

1968 No. 180

AGRICULTURE

AGRICULTURAL GRANTS, GOODS AND SERVICES

The Ploughing Grants (Emergency Payments) Scheme 1968

Laid before Parliament in draft

Made - - - - 12th February 1968

The Minister of Agriculture, Fisheries and Food, in pursuance of sections 1, 2, 3 and 5 of the Agriculture (Ploughing Grants) Act 1952^(a) and all his other enabling powers, with the approval of the Treasury, hereby makes the following scheme, a draft of which has been laid before Parliament and has been approved by resolution of each House of Parliament:—

Citation and extent

1. This scheme, which may be cited as the Ploughing Grants (Emergency Payments) Scheme 1968, shall apply to England and Wales.

Interpretation

2.—(1) In this scheme, unless the context otherwise requires—

“the Act” means the Agriculture (Ploughing Grants) Act 1952;

“grass” includes clover, lucerne or sainfoin or mixtures of clover, lucerne or sainfoin with grass;

“land under grass” includes any grazing land;

“the Minister” means the Minister of Agriculture, Fisheries and Food;

“occupier”, in relation to any land or farm, refers to the occupier at the time of completion of the operations thereon in respect of which a grant may be made under this scheme, but “occupied” shall be construed without any such limitation of time.

(2) For the purpose of this scheme reseeding with grass shall be regarded as cropping.

(3) The Interpretation Act 1889^(b) applies to the interpretation of this scheme as it applies to the interpretation of an Act of Parliament.

Ploughing grants

3.—(1) Subject to the provisions of this scheme, a grant may be made by the Minister in respect of the ploughing up of land under grass and the carrying out on the land of one of the further operations specified in the Schedule to this scheme.

(2) The person to whom such a grant may be made shall be the occupier of the land.

(3) The rate of grant to be made in accordance with this scheme shall be £10 per acre:

Provided that in calculating the amount of a grant fractions of an acre less than one quarter of an acre shall be disregarded.

Land eligible for grant

4.—(1) A grant under this scheme may only be made where the land ploughed up—

- (a) is agricultural land ;
- (b) is, in the opinion of the Minister, suitable for ploughing and cropping ;
- (c) is not less than one acre in area ;
- (d) had been, at the time when such ploughing up was begun, continuously under grass since before 25th October 1967 ;
- (e) is part of a farm the occupier of which has been or is entitled to be paid compensation under section 15 of the Diseases of Animals Act 1950(a) for animals slaughtered after 24th October 1967 on account of foot-and-mouth disease which immediately before being taken for slaughter—
 - (i) were on that farm ; or
 - (ii) were on common or other land used in connection with that farm for the purpose of grazing ; or
 - (iii) belonged to that farm, but were kept elsewhere under a contract of agistment or similar agreement ;
- (f) formed part of that farm at the time when such slaughter was completed ; and
- (g) was ploughed up from grass after such slaughter was completed and before 1st June 1968.

(2) Where a person is the occupier of two or more farms, not more than one of those farms shall qualify under sub-paragraph (1)(e) above by reason of the slaughter of animals other than animals which were on those farms immediately before being taken for slaughter ; and for the purposes of this sub-paragraph a partnership, a body of trustees or the personal representatives of a deceased person shall be treated as a single and continuing body of persons distinct from the persons who may from time to time be partners, trustees or personal representatives.

(3) In this paragraph "farm" means land occupied as a unit for agricultural purposes, and "agricultural" has the same meaning as in section 109(3) of the Agriculture Act 1947(b).

Facilities for inspection

5. The Minister may require an applicant for a grant under this scheme to give to any person authorised by the Minister in that behalf adequate facilities for the inspection of any land to which the application relates.

Withholding or reduction of grant for bad work, etc.

6. Where in the opinion of the Minister—

- (a) the ploughing or any other operation in respect of which grant under this scheme may be made has been inefficiently carried out, or
- (b) adequate facilities for the inspection of the land in respect of which any such grant as aforesaid may be made have not been given,

payment of the grant may be withheld or the amount of the grant may be reduced to such amount as the Minister considers reasonable.

Withholding or reduction where other grants are available

7. If in respect of any of the operations in respect of which a grant is payable under this scheme payments of moneys provided by Parliament under any enactment other than the Act are available, the Minister in determining the amount of grant payable under this scheme may take into consideration such payments, and may withhold or reduce the amount payable under this scheme.

Application for grant

8. A grant shall not be made under this scheme unless an application for the grant—

- (a) is made to the Minister, by the occupier of the land ploughed up, in writing in such form as the Minister may from time to time require, and
- (b) is received by the Minister by 31st March 1968 or the last day of the month following that in which the land is ploughed, whichever day is the later, or by such subsequent date as the Minister may by reason of the special circumstances of any case allow.

Restriction on double grant

9. Where a grant is made under the Ploughing Grants Scheme 1967(a) in respect of the ploughing up of land under grass, no grant under this scheme may be made in respect of the same land.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 9th February 1968.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

Approved on 12th February 1968.

J. McCann,
Joseph Harper,
Two of the Lords Commissioners
of Her Majesty's Treasury.

SCHEDULE

Paragraph 3

FURTHER OPERATIONS

The following shall be further operations after ploughing for the purposes of this scheme:—

- (a) Ploughing a second time, rotavating, discing, cultivating, rolling, harrowing or any similar operation carried out for the purpose of producing a tilth.
- (b) Spreading lime or fertiliser.
- (c) Sowing or planting.

(a) S.I. 1967/775 (1967 II, p. 2303).

EXPLANATORY NOTE

(This Note is not part of the scheme.)

This scheme enables the Minister of Agriculture, Fisheries and Food to make grants of £10 per acre for the ploughing up of grassland by farmers who are paid compensation for stock slaughtered on account of foot-and-mouth disease. In addition to ploughing, one or more of the operations described in the Schedule have to be carried out. The land must have been continuously under grass since before 25th October 1967 and has to be ploughed up between the date of slaughter and the end of May 1968. Prior approval is not required. Grants are payable to the person who is the occupier of the land when the work is completed.

The scheme provides for the withholding or reduction of grant if the work is badly done, if adequate facilities are not given for inspection, or if grants are available for the same operations under other enactments. Application for grant must be made by the end of the calendar month which follows the month of the ploughing or by 31st March 1968, whichever is the later.

Where grant is paid under the Ploughing Grants Scheme 1967, no grant can be made under this scheme for the same land.