1965 No. 1180

AGRICULTURE

AGRICULTURAL GRANTS, GOODS AND SERVICES

The Ploughing Grants Scheme 1965

Laid before Parliament in draft

Made - - - - *24th May* 1965

The Minister of Agriculture, Fisheries and Food, in pursuance of sections 1, 2, 3 and 5 of the Agriculture (Ploughing Grants) Act 1952(a) and all other enabling powers, with the approval of the Treasury, hereby makes the following scheme, a draft of which 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 1965, 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;

"agricultural" has the same meaning as in section 109(3) of the Agriculture Act 1947(b);

"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 on the land of one of the further operations specified in the Schedule to this scheme.

(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.

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 35. (b) 10 & 11 Geo. 6. c. 48.
(c) 52 & 53 Vict. c. 63.

4. The rate of grant to be made in accordance with this Part of this scheme shall be £5 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 agricultural land ;

(*b*) is, in the opinion of the Minister, suitable for ploughing and cropping ;

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

(*d*) was ploughed up from grass within the period beginning with 1st June 1965 and ending with 31st May 1966 ; and

(*e*) at the time when such ploughing up was begun was under grass that had been sown before 1st June 1962, or had been continuously under grass since before that date.

PART II

6.—(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.

(4) A grant shall not be made under this Part of this scheme in respect of any land which has been the subject of a grant under Part II of any previous scheme made under the Act.

7. The rate of grant to be made in accordance with this Part of this scheme shall be £12 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.

8. 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 1st June 1965 and ending with 31st May 1966 ; and

(*c*) at the time when such ploughing up was begun was under grass that had been sown not later than 1st June 1953, or had been continuously under grass since before that date.

PART III

9. 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.

10. 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.

11. 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.

12. 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 last day of the month following that in which the land is ploughed, or before such later date as the Minister may by reason of the special circumstances of any case allow.

13. 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.

14. A grant shall not be made under this scheme in respect of any land which has been the subject of a grassland renovation grant made by virtue of a scheme under section 11 of the Agriculture (Miscellaneous Provisions) Act 1963(**a**).

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 20th May 1965.

Frederick Peart,

(L.S.) Minister of Agriculture, Fisheries and Food.

Approved on 24th May 1965.

George Lawson,
Ifor Davies,

Two of the Lords Commissioners of Her Majesty's Treasury.

(**a**) 1963 c. 11.

SCHEDULE Paragraph 3(1)

FURTHER OPERATIONS

The following shall be further operations after ploughing for the purposes of Part I of this scheme:—

(*a*) Ploughing a second time, rotavating, discing, cultivating, rolling, harrowing or any similar operation carried out for the purpose of producing a tilth.

(*b*) Spreading lime or fertiliser.

(*c*) Sowing or planting.

EXPLANATORY NOTE

(*This Note is not part of the scheme.*)

This scheme, which is 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.

This is the first scheme under which it is possible for land to qualify for the higher rate of grant, i.e. through having been down to grass for 12 years, although previously ploughed after the passing of the Act. Part II of the scheme provides that where the higher rate of grant was paid on the previous occasion the land will not be eligible for the higher rate under this scheme.

All qualifying dates have been advanced by one year, but in other respects the scheme is materially the same as the 1964 scheme (S.I. 1964/721).