1987 No. 78

AGRICULTURE

COMMON AGRICULTURAL POLICY

Agricultural Products Processing and Marketing (Improvement Grant) Regulations (Northern Ireland) 1987

Made . . . . . *25th February 1987*

Coming into operation . . *1st April 1987*

The Department of Agriculture, being a Department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the common agricultural policy of the European Economic Community, in exercise of the powers conferred on it by that section and of every other power enabling it in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Agricultural Products Processing and Marketing (Improvement Grant) Regulations (Northern Ireland) 1987 and shall come into operation on 1st April 1987.

Interpretation

2.—(1) In these regulations:—

"applicant" in relation to the approval of expenditure for the purposes of a grant under these regulations means the person who is making or has made the application for that approval;

"the Department" means the Department of Agriculture;

"approved" means approved by the Department of Agriculture in writing and "approve" and "approval" shall be construed accordingly;

"the Commission" means the Commission of the European Communities;

"Community aid" means aid from the European Agricultural Guidance and Guarantee Fund;

"the Council" means the Council of the European Communities;

"the Council Regulation" means Council Regulation (EEC) No. 355/77 of 15th February 1977(**c**) on common measures to improve the conditions under which agricultural products are processed and marketed as amended by Council Regulation (EEC) No. 1932/84 of 19th June 1984(**d**);

(**a**) S.I. 1972/1811
(**b**) 1972 c. 68
(**c**) O.J. No. L51, 23.2.77, p. 1
(**d**) O.J. No. L180, 7.7.84, p. 1

"project" has the meaning assigned to it by Article 6.1 of the Council Regulation;

"Northern Ireland project" means a project which is to be carried out in Northern Ireland.

(2) The Interpretation Act (Northern Ireland) 1954(**a**) shall apply to the interpretation of these regulations as it applied to the interpretation of a measure of the Northern Ireland Assembly.

Improvement grants in respect of the processing and marketing of agricultural products

3.—(1) For the purposes of enabling a Northern Ireland project to receive Community aid under the Council Regulation, the Department may, subject to the provisions of these regulations, make to any person a grant towards expenditure incurred by him for the purposes of that project, in circumstances where the Commission or the Council has decided that the project may receive Community aid under the Council Regulation.

(2) The Department may, as it thinks fit, either refuse to approve expenditure or approve it in whole or in part for the purposes of a grant under these regulations and any such approval may be given, or grant made, subject to such conditions as the Department thinks fit.

(3) Any approval of expenditure for the purposes of a grant under these regulations may be varied or withdrawn by the Department with the applicant's written consent.

(4) Any payment by way of a grant under these regulations may be made at such time, or by such instalments at such intervals or times, as the Department may determine.

(5) Any application for approval of expenditure for the purposes of a grant under these regulations shall be made in such form and manner and at such time as the Department may from time to time require and the applicant shall furnish all such particulars and information relating to the application as the Department may require.

Amount of grant

4.—(1) Subject to paragraph (2) of this regulation, the amount of grant which may be paid under these regulations shall not exceed 8 per cent. of such expenditure incurred for the purposes of the project as is approved by the Commission or the Council in deciding the amount of Community aid under the Council Regulation which the project may receive.

(2) Where the expenditure referred to in paragraph (1) of this regulation has been approved for the purposes of any grant, other than a grant under these regulations, out of United Kingdom public funds and that other grant—

(*a*) is insufficient to enable the project to receive the amount of Community aid decided upon by the Commission or the Council, the amount of grant which may be paid under these regulations shall not exceed such amount as is sufficient, when added to that other grant, to enable the project to receive that amount of Community aid;

(**a**) 1954 c. 33 (N.I.)