STATUTORY INSTRUMENTS

1966 No. 1609 (S. 126)

AGRICULTURE

AGRICULTURAL GRANTS, GOODS AND SERVICES

The Winter Keep (Scotland) Scheme 1966

Laid before Parliament in draft

Made - - - - 21*st December* 1966
Coming into Operation 1*st January* 1967

In exercise of the powers conferred on me by sections 10 and 12 of the Agriculture (Miscellaneous Provisions) Act 1963(a) and of all other powers enabling me in that behalf, and with the approval of the Treasury, I 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:—

Citation and commencement.

1. This scheme may be cited as the Winter Keep (Scotland) Scheme 1966 and shall come into operation on 1st January 1967.

Interpretation.

2.—(1) In this scheme, unless the context otherwise requires—

"the Act" means the Agriculture (Miscellaneous Provisions) Act 1963;

"agricultural unit" means land, other than land occupied by any person as a crofter or as an eligible occupier, which is occupied as a unit for agricultural purposes, together with any other land, including land held in common, used in connection with such land for the purpose of grazing;

"crofter" means a crofter within the meaning of the Crofters (Scotland) Acts 1955 and 1961(b);

"eligible occupier" means a person who is for the time being an eligible occupier within the meaning of the Crofting Counties Agricultural Grants (Scotland) Scheme 1961(c), the Crofting Counties Agricultural Grants (Scotland) Scheme 1963(d) or the Crofting Counties Agricultural Grants (Scotland) Scheme 1965(e) and, except in the case of a person who is a subtenant as is mentioned in section 14(1)(*c*) of the Crofters (Scotland) Act 1961, who has been offered a grant under any of the said Schemes;

"grass" includes rye grass and other rotational grasses, clover and permanent grass;

"livestock rearing purposes" means the breeding, rearing and maintenance of sheep or cattle, and includes other activities carried on in connection therewith;

(a) 1963 c. 11.
(b) 3 & 4 Eliz. 2. c. 21; 1961 c. 58.
(c) S.I. 1961/2266 (1961 III, p. 3973).
(d) S.I. 1963/1294 (1963 II, p. 2240).
(e) S.I. 1965/1519 (1965 II, p. 4399).

"occupier" in relation to any land, means the person who has the right to use that land for growing any such crops as are specified in Schedule 1 to this scheme; and the word "occupation" shall be construed accordingly;

"year" means a year commencing with 1st January and ending with 31st December.

(2) In this scheme "livestock rearing land" has the meaning assigned to it by section 10(3) of the Act, that is to say—

(*a*) land situated in an area consisting predominantly of mountains, hills or heath, being land which is, or by improvement could be made, suitable for use for the breeding, rearing and maintenance of sheep or cattle but not for the carrying on, to any material extent, of dairy farming, the production, to any material extent, of fat sheep or fat cattle or the production of crops in quantity materially greater than that necessary to feed the number of sheep or cattle capable of being maintained on the land, and

(*b*) any land suitable for use with such land for livestock rearing purposes.

(3) Any reference in this scheme to any other scheme shall be construed as a reference to that scheme as amended by any subsequent scheme, and if any scheme referred to in this scheme is replaced by a subsequent scheme the reference shall be construed as a reference to that subsequent scheme.

(4) The Interpretation Act 1889(**a**) shall apply for the interpretation of this scheme as it applies for the interpretation of an Act of Parliament.

Winter keep grants.

3.—(1) Subject to the provisions of this scheme, the Secretary of State may pay annual grants, to be known as winter keep grants, for each year in the period commencing with 1st January 1967 and ending with 31st December 1969 in respect of livestock rearing land which is—

(*a*) comprised in an agricultural unit consisting predominantly of such land as is described in paragraph 2(2)(*a*) of this scheme, being a unit used predominantly for livestock rearing purposes, and

(*b*) used in the year to which the grant relates for growing any such crops for the winter feeding of livestock as are specified in Schedule 1 to this scheme.

(2) The rate of grant payable in respect of any such land shall be the rate specified in Column 2 of Schedule 2 to this scheme in relation to the class of land into which that land falls, being one of the classes of land specified in Column 1 of the said Schedule:

Provided that—

(*a*) for the purposes of this subparagraph the class of land into which any such land falls shall be such one of the said classes as is determined by the Secretary of State;

(*b*) in calculating the amount of a grant fractions of an acre shall be rounded down to the nearest quarter of an acre.

