
STATUTORY INSTRUMENTS

1987 No. 166

The Agriculture and Fisheries (Financial Assistance) (Northern Ireland) Order 1987

PART IV

GRANTS FOR PURPOSES CONNECTED WITH CO-OPERATIVE ACTIVITIES

Grants for purposes connected with co-operative activities

15.—(1) The Department may, in accordance with a scheme made by it with the approval of the Department of Finance and Personnel make grants in connection with the carrying out by any person of proposals designed to organise, promote, encourage, develop or co-ordinate any form of co-operation in agriculture or horticulture including co-operation and mutual assistance in production, storage, preparation for market, marketing, transport, the provision of buildings, equipment and services for farmers and other producers, research and other incidental activities.

(2) Grants shall not be made under this Article to any associations or bodies whose objects consist of or include supplying goods to their members so far as the grants would assist them, directly and exclusively, in activities connected with the supply of such goods, but that shall not be taken as preventing the making of grants to meet expenditure incurred in research and study directed to promoting or facilitating mergers of such associations or bodies.

The goods referred to in this paragraph do not, in the case of any association or body, include agricultural or horticultural produce which has been wholly or mainly produced by members thereof, or anything derived wholly or in part from any such produce.

(3) A scheme under this Article—

- (a) shall provide for grant being payable by reference to proposals which have been submitted to and recommended by Food from Britain and approved by the Department, which recommendation and approval may be given before or, in such classes of cases as the Department may direct, after the carrying out of the proposals;
- (b) may authorise the approval of proposals to be varied or withdrawn by the Department with the written consent of the person making the proposals;
- (c) shall prescribe the functions to be performed by Food from Britain in connection with the administration of the scheme;
- (d) may confer on a person eligible for grant the amount of which depends on the carrying out of works of some kind or on some other cost, a right to elect to take that cost for purposes of grant as being of such standard amount as may from time to time be determined by the Department;
- (e) may authorise the reduction or withholding of grant where assistance in respect of expenditure for which the grant is made is given under any statutory provision other than this Article;
- (f) may make the payment of grant subject to any conditions;

- (g) may contain such incidental and supplemental provisions as appear to the Department expedient for the purposes of the scheme.
- (4) If at any time after the approval of proposals under a scheme under this Article, and whether before or after the proposals have been fully carried out, it appears to the Department—
- (a) that any condition imposed under a scheme in relation to the proposals has not been complied with; or
 - (b) that in connection with the submission of the proposals the person submitting them gave information on any matter which was false or misleading in a material respect,
- the Department may, on demand made after compliance with paragraph (5), recover any grant or any part of a grant paid with reference to the proposals, and may revoke the approval in whole or in part.
- (5) Before making a demand or revoking an approval under paragraph (4) the Department—
- (a) shall give to any person to whom any payment by way of a grant in relation to the proposals would be payable, or from whom any such payment would be recoverable, a written notification of the reasons for the proposed action; and
 - (b) shall accord to each such person an opportunity of appearing before and being heard by a person appointed for the purpose by the Department; and
 - (c) shall consider the report of a person so appointed and supply a copy of the report to each person who is entitled to appear before the person submitting it.
- (6) Proposals in respect of which grant is payable under this Article must be submitted to Food from Britain within the period ending on 14th May 1991 but the Department may from time to time by order made with the approval of the Department of Finance and Personnel extend or further extend that period by such additional period, not exceeding five years, as may be specified in the order.
- (7) No scheme may be made under this Article and no order may be made under paragraph (6) unless a draft of the scheme or order has been laid before, and approved by resolution of, the Assembly.
- (8) If any person, for the purpose of obtaining any grant under this Article for himself or any other person, knowingly or recklessly makes a false statement he shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale or to imprisonment for a term not exceeding three months, or to both.

Changes to legislation:

There are currently no known outstanding effects for the The Agriculture and Fisheries (Financial Assistance) (Northern Ireland) Order 1987, Section 15.