1986 No. 246

AGRICULTURE

Intensive Livestock Industries (Assistance) Scheme (Northern Ireland) 1986

Made . . . . . *30th July 1986*

Coming into operation . . . *6th September 1986*

The Department of Agriculture, in exercise of the powers conferred by sections 1(1) 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 and commencement

1. This Scheme may be cited as the Intensive Livestock Industries (Assistance) Scheme (Northern Ireland) 1986 and shall come into operation on 6th September 1986.

Interpretation

2. In this Scheme:—

"authorised officer" means a person authorised by the Department for any purpose referred to in this Scheme;

"Class 1 contributions" means Class 1 contributions under the Social Security (Northern Ireland) Act 1975(**d**);

"the Department" means the Department of Agriculture;

"eligible employees" means persons employed in the processing, packing or marketing of pigmeat, eggs or poultrymeat, including those engaged in related administration, transport, cleaning and security duties, and in respect of whom the employer pays secondary Class 1 contributions, but excluding those engaged in production of pigs, eggs and poultry;

"the Inland Revenue" means the Commissioners of Inland Revenue;

"monthly period" means one of the twelve successive periods in a tax year each beginning with the sixth day in any month;

"National Insurance contributions compensation" means the additional amount, in respect of payments of statutory sick pay, which an employer is entitled to deduct from Class 1 contributions due to the Inland Revenue or, as the case may be, receive under Article 11 (1A)(**e**) of the Social Security (Northern Ireland) Order 1982(**f**);

(**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**) 1975 c. 15
(**e**) As inserted by S.I. 1985/1209 (N.I. 16) Art. 19(1)(*a*)
(**f**) S.I. 1982/1084 (N.I. 16)

"poultry" means domestic fowls, turkeys, guinea fowls, ducks and geese;

"secondary Class 1 contributions" means Class 1 contributions from employers;

"statutory sick pay" has the same meaning as in Article 3(1) of the Social Security (Northern Ireland) Order 1982;

"tax year" means the period of twelve months beginning with 6th April in any year.

Payments

3. The Department may, subject to the provisions of this Scheme, make payments to:—

(*a*) employers in the pigmeat processing industry who hold a licence granted by the Department under section 10 of the Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962(**a**), but excluding those solely engaged in slaughtering;

(*b*) employers in the egg packing industry whose undertakings are authorised by the Department, in accordance with Article 5 of Council Regulation (EEC) No. 2772/75(**b**) on marketing standards for eggs, as packing centres; and

(*c*) employers in the poultrymeat processing industry who hold a licence granted by the Department under Regulation 14 of the European Communities Poultry Meat (Hygiene) Regulations (Northern Ireland) 1977(**c**).

Rate of Payments

4. The payments made by the Department in accordance with Article 3 shall be equal to the amount of the secondary Class 1 contributions which have either been paid to the Inland Revenue by an employer in respect of eligible employees or which have been withheld by an employer from his payments to the Inland Revenue in order to reclaim any amounts of statutory sick pay which he has paid to eligible employees and to recover National Insurance contributions compensation.

Applications

5.—(1) Subject to paragraph (2), an employer in the pigmeat processing, egg packing or poultrymeat processing industries, who has paid secondary Class 1 contributions to the Inland Revenue or who has made deductions from such payments to recover statutory sick pay and National Insurance contributions compensation, may make an application, in the form specified in the Schedule, for payment in respect of a monthly period.

(2) An application referred to in paragraph (1) shall be accompanied, where appropriate, by evidence that secondary Class 1 contributions have been paid to the Inland Revenue for the period in question and the Department shall not make a payment unless either such evidence is provided or the entries in the application form indicate that the amounts which would have been payable to the Inland Revenue for the period in question have been wholly offset by deductions to recover statutory sick pay and National Insurance contributions compensation.

Records

6.—(1) Applicants for payment shall keep in respect of each monthly period:—

(*a*) receipts or other documentary evidence which verify the payments of Class 1 contributions made to the Inland Revenue;

(a) 1962 c. 13 (N.I.)
(b) O.J. No. L282, 1.11.75, p. 56
(c) S.R. 1977 No. 165