(3) The person to whom such a grant may be made shall be the occupier of the land on 4th June in the year to which the grant relates:

Provided that where after 4th June in the year to which the grant relates there is a change in the occupation of the land and the land is used for growing a crop, or in the case where the crop is grass, for setting aside of grass for mowing,

(**a**) 1889 c. 63.

after such change and then for the first time in that year, the person to whom the grant may be made shall be the occupier of the land who carried out the operations relevant to the payment of the grant.

(4) A grant shall not be paid under this scheme in respect of less than one acre of land.

Withholding or restriction of grant for bad work, etc.

4. Where in the opinion of the Secretary of State—

(*a*) any operation relevant to the payment of a grant under this scheme has been inefficiently carried out; or

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

payment of the grant may be withheld or the amount of the grant may be restricted to such amount as the Secretary of State considers reasonable.

Restriction of grant for inadequate crops.

5. Where in the opinion of the Secretary of State, having regard to the weather and other natural conditions, a crop is unduly small in relation to the acreage of land on which it has been grown, the amount of any grant payable under this scheme in respect of that land shall be restricted to the amount which would have been so payable if the crop had been grown on a part of that land reasonably sufficient in the opinion of the Secretary of State to produce a crop of the kind and quantity actually grown.

Restriction of grant for excess winter keep.

6. The total grant payable under this scheme for any year in respect of land comprised in an agricultural unit shall be restricted to the amount payable in respect of such acreage of land as would, in the opinion of the Secretary of State, have been reasonably sufficient to provide adequate crops for the winter feeding of the numbers of sheep and cattle likely to be maintained by the occupier on the unit throughout the following winter.

Other conditions of payment.

7. Payment of grant under this scheme in respect of any land used for growing a crop shall be subject to the following conditions:—

(*a*) the land shall, in the opinion of the Secretary of State, be suitable for growing the crop;

(*b*) if the Secretary of State so requests, adequate facilities shall be given to him to inspect the crop and any sheep or cattle on the agricultural unit of which the land forms part;

(*c*) an application for the grant shall be submitted to the Secretary of State in writing by the person to whom the grant may be made in such form and at such time as the Secretary of State may require.

Restrictions following payment of grassland renovation grant.

8. A grant under this scheme in respect of any land shall not be paid where, within the immediately preceding period commencing with 1st September 1963, a grassland renovation grant under section 11 of the Act has been made in respect of the renovation of that land, unless—

(*a*) the crop to which the grant under this scheme relates is grass;

(*b*) at the time when the said crop is grown, the land has been continuously under grass since the date of such renovation; and

(*c*) the Secretary of State is satisfied that the setting aside and the mowing of the grass for the purposes of this scheme are in accordance with sound farming practice.

William Ross,

One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
20th December 1966.

We approve.

Harry Gourlay,

W. Howie,

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

21st December 1966.

SCHEDULE 1

Paragraphs 2(1) and 3(1)

Crops for the winter feeding of livestock

(1) Grass for drying, hay or silage, set aside for mowing by being kept ungrazed for a substantial part of the growing season.

(2) Other crops grown exclusively for silage.

(3) Oats, turnips, swedes, kale, cabbage, rape, mangolds, fodder beet, fodder radish, beans, peas, kohlrabi, vetches, tares and any mixture of 2 or more of these crops.

SCHEDULE 2

Paragraph 3(2)

Rate of grant

Column 1 Classes of land	Column 2 Rate of grant
CLASS A Land comprised in an agricultural unit normally possessing most of the following natural characteristics:— (*a*) good grazings, capable of carrying the less hardy types of sheep or cattle; (*b*) a not unduly restricted grazing season; (*c*) the capacity to carry a reasonably high rate of stocking; (*d*) arable land of fair quality and sufficient in area for the production of crops in reasonable relationship to the stock carrying capacity of the unit.	£2 10s. per acre.
CLASS B Land comprised in an agricultural unit normally possessing natural characteristics intermediate to those specified in Classes A and C respectively in this Column.	£3 10s. per acre.
CLASS C Land comprised in an agricultural unit normally possessing most of the following natural characteristics:— (*a*) poor grazings, capable of carrying only the hardier types of sheep and cattle; (*b*) a short grazing season; (*c*) the capacity to carry only a low rate of stocking due to poor or insufficient arable land.	£5 per acre.

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

This scheme provides for the payment of annual winter keep grants at different rates to occupiers of different classes of livestock rearing land which is used in the years 1967, 1968 and 1969 to grow specified crops (including grass set aside for mowing) for the winter feeding of livestock. The land must be part of an agricultural unit consisting predominantly of livestock rearing land and

being used predominantly for livestock rearing purposes. With certain exceptions winter keep grant is not payable under this scheme if grassland renovation grant has been paid. Restrictions are imposed on the payment of grant where work is inefficiently carried out, where adequate facilities for inspection are not given, where inadequate crops are grown, having regard to the weather and other natural conditions, and where more winter keep is grown than will be needed for sheep and cattle on the unit in the following winter. The scheme provides for the making of applications for grant. The scheme does not apply to croft land or to land occupied by persons eligible for grant under the Crofting Counties Agricultural Grants (Scotland) Schemes.

