

1983 No. 925

AGRICULTURE
HORTICULTURE**The Farm and Horticulture Development (Amendment) (No. 2)
Regulations 1983**

<i>Made - - - -</i>	<i>28th June 1983</i>
<i>Laid before Parliament</i>	<i>30th June 1983</i>
<i>Coming into Operation</i>	<i>1st July 1983</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, being Ministers designated for the purposes of section 2(2) of the European Communities Act 1972 (a) in relation to the common agricultural policy of the European Economic Community (b), in exercise of the powers conferred upon them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following regulations:—

1. These regulations may be cited as the Farm and Horticulture Development (Amendment) (No. 2) Regulations 1983 and shall come into operation on 1st July 1983.

2. These regulations shall not apply in relation to—

- (a) any work, facility or transaction which was before 1st July 1983 included in a development plan or as a variation to such a development plan approved for the purposes of the Farm and Horticulture Development Regulations 1981 (c); or
- (b) any claim for grant towards expenditure incurred for the purposes of those regulations before 1st July 1983.

3. The Farm and Horticulture Development Regulations 1981 shall be further amended in accordance with the following provisions of these regulations.

4. In the first column of the entries numbered 1 in Schedule 1 thereto (eligible works and facilities and rates of grant) and in the first column of the entries numbered 1 in Schedule 2 thereto (eligible works and facilities and rates of grant)—

- (a) there shall in each case be inserted after the words “works and facilities specified in paragraphs” the numbers “1A, 1B,”;
- (b) there shall in each case be omitted the words “silos designed and intended for use for grain storage”;
- (c) there shall in each case be inserted after the words “bulk dry stores” the words “(other than bulk dry stores intended for grain drying or storage),”.

(a) 1972 c.68.

(b) S.I. 1972/1811.

(c) S.I. 1981/1707, amended by S.I. 1983/507.

5. In Schedule 1 thereto, after the entries numbered 1, there shall be inserted the following entries in columns 1, 2, 3 and 4:—

“1A. Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings, bulk dry stores or silos designed and intended for the drying or storage of grain other than buildings, bulk dry stores or silos falling within paragraph 1B of this Schedule.	15	20	Not applicable
1B. Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings, bulk dry stores or silos designed and intended solely for the drying or storage of grain for consumption by livestock kept on the land used in connection with the carrying on of the agricultural business to which the claim for grant relates.	25	30	Not applicable

6. In Schedule 2 thereto, after the entries numbered 1, there shall be inserted the following entries in columns 1, 2, 3 and 4:—

“1A. Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings, bulk dry stores or silos designed and intended for grain drying or storage other than buildings, bulk dry stores or silos falling within paragraph 1B of this Schedule.	22.5	27.5	Not applicable
1B. Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings, bulk dry stores or silos designed and intended solely for the drying or storage of grain for consumption by livestock kept on the land used in connection with the carrying on of the agricultural business to which the claim for grant relates.	32.5	37.5	Not applicable

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 28th June 1983.

(L.S.)

Michael Jopling,
Minister of Agriculture,
Fisheries and Food.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

28th June 1983.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, made under section 2(2) of the European Communities Act 1972, further amend the Farm and Horticulture Development Regulations 1981 (implementing Council Directive No. 72/159/EEC (O.J. No. L96, 23.4.72, p.1 (O.J./S.E. 1972 (II), p. 324)) on the modernisation of farms, and Council Directive 75/268/EEC (O.J. No. L128, 19.5.75, p.1) on mountain and hill farming in certain less-favoured areas.

These regulations affect the payment of grant towards expenditure incurred in connection with permanent buildings, bulk dry stores or silos used for the drying or storage of grain. Unless the grain is intended solely for consumption by livestock kept on the land used in connection with the carrying on of the agricultural business to which the claim for grant relates (in which case the former grant rates are applicable) the appropriate rates on or after the coming into operation of these regulations will be 15 per cent (20 per cent in less-favoured areas) in the case of a development plan originally received before 1st February 1980, or 22.5 per cent (27.5 per cent in less-favoured areas) in the case of a development plan originally received between that date and 30th September 1980, the closing date under the Scheme (regulations 4, 5 and 6).

The regulations do not, however, apply to any item already approved before 1st July 1983 in an approved development plan or variation under the principal regulations, or to any expenditure incurred for the purposes of those regulations before that date (regulation 2).

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