1986 No. 113

AGRICULTURE

Grassland Scheme (Northern Ireland) 1986

Made	*29th April 1986*
Coming into operation . . .	*1st May 1986*

The Department of Agriculture in exercise of the powers conferred on it by Section 6(1) of the Agriculture Act (Northern Ireland) 1949(**a**) and of every other power enabling it in that behalf, with the approval of the Department of Finance and Personnel(**b**) hereby makes the following Scheme:

Citation and commencement

1. This Scheme may be cited as the Grassland Scheme (Northern Ireland) 1986 and shall come into operation on 1st May 1986.

Interpretation

2. In this Scheme—

"agricultural business" means a business consisting in or such part of any business as consists in the pursuit of agriculture including the storage, the transport and the preparation for market of the produce of the business;

"the Department" means the Department of Agriculture;

"earned income" in relation to an agricultural business means the revenue of the business including net inventory changes and farm house consumption but excluding remuneration from capital invested in the agricultural business and farm production costs (excluding costs of labour);

"labour unit" means the amount of work, other than work done by contractors, which would occupy the full-time not exceeding 2,300 hours per year of a full-time worker;

"less favoured areas" means land which is situated in an area included in the list of less favoured farming areas adopted by the Council or the Commission of the European Communities under Article 2 of Council Directive No. 75/268/EEC on mountain and hill farming in certain less favoured areas(**c**).

Application of scheme

3. Claims may be made under this Scheme which relate to any area of Northern Ireland except insofar as it has been designated a less favoured area.

Payment of grant

4. Subject to the provisions of this Scheme the Department may make a grant to any person towards expenditure incurred by him for the purposes of, or in connection with, the carrying on or establishment of an agricultural business, being expenditure which appears to the Department to be of a capital nature or incurred in connection with expenditure of a capital nature.

(**a**) 1949 c. 2 (N.I.)
(**b**) Formerly the Department of Finance: *see* S.I. 1982/338 (N.I. 6) Art. 3
(**c**) O.J. No. L128, 19 May 1975, p. 1; Article 2 was amended by Council Directive No. 80/666/EEC (O.J. No. L180, 14 July 1980, p. 34)

Amount of grant

5. Subject to the provisions of this Scheme the Department may pay—

(*a*) the rate of grant specified in column 2 of Schedule 1 on expenditure incurred on the item specified in column 1 of that Schedule where grant is payable under the Agriculture Improvement Regulations 1985(**a**) except insofar as the agricultural business in respect of which the grant is claimed has an earned income per labour unit in excess of the reference income specified in Article 7 in respect of the calendar year in which the grant is claimed;

(*b*) the rate of grant specified in column 3 of Schedule 1 on expenditure incurred on the item specified in column 1 of that Schedule where grant is not payable under the Agriculture Improvement Regulations 1985 except insofar as the agricultural business in respect of which the grant is claimed has an earned income per labour unit in excess of the reference income specified in Article 7 in respect of the calendar year in which the grant is claimed;

(*c*) the rate of grant specified in column 4 of Schedule 1 on expenditure incurred on the item specified in column 1 of that Schedule where grant is payable under the Agriculture and Horticulture Development Regulations 1980(**b**) and is related to an application for approval of a development plan under those regulations received for the first time by the Department on or after 9th July 1985.

Standard costs

6. The cost of any work or facility for the purpose of determining the amount of any grant payable shall, if the claimant so elects, be such standard costs or amount as are specified in forms SC1 (published October 1985) and SC2 (published October 1985) by the Department.

Reference income

7. For the purposes of this Scheme the reference income shall be £7,950.

Claims for grant

8. Any claims for a grant under this Scheme shall be in the form specified in Schedule 2.

Closing date for commencement of work and making of claims

9. The Department shall pay grant under Article 5 in respect of claims for the item listed in column 1 of Schedule 1 only if the work in respect of that item commenced on or before 30th September 1986 and the claim is received by the Department on or before 31st December 1986.

Recovery of grant

10. If the Department has paid a grant under this Scheme and finds that the whole or part of such payment ought not to have been made it shall be entitled to recover on demand as a civil debt from the person to whom such payment was made so much of the said sum as ought not to have been paid.

Sealed with the Official Seal of the Department of Agriculture on 29th April 1986.

(L.S.)

N. E. Morrison
Assistant Secretary

(**a**) S.I. 1985/1266

(**b**) S.I. 1980/1298 as amended by S.I. 1981/1708; S.I. 1983/508; S.I. 1983/924; S.I. 1983/1763; S.I. 1984/618; S.I. 1984/1922; S.I. 1985/1025

The Department of Finance and Personnel hereby approves the foregoing Scheme.

Sealed with the Official Seal of the Department of Finance and Personnel on 29th April 1986.

(L.S.)

D. W. Alexander
Assistant Secretary