

1967. No. 285

[C]

AGRICULTURE

Orchard Planting

SCHEME, DATED 8TH NOVEMBER 1967, MADE BY THE MINISTER OF AGRICULTURE UNDER SECTION 1 OF THE AGRICULTURE (TEMPORARY ASSISTANCE) ACT (NORTHERN IRELAND) 1954, AS AMENDED BY THE AGRICULTURE (TEMPORARY ASSISTANCE) (AMENDMENT) ACT (NORTHERN IRELAND) 1957.

The Minister of Agriculture, with the approval of the Minister of Finance and in exercise of the powers conferred on him by the Agriculture (Temporary Assistance) Acts (Northern Ireland) 1954 and 1957(a), and of all other powers him thereunto enabling, hereby makes the following Scheme:

Short Title and Commencement

1.—(1) This Scheme may be cited as the Orchard Planting Grants Scheme (Northern Ireland) 1967.

(2) This Scheme shall come into operation on 8th November 1967.

Interpretation

2. In this Scheme—

“orchard” means an area of land planted with culinary apple trees at a density appropriate to commercial production;

“approved” means approved in writing by the Ministry of Agriculture;

“variety” means variety of culinary apple tree;

“Ministry” means the Ministry of Agriculture;

“acre” means statute acre;

“type” means form of tree and the root stock on which it is grafted.

Object of the Scheme

3. With the object of encouraging the establishment of economic units of apple orchard, the Ministry may pay grant as provided in this Scheme.

Conditions of Eligibility

4. Payment of a grant under this Scheme to an applicant shall not be made unless the Ministry is satisfied that at all times during the period of twenty-four months ending with the date of application for grant not less than four acres of established orchard less than forty years of age and maintained in productive condition have been occupied by the applicant or his predecessor as owner or tenant and that the applicant is the owner of the land on which the approved proposal is to be carried out or is a tenant of the said land for a term which has an unexpired residue of not less than ten years from the date of application.

Application for and Conditions of Payment of Grant

5. It shall be a condition of the making of payment to the applicant in respect of a grant under this Scheme that:

(a) There is an application, in writing, in respect of each proposal for the approval of the Ministry, stating the acreage, type and variety of tree to be planted and such other information as the Ministry may require;

(b) each proposal is in respect of not less than the planting of three acres with the approved type and variety of tree so that the total acreage

(a) 1954. c. 31; 1957. c. 3.

- formed by combining the existing acreage under Article 4 together with the acreage proposed to be planted is not less than ten acres;
- (c) the Ministry has approved the proposal in writing;
 - (d) no modification of the approved proposal has been carried out except with the approval of, and subject to such conditions as may have been specified by the Ministry in writing;
 - (e) the approved proposal has been carried out and completed to the satisfaction of the Ministry without avoidable delay, and any conditions subject to which approval was given have been complied with;
 - (f) one or both of the following planting systems have been used:
 - (i) not less than 100 trees of an approved variety and type to the acre;
 - (ii) not less than 50 trees or more than 100 trees of an approved variety and type to the acre.

Rates of Grant

6.—(1) The rates of grant which may be paid under this Scheme shall be as follows:

- (a) where the planting system described in Article 5(f)(i) is adopted:
 - (i) £66 per acre on completion of planting to the satisfaction of the Ministry; and
 - (ii) £11 per acre payable on completion of a period of two years immediately following the date of the planting in respect of the acreage for which grant has been paid under Sub-paragraph (i) provided that the total acreage has been maintained throughout that period in accordance with the rules of good husbandry as defined by Section 15 of the Agriculture Act (Northern Ireland) 1949(a) for a period of two years immediately following the date of the planting; and
 - (iii) £16 per acre payable on completion of a period of five years immediately following the date of the planting in respect of the acreage for which grant has been paid under Sub-paragraph (i) provided that the total acreage has been maintained throughout that period in accordance with the provisions of Sub-paragraph (ii) above for a period of five years immediately following the date of planting; or
- (b) where the planting system described in Article 5(f)(ii) is adopted:
 - (i) £33 per acre on completion of planting to the satisfaction of the Ministry; and
 - (ii) £6 per acre payable on completion of a period of two years immediately following the date of planting in respect of the acreage for which grant has been paid under Sub-paragraph (i) provided that the total acreage has been maintained throughout that period in accordance with the provisions of Sub-paragraph (a)(ii) for a period of two years immediately following the date of planting; and
 - (iii) £9 per acre payable on completion of a period of five years immediately following the date of the planting in respect of the acreage for which grant has been paid under Sub-paragraph (i) provided that the total acreage has been maintained throughout that period in accordance with the provisions of Sub-paragraph (a)(ii) for a period of five years immediately following the date of planting.

