
 S T A T U T O R Y I N S T R U M E N T S

1979 No. 876

HORTICULTURE

HORTICULTURAL GRANTS

The Fruiting Plum Tree (Planting Grants) Scheme 1979

<i>Made</i>	- - -	23rd July 1979
<i>Laid before Parliament</i>		31st July 1979
<i>Coming into Operation</i>		1st August 1979

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred upon them by section 29 of the Agriculture Act 1970(a)(b) and of all their other enabling powers, with the approval of the Treasury, hereby make the following scheme:—

Citation, extent and commencement

1. This scheme, which may be cited as the Fruiting Plum Tree (Planting Grants) Scheme 1979, shall apply in England and in Wales and shall come into operation on 1st August 1979.

Interpretation

2. In this scheme, unless the context otherwise requires—
- “the appropriate Minister” means, in relation to England, the Minister of Agriculture, Fisheries and Food and, in relation to Wales, the Secretary of State;
 - “approved” means approved by the appropriate Minister in writing, and “approve” and “approval” shall be construed accordingly;
 - “certified” means certified in writing by the Minister of Agriculture, Fisheries and Food as apparently free from virus diseases including sharka disease and apparently true to varietal type;
 - “fruiting plum tree” means a tree of a fruiting cultivar;
 - “maiden tree” means an untrained tree which has made one year’s growth after being budded or grafted;
 - “plum” includes all plums of the genus *Prunus* L.;
 - “plum production business” means a business which consists in, or such part of a business as consists in, the commercial growing in England or Wales of plums for human consumption.

Eligible expenditure and amount of grant

3.—(1) Subject to the provisions of this scheme the appropriate Minister may make to any person carrying on, or intending to carry on, a plum production business a grant towards expenditure incurred or to be incurred by him for the

(a) 1970 c. 40.

(b) and, in the case of the Secretary of State, by article 2 of, and schedule 1 to the Transfer of Functions (Wales) (No. 1) Order (S.I. 1978/272

purposes of or in connection with the carrying on or establishment of such a business, being expenditure in respect of the purchase and planting of certified fruiting plum trees and which is approved for the purposes of a grant under this scheme.

(2) The appropriate Minister may refuse to approve the expenditure in respect of which the grant is claimed or may approve it in whole or in part. An approval (whether it relates to the whole or part of the expenditure) may be given subject to such conditions (if any) as the appropriate Minister thinks fit for the purposes of the scheme.

(3) Where a grant is paid under this scheme it shall, in respect of approved expenditure incurred in the period ending 31st July 1980, be 50p for each maiden certified fruiting plum tree purchased and planted and £1 for each two or three year old certified fruiting plum tree purchased and planted. In respect of approved expenditure incurred after 31st July 1980 the grant payable under this scheme shall be of such amounts as shall be determined by the Minister of Agriculture, Fisheries and Food with the approval of the Treasury.

Restrictions on payment of grant

4.—(1) No grant shall be payable under this scheme—

- (a) where fewer than 10 certified fruiting plum trees are to be purchased and planted;
- (b) in respect of a plum production business which has less than 0.20 hectares of land planted up with fruiting plum trees.

(2) The appropriate Minister may reduce or withhold grant payable under this scheme where grant-aid in respect of the expenditure towards which grant is claimed has been given otherwise than under this scheme.

Application for grant

5.—(1) Application for approval of expenditure in respect of which grant is claimed shall be made in such form as the appropriate Minister may from time to time require and shall be delivered to the appropriate Minister at such address as he may specify for the purpose.

(2) A person making an application under sub-paragraph (1) above shall within such reasonable time as may be specified in writing by the appropriate Minister supply such further information as may be required by him for the purposes of this scheme.

Conditions of payment of grant

6.—(1) It shall be a condition of the making of payment of a grant under this scheme that—

- (a) the appropriate Minister has approved the proposals in respect of the carrying out of which expenditure has been or is to be incurred whether or not subject to conditions,
- (b) the appropriate Minister is satisfied that no modification of the approved proposals has been carried out except with the approval of the appropriate Minister and in compliance with such conditions as may have been specified by him in relation to such modification,

- (c) the appropriate Minister is satisfied that the approved proposals have been carried out in a proper manner and completed without unreasonable delay, and in compliance with any condition subject to which the approval was given,
- (d) for a period of 24 months immediately following the completion of the planting in respect of which the payment was made the recipient of that payment is carrying on an agricultural business which in the opinion of the appropriate Minister is capable of yielding a sufficient livelihood to any person carrying it on with reasonable efficiency and for the purposes of which not less than 0.20 hectares of land is devoted entirely to commercial plum fruit production.

(2) For the purpose of sub-paragraph (d) of the above paragraph "agricultural business" means a business of which the plum production business in respect of which grant under this scheme is paid forms the whole or a part.

Duration of Scheme

7. Expenditure shall not qualify for consideration for a grant under this scheme unless application for its approval for the purpose of such grant is made before 31st July 1986.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 16th July 1979.

(L.S.)

Peter Walker,
Minister of Agriculture,
Fisheries and Food.

Nicholas Edwards,
Secretary of State for Wales.

18th July 1979.

We approve,

Peter Morrison,
David Waddington,
Two of the Lords Commissioners of
Her Majesty's Treasury.

23rd July 1979.

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

This Scheme, which applies in England and Wales, authorises the payment of grant towards expenditure incurred for the purposes of, or in connection with, a plum production business. Such expenditure must be in respect of the purchase and planting of fruiting plum trees which have been certified by the Minister of Agriculture, Fisheries and Food, as being apparently free from virus diseases including sharka disease and apparently true to varietal type.

Provision is made for the approval of expenditure by the appropriate Minister, who may impose conditions on the approval.

Grant payable under the Scheme in the period ending 31st July 1980 will be 50p for each certified maiden tree purchased and planted as approved and £1 for each two or three year old certified fruiting plum tree purchased and planted. After that period the amount of grant shall be of such amounts as shall be determined by the Minister of Agriculture, Fisheries and Food with the approval of the Treasury.

The Scheme lays down restrictions on payment on grant. No grant is payable where fewer than 10 trees are purchased and planted or in respect of a plum production business which has less than 0.20 hectares of land planted up with fruiting plum trees. It is also provided that grant may be reduced or withheld where grant-aid in respect of the expenditure has been given otherwise than under the Scheme.

Conditions on the payment of grant are set out in paragraph 6. Proposals must be carried out in a proper manner and in compliance with any conditions imposed by the appropriate Minister at the time of approval or, in relation to any modification made to the proposals, at the time of modification. In addition, for a period of 24 months following the completion of the work the recipient must carry on an agricultural business capable of passing a sufficient livelihood test and in addition occupying not less than 0.20 hectares of land devoted entirely to commercial plum fruit production.

The Scheme comes into operation on 1st August 1979 and the latest date for applications is 31st July 1986.

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