in which the land was ploughed up the occupier shall within one month after the expiration thereof, give notice to the Minister of his intention to use fertilisers on such land.

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 of an amount equal to two-thirds of the cost incurred by the occupier in acquiring and transporting fertilisers used on the land; provided that the amount of contribution shall not exceed the following rates per acre for the total acreage so treated on such land,

(*a*) in the case of fertilisers acquired before 1st July 1951 a rate of £3 per acre; or

(*b*) in the case of fertilisers acquired on or after that date a rate of £4 per acre.

(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 £3 in any fertiliser year.

(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*) 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

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

give such information, or produce such accounts, or other documents, as the Minister may require for the purpose of verifying the occupier's qualifications.

Transport charges

7. 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

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

(*a*) within one month of the expiration of the fertiliser year 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.

Revocation and saving

9. The Grassland Fertilisers Scheme, 1950(**a**), is hereby revoked ; Provided that nothing in this Scheme shall operate to prevent the Minister from making contributions in accordance with the said Scheme of 1950 in respect of a period before this Scheme came into operation.

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this 26th day of June, 1951.

(L.S.)

T. Williams,
Minister.

Approved,

R. S. Taylor,
Charles Royle,
Two of the Lords Commissioners of His Majesty's Treasury.

26th June, 1951.

SCHEDULE

In this Schedule any expression which is a name specified in the first column of Part I of the Fourth Schedule to the Fertilisers and Feeding Stuffs Act, 1926(**b**), 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).

(**a**) S.I. 1950 (No. 1320) I, p. 30.

(**b**) 16 & 17 Geo. 5. c. 45.

EXPLANATORY NOTE

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

This Scheme, made under the Agriculture (Miscellaneous Provisions) Act, 1950 (14 Geo. 6. c. 17.), by the Minister of Agriculture and Fisheries, with the approval of the Treasury, revokes the Grassland Fertilisers Scheme, 1950 (S.I. 1950 No. 1320), made under the same Act (which Scheme provided for contributions to be made by the Minister towards the cost of acquiring and transporting fertilisers used on agricultural land being either under grass or ploughed up from grass), and limits the land in respect of which such contributions may be made to land ploughed up from grass. The Scheme sets forth the slightly changed qualifications for obtaining and method of calculating the amount of such contributions, the rate of which is increased from £3 per acre to £4 per acre as from 1st July, 1951.

The period to which the Scheme relates is the same as that in the Grassland Fertilisers Scheme, 1950, that is to say, a period beginning on the 1st July, 1950, and ending 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.

CORN RETURNS

The Corn Returns (Amendment) Regulations, 1951

1951 No. 947

Made - - - -	*28th May*, 1951
Coming into Operation	*1st July*, 1951

In exercise of the powers conferred upon him by sections 5 and 14 of the Corn Returns Act, 1882(**a**), as amended by the Corn Sales Act, 1921(**b**), and the Agriculture (Miscellaneous Provisions) Act, 1943(**c**), the Minister of Agriculture and Fisheries hereby makes the following regulations:—

1. These regulations may be cited as the Corn Returns (Amendment) Regulations, 1951, and shall come into operation on 1st July, 1951.

2. For the second schedule to the Corn Returns (Amendment) Regulations, 1943(**d**) (which prescribes the form in which returns of British corn shall be made), there shall be substituted the schedule to these regulations.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this twenty-eighth day of May, nineteen hundred and fifty-one.

T. Williams,
Minister of Agriculture and Fisheries.

(a) 45 & 46 Vict. c. 37.
(b) 11 & 12 Geo. 5. c. 35.
(c) 6 & 7 Geo. 6. c 16.
(d) S.R. & O. 1943 (No. 1760) I, p. 115