1982 No. 364

FISHERIES

Freshwater Fishing Vessels (Grants) Scheme (Northern Ireland) 1982

Made . . . . . 5th November 1982

Coming into operation . . . 15th December 1982

To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974

The Department(a) of Agriculture, in exercise of the powers conferred on it by section 1 of the Fishing Vessels (Grants) Act (Northern Ireland) 1967(b) and of every other power enabling it in that behalf, 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 Freshwater Fishing Vessels (Grants) Scheme (Northern Ireland) 1982 and shall come into operation on 15th December 1982.

Interpretation

2. In this Scheme—

"approved expenditure" means expenditure incurred with the prior approval of the Department;

"the control period" means a period of 3 years commencing with the date on which the final payment was made in respect of the grant;

"the Department" means the Department of Agriculture;

"engine" means an engine the cubic capacity of which does not exceed 2,000 cubic centimetres;

"fishing vessel" means a vessel the overall length of which does not exceed 7.924 metres (26 feet) constructed for the purpose of fishing;

"freshwater fishing industry" does not include the use of fishing vessels for angling or other recreational purposes or the sale or hire of fishing vessels for such purposes;

"overall length" means the length measured from the foremost part of the stem to the aftermost part of the stern;

"providing" in relation to a fishing vessel includes the installing in any such vessel of any equipment required for the purpose of operating that vessel other than fishing gear;

"the 1976 Scheme" means the Fishing Vessels (Grants) Scheme (Northern Ireland) 1976(d).

(a) Formerly Ministry: *see* Northern Ireland Constitution Act 1973 (c. 36) Sch. 5 para. 8(1)
(b) 1967 c. 8 (N.I.)
(c) Formerly Ministry of Finance: *see* Northern Ireland Constitution Act 1973 (c. 36) Sch. 5 para. 8(1) and S.I. 1982/338 (N.I. 6) Art. 3
(d) S.R. 1976 No. 149

Purposes for which grants may be made

3. Subject to this Scheme, the Department may make to a person carrying on or proposing to carry on a business in the freshwater fishing industry in Northern Ireland a grant in respect of expenditure incurred in—

(*a*) providing a fishing vessel; or

(*b*) providing a new engine for a fishing vessel.

Applications for grant

4.—(1) An applicant for a grant in respect of expenditure incurred in providing a fishing vessel shall satisfy the Department that he is able to operate the vessel successfully and that he has the ability to manage and sufficient financial resources for the purposes of the business in which the vessel will be employed.

(2) Where expenditure is to be shared by two or more persons an application for a grant may be made in respect of the full expenditure or part of the expenditure to be incurred and may be made by an individual applicant or by two or more applicants jointly.

(3) An application for a grant shall be made in writing and shall be in such form as the Department may require.

(4) An application for a grant shall be accompanied by appropriate plans and specifications, a completed tender and the form of any contract to be entered into between the applicant and any builder, supplier or other person in relation to the expenditure to be incurred.

Approval for grant

5.—(1) In considering whether or not to approve an application for a grant the Department shall have regard to the needs and interests of the freshwater fishing industry or to that section of the freshwater fishing industry to which the application relates.

(2) The Department shall not approve an application insofar as it relates to any proportion or item of proposed expenditure which in the opinion of the Department is unnecessary or unwarranted having regard to the benefits likely to be derived from such expenditure.

Rate of grant

6. The amount of a grant payable under this Scheme shall be 25% of approved expenditure incurred in providing a fishing vessel or in providing a new engine for a fishing vessel.

Restrictions on payment of grant

7. The Department shall not pay a grant under this Scheme—

(*a*) to any person who is not resident in Northern Ireland, or in the case of a company, to a company incorporated other than under the laws of Northern Ireland;

(*b*) in respect of expenditure incurred in providing a fishing vessel constructed other than in the United Kingdom unless the Department is satisfied that the cost of construction of that vessel is reasonably comparable with the cost of constructing a similar vessel in the United Kingdom.

(*c*) in respect of any expenditure incurred before the application for grant in respect of such expenditure has been approved by the Department;

(*d*) in respect of expenditure incurred pursuant to any contract entered into without the prior approval of the Department.