1990 No. 215

AGRICULTURE

Intensive Livestock Industries (Assistance) (Amendment) Scheme (Northern Ireland) 1990

Made	*6th June 1990*
Coming into operation . .	*6th July 1990*

The Department of Agriculture, in exercise of the powers conferred by sections 1(1) and (4) and 2(1) of the Agriculture (Temporary Assistance) Act (Northern Ireland) 1954(**a**) and now vested in it(**b**) and of every other power enabling it in that behalf, after consultation with such interests as appear to the Department to be concerned and with the approval of the Department of Finance and Personnel(**c**), hereby makes the following Scheme:—

Citation, commencement and application

1.—(1) This Scheme may be cited as the Intensive Livestock Industries (Assistance) (Amendment) Scheme (Northern Ireland) 1990 and shall come into operation on 6th July 1990.

(2) Except for the purposes of Article 3(*c*)(iii), this Scheme shall not apply in relation to an application for payment in respect of a monthly period falling before 6th July 1990.

Interpretation

2. In this Scheme—

''monthly period'' has the same meaning as in the principal Scheme;

''the principal Scheme'' means the Intensive Livestock Industries (Assistance) Scheme (Northern Ireland) 1986(**d**).

Amendment of the principal Scheme

3. The principal Scheme shall be amended as follows—

(*a*) in Article 2—

(i) for the definition of ''National Insurance contributions compensation'' there shall be substituted—

'' ''National Insurance contributions compensation'' means the additional amount which an employer is entitled to deduct from Class 1 contributions due to the Inland Revenue or, as the case may be, receive—

(**a**) 1954 c. 31 (N.I.) as amended by 1957 c. 3 (N.I.) and S.I. 1984/702 (N.I. 2) Art. 7

(**b**) *See* Northern Ireland Constitution Act 1973 (c. 36) Sch. 5 para. 7(1) and 1974 c. 28 Sch. 1 para. 2(1) and (2)

(**c**) *See* Northern Ireland Constitution Act 1973 (c. 36) Sch. 5 para. 7(1), 1974 c. 28 Sch. 1 para. 2(1) and (2), and S.I. 1982/338 (N.I. 6) Art. 3

(**d**) S.R. 1986 No. 246

(*a*) in respect of payments of statutory maternity pay, under paragraph 1(*c*), (*d*) and (*e*) of Schedule 4 to the Social Security (Northern Ireland) Order 1986(**a**);

(*b*) in respect of payments of statutory sick pay, under Article 11(1A)(**b**) of the Social Security (Northern Ireland) Order 1982(**c**);'';

(ii) after the definition of ''secondary Class 1 contributions'' there shall be inserted—

'' ''statutory maternity pay'' has the same meaning as in Article 47(1) of the Social Security (Northern Ireland) Order 1986;'';

(*b*) for Article 4 there shall be substituted—

''*Rate of payment*

4. A payment made by the Department in accordance with Article 3 in respect of an application relating to a monthly period shall be equal to 75% of the amount of the secondary Class 1 contributions for the period in question in respect of eligible employees which have either been paid to the Inland Revenue by an employer or which have been withheld by an employer from the Inland Revenue in order to reclaim any amounts of statutory maternity pay and statutory sick pay paid by him and to recover National Insurance contributions compensation.'';

(*c*) in Article 5—

(i) in paragraph (1) for the words ''Subject to paragraph (2)'' there shall be substituted the words ''Subject to paragraphs (2) and (3)'' and for the words ''statutory sick pay and'' there shall be substituted the words ''statutory maternity pay, statutory sick pay or'';

(ii) in paragraph (2) for the words ''statutory sick pay'' there shall be substituted the words ''statutory maternity pay, statutory sick pay'';

(iii) after paragraph (2) there shall be added the following paragraph—

''(3) The Department shall not make a payment—

(*a*) in respect of a monthly period falling before 6th July 1990, unless an application for payment in respect of that monthly period has been received by the Department before 6th October 1990;

(*b*) in respect of a monthly period falling after 5th July 1990, unless an application for payment in respect of that monthly period has been received by the Department before the end of the period of three months beginning with the expiration of the monthly period.'';

(**a**) S.I. 1986/1888 (N.I. 18)

(**b**) As inserted by S.I. 1985/1209 (N.I. 16) Art. 19(1)(*a*) and amended by S.I. 1986/1888 (N.I. 18) Art. 68(2)

(**c**) S.I. 1982/1084 (N.I. 16)