(2) No application under this Scheme will be received by the Ministry after 31st March 1971 and the Ministry reserves the right to suspend or discontinue, at any time on or before the 31st March 1971 and after giving such notice as it considers appropriate, the acceptance of applications for grant under this Scheme.

Computation of Acreage

7. For the purpose of calculating the area of land for the purposes of this Scheme:

- (a) headlands shall be included;
- (b) woodland and land occupied by roads, ponds, buildings, pits and quarries shall be excluded;
- (c) each complete tenth of an acre shall be included and smaller fractions of an acre shall be disregarded.

Recoveries of Money

8. If the Ministry, after having made a payment under this Scheme, finds that such payment ought not to have been made in whole or in part or that the payment was in excess of the amount properly payable it may:

- (a) recover from the person to whom such payment has been made the whole or any part of the sum already paid; or
- (b) withhold or cause to be withheld any subsequent payment which might otherwise be made by the Ministry to that person under this or any other Scheme without prejudice to the Ministry's powers to recover any balance under Paragraph (a);
- (c) recover from an applicant under this Scheme by way of deduction from a payment which might otherwise be made to him under this Scheme any monies due by that person to the Ministry.

Inspection

9. The Ministry may make such inspections of the land planted under this Scheme as it considers necessary to ensure that the planting has been done in a proper and satisfactory manner and that the maintenance has been properly carried out and owners and occupiers of orchards shall afford to the Ministry or to any of its officers such facilities and help as may be required in carrying out such inspections.

General

10. There shall be no contract or obligation on the part of the Ministry to make any payment under this Scheme and all such payments shall be at the Ministry's absolute discretion.

Dated this 8th day of November 1967.

J. D. Chichester-Clark,
Minister of Agriculture
for Northern Ireland.

I approve the foregoing Scheme.

Dated this 9th day of November 1967.

H. V. Kirk,
Minister of Finance
for Northern Ireland.

EXPLANATORY NOTE

(This note is not part of the Scheme, but is intended to indicate its general purport.)

This Scheme provides for the payment of grant to encourage the planting of new culinary apple orchards and for the maintenance of such orchards as follows:—

- (a) £66 per acre for the planting of not less than 100 trees to the acre and £11 and £16 per acre for maintenance for periods of two years and five years respectively; and
- (b) £33 per acre for the planting of not less than 50 and not more than 100 trees to the acre and £6 and £9 per acre for maintenance for periods of two years and five years respectively.

The Scheme lays down that as a condition of eligibility for grant applicants must have not less than 4 acres of culinary apple orchards of a density appropriate for commercial production and maintained in productive condition for at least two years immediately prior to applying for grant. The Scheme also lays down that as a condition of the payment of grant applicants must plant at least 3 acres of orchard and that the resultant unit of orchard after planting must be at least 10 acres.

1967. No. 286

[NC]

DISEASES OF ANIMALS

Plant Material

ORDER, DATED 10TH NOVEMBER 1967, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTIONS 18, 23 AND 53 OF THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND) 1958(a).

The Ministry of Agriculture in exercise of the powers conferred on it by sub-section (1) of Section 18, sub-section (1) of Section 23 and Section 53 of the Diseases of Animals Act (Northern Ireland) 1958, and of every other power enabling it in that behalf hereby makes the following Order:—

Citation and Commencement

1. This Order may be cited as the Foot and Mouth Disease (Importation) No. 2 Order (Northern Ireland) 1967, and shall come into operation on 13th November 1967.

Interpretation

2. In this Order:—

“port” includes airport;

“plant material” means living plants and parts thereof and includes trees, shrubs, tubers, bulbs, corms, rhizomes, roots, layers, cuttings, scion and bud wood, but does not include potatoes, raw vegetables, fruit or cut flowers.