The Scheme is materially the same as the previous scheme, the Winter Keep (Scotland) Scheme 1963 (as amended), but omits the requirement that notice will be given of the growing of crops and adds fodder radish to the list of specified crops.

STATUTORY INSTRUMENTS

1966 No. 1610 rev 1996/2756

CONSUMER PROTECTION

The Stands for Carry-cots (Safety) Regulations 1966

Made - - - -	19*th December* 1966
Laid before Parliament	3*rd January* 1967
Coming into Operation	1*st February* 1967

In pursuance of sections 1 and 2 of the Consumer Protection Act 1961(a) and of the Schedule to that Act as amended by the London Government Act 1963(b), and after consulting with such persons and bodies of persons as appear to me to be requisite, I hereby make the following Regulations:—

1. A cot-stand shall have stoutly affixed to it a durable label stating in legible and durable characters the maximum length and width of carry-cot which the stand is designed to accommodate.

2. The effective base of a cot-stand, when set upon a flat surface, shall be wider than the width and at least as long as three-quarters of the length specified in the label required by Regulation 1 of these Regulations.

3. A cot-stand shall be so designed that, when a carry-cot having the dimensions specified in the label required by Regulation 1 of these Regulations is in position on the stand—

(*a*) the carry-cot is effectively retained in position on the stand by a guard-rail or rigid stops operating upon the corners of the carry-cot at a point not less than three inches above the underside of the bottom of the carry-cot; and

(*b*) the underside of the bottom of the carry-cot is not more than seventeen inches above floor level.

4. A cot-stand shall be such that it will not break or suffer permanent distortion if—

(*a*) a carry-cot is placed in position on the stand;

(*b*) a weight of sixty pounds is so applied that its pressure is equally distributed over the bottom of the carry-cot; and

(*c*) that pressure is maintained for twelve hours.

5. As respects the requirements of these Regulations, section 2(1) and (2) of the Act (which prohibits sales and possession for sale of goods and component parts not complying with regulations) shall apply in relation to goods and component parts manufactured before the coming into operation of these Regulations notwithstanding anything in subsection (4) of that section (which exempts such goods and parts unless regulations otherwise provide).

6. (1) The Schedule to the Act shall have effect in relation to goods to which these Regulations apply.

(a) 1961 c. 40. (b) 1963 c. 33.

(2) In relation to goods to which these Regulations apply " local authority " in the Schedule to the Act shall mean the council of a county borough, the council of a London borough or the Common Council of the City of London; as respects any non-county borough or urban district which has according to the last published census for the time being a population of 60,000 or upwards, the council of the borough or urban district; and as respects any other area the council of the county; and, in Scotland, the council of any county or any town.

7.—(1) In these Regulations—

" the Act " means the Consumer Protection Act 1961 as amended by the London Government Act 1963;

" carry-cot " means a cot designed for use in carrying a baby about;

" cot-stand " means a stand designed to accommodate a carry-cot when the cot is not being carried about, but does not include a stand which is designed for use (when accommodating a carry-cot) as a perambulator.

(2) The Interpretation Act 1889(a) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

8. These Regulations may be cited as the Stands for Carry-cots (Safety) Regulations 1966 and shall come into operation on 1st February 1967.

Roy Jenkins,
One of Her Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.
19th December 1966.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

By the Consumer Protection Act 1961, the Secretary of State is empowered to make regulations imposing requirements in respect of any prescribed class of goods to prevent or reduce risk of death or personal injury.

These Regulations impose such requirements in relation to stands for carry-cots (as defined in Regulation 7(1)) and accordingly under the Act, subject to certain exceptions, no person may sell or have in his possession for sale a carry-cot stand not complying with the Regulations.

Regulation 1 requires a label stating the maximum dimensions of cot for which the stand is designed. Regulation 2 relates to the size of the base. Regulation 3 requires a guard-rail or stops to keep the cot in position and prescribes a maximum height above the floor. Regulation 4 requires the cot to be of a specified strength.

Under Regulation 5 the prohibition on sale of goods not complying with the Regulations will apply to goods manufactured before the coming into operation of the Regulations. Regulation 6 makes provision for enforcement, in particular as to the local authorities responsible.

(a) 1889 c. 63.