STATUTORY INSTRUMENTS

1961 No. 965

AGRICULTURE

AGRICULTURAL GRANTS, GOODS AND SERVICES

The Ploughing Grants Scheme, 1961

Laid before Parliament in draft
Made - - - - 18*th May*, 1961

The Minister of Agriculture, Fisheries and Food, being by virtue of article 3 of the Transfer of Functions (Ministry of Food) Order, 1955(a), the appropriate Minister within the meaning of paragraph (*c*) of subsection (2) of section five of the Agriculture (Ploughing Grants) Act, 1952(b), in relation to a joint scheme for England and Wales and Northern Ireland, in pursuance of the said Act and of all other powers enabling him in that behalf, with the approval of the Treasury, hereby makes the following scheme, of which a draft has been laid before Parliament and has been approved by resolution of each House of Parliament:—

1. This scheme, which may be cited as the Ploughing Grants Scheme, 1961, shall apply to England and Wales and Northern Ireland.

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

"the Act" means the Agriculture (Ploughing Grants) Act, 1952;

"grass" includes clover, lucerne or sainfoin or mixtures of clover, lucerne or sainfoin with grass;

"land under grass" includes any grazing land;

"the Minister" means the Minister of Agriculture, Fisheries and Food;

"occupier" in Northern Ireland includes the person who, by virtue of an agreement, whether written or otherwise, has the right to the use of the land at the time of the completion of the operations referred to in Parts I and II of this scheme.

(2) For the purposes of this scheme grass shall be regarded as a crop.

(3) The Interpretation Act, 1889(c), applies to the interpretation of this scheme as it applies to the interpretation of an Act of Parliament.

PART I

3.—(1) Subject to the provisions of this scheme a grant may be made by the Minister under this Part of this scheme in respect of the ploughing up of land under grass and the carrying out of such further operations on the land after ploughing as are necessary to produce on that land a crop before the end of the year 1962, or, if in special circumstances the Minister approves, in the year 1963.

(a) S.I. 1955/554 (1955 I, p. 1200). (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 35.
(c) 52 & 53 Vict. c. 63.

(2) The person to whom such a grant may be made shall be the occupier of the land on completion of the operations in respect of which the grant is payable.

4. The rate of grant to be made in accordance with this part of this scheme shall be seven pounds per acre:

Provided that in calculating the amount of a grant fractions of an acre less than one quarter of an acre shall be disregarded.

5. A grant under this part of this scheme may only be made where the land ploughed up—

(*a*) is not less than one acre in area;

(*b*) was ploughed up from grass within the period beginning with the 1st day of June, 1961, and ending with the 31st day of May, 1962; and

(*c*) at the time when such ploughing up was begun was under grass that had been sown before the 1st day of June, 1958, or had been continuously under grass since before that date.

6. A grant shall not be made under this part of this scheme in respect of any land (except in special circumstances if the Minister so decides) unless written notice of the ploughing up of that land is given by the occupier of the land to the Minister not later than twenty-one days after the ploughing.

PART II

7.—(1) Subject to the provisions of this scheme a grant may be made by the Minister under this part thereof in respect of the following operations—

(*a*) the ploughing up of land under grass;

(*b*) after ploughing, the carrying out of such further operations on the land as may be required by the Minister and as are necessary, or form part of the operations necessary, to bring the land into a state of cleanliness, fertility, and fitness for cropping; and

(*c*) the sowing on that land of a crop, unless the Minister otherwise determines.

(2) A grant shall not be made under this part of this scheme in respect of any land unless before the commencement of any operations in respect of which such a grant may be made the Minister has approved those operations in relation to that land and is satisfied that the carrying out thereof on that land is likely to involve expenditure which is substantially heavier than normal for operations such as are specified in subparagraph (1) of this paragraph.

(3) The person to whom such a grant may be made shall be the occupier of the land on completion of the operations in respect of which the grant is payable.

8. The rate of grant to be made in accordance with this part of this scheme shall be twelve pounds per acre:

Provided that in calculating the amount of a grant fractions of an acre less than one quarter of an acre shall be disregarded.

9. A grant under this part of this scheme may only be made where the land ploughed up—

(*a*) is not less than one acre in area;

(*b*) was ploughed up from grass within the period beginning with the 1st day of June, 1961, and ending with the 31st day of May, 1962; and

(*c*) at the time when such ploughing up was begun was under grass that had been sown not later than the 1st day of June, 1946, or had been continuously under grass since before that date.

PART III

10. The Minister may require an applicant for a grant under Part I, or, as the case may be, Part II, of this scheme to give to any person authorised by the Minister in that behalf adequate facilities for the inspection of any land to which the application relates.

11. Where in the opinion of the Minister—

(*a*) the ploughing or any other operation in respect of which a grant under Part I, or, as the case may be, Part II, of this scheme may be made has been inefficiently carried out, or

(*b*) adequate facilities for the inspection of the land in respect of which such a grant may be made have not been given;

payment of the grant may be withheld or the amount of the grant may be reduced to such amount as the Minister considers reasonable.

12. If in respect of any of the operations in respect of which a grant is payable under Part I, or, as the case may be, Part II, of this scheme payments of moneys provided by Parliament under any enactment other than the Act are available, the Minister in determining the amount of grant payable under Part I, or, as the case may be, Part II, of this scheme may take into consideration such payments, and may withhold or reduce the amount payable under this scheme accordingly.

13. A grant shall not be made under Part I of this scheme unless an application for the grant—

(*a*) is made to the Minister by the occupier of the land ploughed up, in writing in such form as the Minister may from time to time require, and

(*b*) is received by the Minister not later than the 31st day of July, 1962, or before such later date as the Minister may whether by reason of any approval given under paragraph 3 of this scheme or of other special circumstances of any case allow.

14. Nothing in this scheme shall authorise the Minister to make a grant under both Part I and Part II of this scheme in respect of the same land.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this seventeenth day of May, nineteen hundred and sixty-one.

(L.S.)

Christopher Soames,
Minister of Agriculture, Fisheries and Food.

Approved,
18th May, 1961.

R. Chichester-Clark,
W. S. I. Whitelaw,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

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

This scheme, which is the eleventh scheme to be made under the Agriculture (Ploughing Grants) Act, 1952, provides for the making of grants by the Minister of Agriculture, Fisheries and Food at two different rates in respect of land ploughed up from grass, where after ploughing the operations described in the scheme are carried out.

Except for the advancing by one year of all qualifying dates, other than the date (1st June, 1946) since when land must have been down to grass in order to attract the higher rate of grant, the terms of the scheme are in all material respects identical with the corresponding scheme made last year (the Ploughing Grants Scheme, 1960 (S.I. 1960/924)).