

1988 No. 413**AGRICULTURE****HORTICULTURE****Agriculture Improvement (Amendment No. 2) Scheme
(Northern Ireland) 1988**

Made 28th November 1988

Coming into operation 29th November 1988

The Department of Agriculture, in exercise of the powers conferred on it by Articles 16(1), (2) and (3) and 19(2) of the Agriculture and Fisheries (Financial Assistance) (Northern Ireland) Order 1987(a) and of every power enabling it in that behalf, with the approval of the Department of Finance and Personnel, hereby makes the following Scheme:

Citation and commencement

1. This Scheme may be cited as the Agriculture Improvement (Amendment No. 2) Scheme (Northern Ireland) 1988 and shall come into operation on 29th November 1988.

Transitional provision

2. Article 4 shall not apply in relation to any claim for grant towards expenditure incurred before 19th December 1988, and that Article shall not affect the operation of the Agriculture Improvement Scheme (Northern Ireland) 1987(b) ("the principal Scheme") in relation to any such claim for grant.

Amendment of the principal Scheme

3. The principal Scheme shall be amended in accordance with Articles 4, 5, 6 and 7.

4. After Article 4 thereof there shall be inserted the following Article—
"Notification of intention to carry out work

4A.—(1) The Department shall not pay grant under this Scheme in respect of any work, facility or transaction unless the Department is notified in writing of that work, facility or transaction before the expenditure in respect of it has been incurred.

(2) The Department shall not pay grant under this Scheme in respect of any work, facility or transaction which is of a kind specified in paragraph 1 (b) in column 1 of Schedule 1 (agricultural effluent and waste facilities) unless the notification in writing referred to in paragraph (1) is received on or before 31st January 1989."

(a) S.I. 1987/166 (N.I. 1)

(b) S.R. 1987 No. 157 as amended by S.R. 1988 No. 243

5. In Article 5(2) thereof (amounts of grant) there shall be inserted after the words "In the case of any" the word "such".

6. For Article 7 thereof (closing dates for claims) there shall be substituted the following Article—

"Closing date for claims

7. The Department shall not pay grant under this Scheme in respect of—

- (a) any work facility or transaction which is of a kind specified in paragraph 5 or 6 in column 1 of Schedule 1 (heated glasshouses and glasshouse heating systems) unless the claim for grant is received by the Department on or before 30th November 1989;
- (b) any work, facility or transaction which is of a kind specified in paragraph 1(b) in column 1 of Schedule 1 (agricultural effluent and waste facilities) unless the claim for grant is received by the Department on or before 28th February 1989;
- (c) any work, facility or transaction in relation to an agricultural business which on 31st May 1989 is the subject of a current development plan or of a current improvement plan unless the claim for grant is received by the Department within one month of the date of closure of that plan;
- (d) any work, facility or transaction which is of a kind not referred to in paragraph (a), (b) or (c) unless the claim for grant is received by the Department on or before 31st May 1989, or such later date, not later than 30th June 1989, as the Department may in special circumstances permit."

7. After Article 7 thereof there shall be inserted the following Article—

"Closing date for incurring expenditure

7A. The Department shall not pay grant under this Scheme in relation to any expenditure incurred on or after 29th November 1988 except expenditure incurred—

- (a) in relation to any work, facility or transaction which is of a kind specified in paragraph 1(b) in column 1 of Schedule 1 (agricultural effluent and waste facilities);
- (b) in relation to any work, facility or transaction which is of a kind specified in paragraph 5 or 6 in column 1 of Schedule 1 (heated glasshouses and glasshouse heating systems)."

Sealed with the Official Seal of the Department of Agriculture on 28th November 1988.

(L.S.)

L. Sinclair

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 28th November 1988.

(L.S.)

Joan O. M. Frame

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Scheme.)

This Scheme further amends the Agriculture Improvement Scheme (Northern Ireland) 1987 and complies with Article 8 of Council Regulation (EEC) No. 797/85 (O.J. No. L93, 30.3.85, p. 1) on improving the efficiency of agricultural structures, as amended by Council Regulation (EEC) No. 1760/87 (O.J. No. L167, 26.6.87, p. 1).

The Scheme provides that expenditure incurred on or after 29th November 1988 is not generally eligible for grant (Article 7).

It also brings forward the closing date for receipt of claims for grant from 1st April 1993 to 31st May 1989 in most cases. A new closing date for receipt of claims is introduced where on 31st May 1989 the agricultural business to which the claim relates is the subject of a current development plan approved under the Agriculture and Horticulture Development Regulations 1980, the Farm and Horticulture Development Regulations 1981, the Agriculture and Horticulture Development Regulations (Northern Ireland) 1987 or the Farm and Horticulture Development Regulations (Northern Ireland) 1987 or of a current improvement plan approved under the Agriculture Improvement Regulations 1985 or the Agriculture Improvement Regulations (Northern Ireland) 1987. In all these cases claims for grant must be received by the Department of Agriculture within one month of the closure of the plan (Article 6).

The new closing date for incurring expenditure does not apply in relation to agricultural effluent and waste facilities and heated glasshouses and glasshouse heating systems. In the case of agricultural effluent and waste facilities the closing date for receipt of claims for grant is 28th February 1989 and in the case of heated glasshouses and glasshouse heating systems the closing date for receipt of claims remains 30th November 1989.

The Scheme makes the payment of grant conditional on work, facilities and transactions being notified to the Department of Agriculture before the expenditure in respect of it is incurred. In the case of work, facilities and transactions concerned with agricultural effluent and waste facilities, such notification must be received on or before 31st January 1989 (Article 4).

Article 4 applies only in relation to expenditure incurred on or after 19th December 1988.