1982 No. 206

AGRICULTURE

Grassland Scheme (Northern Ireland) 1982

Made	*9th July 1982*
Coming into operation . . .	*2nd August 1982*

The Department(**a**) of Agriculture in exercise of the powers conferred by Section 6(1) of the Agriculture Act (Northern Ireland) 1949(**b**) and paragraph 2(1) and (2) of Schedule 1 to the Northern Ireland Act 1974(**c**) and of every other power enabling it in that behalf, with the approval of the Department(**d**) of Finance and Personnel hereby makes the following Scheme:

Citation and commencement

1. This Scheme may be cited as the Grassland Scheme (Northern Ireland) 1982 and shall come into operation on 2nd August 1982.

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 those areas of Northern Ireland designated as less favoured under Council Directive 75/276/EEC of 28th April 1975(**e**) as amended(**f**).

Application of scheme

3.—(1) Subject to paragraph 2 claims may be made under this Scheme which relate to any area of Northern Ireland in respect of which grant is payable under the Agriculture and Horticulture Grant Scheme 1980(**g**), the Agriculture and Horticulture Development Regulations 1980(**h**) or Schedule 2 of the Farm and Horticulture Development Regulations 1981(**i**) except insofar as it has been designated a less favoured area.

(2) Where the area in respect of which grant is claimed for items 5 or 6 in Schedule 1 is designated as less favoured, payment may be made under this scheme if

(a) Formerly Ministry. *See* Northern Ireland Constitution Act 1973 (c. 36) Sch. 5 para. 8(1)
(b) 1949 c. 2 (N.I.)
(c) By 1974 c. 28 Sch. 1 para. 2(1) and (2)
(d) 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
(e) O.J. No. L128, 19.5.1975, p. 231
(f) The relevant amendment is Commission Decision 76/685/EEC, O.J. No. L231, 21.8.1976, p. 30
(g) S.I. 1980/1072 as amended by S.I. 1981/1533.
(h) S.I. 1980/1298 as amended by S.I. 1981/1708.
(i) S.I. 1981/1707.

grant is payable under the Agriculture and Horticulture Grant Scheme 1980, the Agriculture and Horticulture Development Regulations 1980 or Schedule 2 of the Farm and Horticulture Development Regulations 1981.

Payments

4. 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 those items specified in column 1 of the Schedule where grant is payable under the Agriculture and Horticulture Grant Scheme 1980 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 comparable income specified in Article 6 in respect of the calendar year in which the grant is claimed; or

(*b*) the rate of grant specified in column 3 of Schedule 1 on expenditure incurred on those items specified in column 1 of the Schedule where grant is payable under the Agriculture and Horticulture Development Regulations 1980 or Schedule 2 of the Farm and Horticultural Development Regulations 1981.

Standard costs

5. 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 CG6 (published September 1979), CG7 (published July 1980) and CG8 (published July 1980) of the Department.

Comparable income

6. For the purposes of this Scheme the comparable income shall be £5,800.

Claims for grant

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

Closing date for claims

8. The Department shall not pay any grant under Article 4 in respect of claims received for work commenced after 31st March 1983.

Recovery of grant

9. 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 9th July 1982.

(L.S.) *N. E. Morrison*
Assistant Secretary

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

Sealed with the Official Seal of the Department of Finance and Personnel on 9th July 1982.

(L.S.) *R. J. Anderson*
Assistant Secretary

SCHEDULE 1

Eligible Works and Rates of Grant

Column 1	Column 2	Column 3
Kind of work or facility	*Grassland Scheme supplement to rates of grant for items which are being grant aided under the Agriculture and Horticulture Grant Scheme* *Per cent.*	*Grassland Scheme supplement to rates of grant for items which are being grant aided under the Agriculture and Horticulture Development Regulations or Schedule 2 of the Farm and Horticulture Development Regulations* *Per cent.*
1. Clearance and reclamation of land; sub-soiling, burning heather or grass or making muirburn; land levelling or grading (including filling in of ditches or ponds); removal of tree roots, boulders or other obstructions to cultivation; bracken control.	15.0	15.0
2. Reseeding and regeneration of grassland and laying down of permanent pasture, including as part of a complete programme of work the application of lime and fertiliser.	15.0	15.0
3. Provision, replacement or improvement of permanent fences, hedges, walls or gates.	15.0	15.0
4. Provision, replacement or improvement of field drainage, including under-drainage and ditching. Works and facilities to prevent the flooding of agricultural land by watercourses.	17.5	10.0