STATUTORY INSTRUMENTS

1969 No. 769

AGRICULTURE

AGRICULTURAL GRANTS, GOODS AND SERVICES

The Ploughing Grants Scheme 1969

Laid before Parliament in draft

Made - - - 30*th May* 1969

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in pursuance of sections 1, 2, 3 and 5 of the Agriculture (Ploughing Grants) Act 1952(**a**), as read with the Transfer of Functions (Wales) Order 1969(**b**), and all their other enabling powers, with the approval of the Treasury, hereby make 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 1969, 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 appropriate Minister", in relation to land in England or Northern Ireland, means the Minister and, in relation to land in Wales, means the Minister and the Secretary of State, acting jointly ;

"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 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.

(a) 1952 c. 35. (b) S.I. 1969/388 (1969 I, p. 1070).
(c) 1889 c. 63.

3.—(1) Subject to the provisions of this scheme a grant may be made by the Minister 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 appropriate 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 appropriate Minister otherwise determines.

(2) A grant shall not be made under 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 appropriate Minister has approved those operations in relation to that land and is satisfied that the carrying out thereof on that land, together with any necessary preliminary operations, is likely to involve expenditure which is substantially heavier than normal for operations such as are specified in sub-paragraph (1) of this paragraph.

(3) Where operations in relation to any land have been approved for the purposes of the Ploughing Grants Scheme 1968(**a**), not being operations deemed to have been so approved by virtue of paragraph 3(3) of that scheme, and any part of the said land has not been ploughed up from grass before 1st June 1969, such operations shall be deemed to have been approved for the purposes of this scheme also.

(4) 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.

(5) A grant shall not be made under 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.

4. The rate of grant to be made in accordance with 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.

5. A grant under 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 1969 and ending with 31st May 1970 ; and

(*c*) at the time when such ploughing up was begun was under grass that had been sown not later than 1st June 1957, or had been continuously under grass since before that date.

6. The appropriate Minister may require an applicant for a grant under this scheme to give to any person authorised by the Minister in that behalf, or, in relation to land in Wales, by the Minister and the Secretary of State or either of them, adequate facilities for the inspection of any land to which the application relates.

(**a**) S.I. 1968/852 (1968 II, p. 2280).

7. Where in the opinion of the appropriate Minister—

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

(*b*) any preliminary operations the expenditure or likely expenditure on which has been taken into account by the appropriate Minister for the purpose of satisfying himself that a grant may be made under this scheme have not been carried out or have been inefficiently carried out, or

(*c*) adequate facilities for the inspection of the land in respect of which any such grant as aforesaid 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 appropriate Minister considers reasonable.

8. If in respect of any of the operations in respect of which a grant is payable under 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 this scheme may take into consideration such payments, and may withhold or reduce the amount payable under this scheme accordingly.

9. 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 22nd May 1969.

(L.S.)

Cledwyn Hughes,

Minister of Agriculture, Fisheries and Food.

Given under my hand on 22nd May 1969.

George Thomas,

Secretary of State for Wales.

Approved on 30th May 1969.

B. K. O'Malley,

E. Alan Fitch,

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

(a) 1963 c. 11.

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 the rate of £12 per acre in respect of land ploughed up from grass, where after ploughing the operations described in the scheme are carried out. The land must have been under grass since 1st June 1957 and the ploughing must be carried out within the period from 1st June 1969 to 31st May 1970.

Prior approval must be obtained from the appropriate Minister, and this will only be given where he is satisfied that the carrying out of the operations (together with any necessary preliminary operations) is likely to involve expenditure which is substantially heavier than normal for operations of the kind.

Where operations have been expressly approved for the purposes of the 1968 scheme, but any of the ploughing is carried out during the period to which this scheme applies, the approval is to be treated as though it were given for the purposes of this scheme also.

In other respects, except for the advancement of the dates by one year, the scheme is materially the same as the 1968 scheme. It is however made by the Minister and Secretary of State jointly, to take account of devolution to Wales, and there are some minor consequential drafting differences. The appropriate Minister is the Minister of Agriculture, Fisheries and Food in relation to land in England or Northern Ireland, and the Minister and the Secretary of State, acting jointly, in relation to land in Wales.