

1988 No. 1201

AGRICULTURE
HORTICULTURE

The Agriculture Improvement (Amendment) Regulations
1988

Made - - - - - 12th July 1988

Coming into force

Regulations 1, 2(1), 3, 4(a) and 5 5th August 1988

Remainder 1st September 1988

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 on them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following Regulations of which a draft has been laid before, and approved by resolution of, each House of Parliament:

Citation and commencement

1. These Regulations may be cited as the Agriculture Improvement (Amendment) Regulations 1988 and shall come into force—

- (a) as to this regulation and regulations 2(1), 3, 4(a) and 5, on 5th August 1988;
- (b) as to all other provisions, on 1st September 1988.

Saving

2.—(1) Regulation 4(a) below shall not apply to any work, facility or transaction included in an application received by the appropriate Minister before 5th August 1988 for approval of an improvement plan or for a variation of an improvement plan approved for the purposes of the Agriculture Improvement Regulations 1985(c) (“the principal Regulations”), or any claim for grant towards expenditure incurred for the purposes of those Regulations before that date, and regulation 4(a) below shall not affect the operation of the principal Regulations in relation to any such work, facility or transaction or claim for grant.

(2) Regulations 4(b) and 6 below shall not apply in relation to any claim for grant received by the appropriate Minister before 1st December 1988 which is in respect of expenditure incurred in relation to any work, facility or transaction of a kind specified in paragraph 9 or 10 in column 1 of the Schedule to the principal Regulations, provided that that work, facility or transaction was included in an application received by the appropriate Minister before 1st September 1988 for approval of an improvement plan for the purposes of the principal Regulations or for variation of an improvement plan for the purposes of those Regulations.

(a) 1972 c.68.

(b) S.I. 1972/1811.

(c) S.I. 1985/1266, amended by 1987/1950. By S.R. (N.I.) 1987 No. 156 the Agriculture Improvement Regulations were revoked in so far as they formed part of the law of Northern Ireland.

Amendment of principal Regulations

3. The principal Regulations shall be amended in accordance with regulations 4 to 6 of these Regulations.

4. In regulation 6 thereof (restrictions on approval of improvement plans)–

(a) there shall be substituted for paragraph (3)(b)(i) the following subparagraph–

“ (i) that expenditure is not in respect of any work, facility or transaction which is of a kind specified in paragraph 2(b) or 4(d) or (f) in column 1 of the Schedule or, if the expenditure is in respect of any such work, facility or transaction, the application for approval of the plan which includes that expenditure is received before 1st January 1991 and that Minister is satisfied that the effect of the expenditure will not be to provide for an increase of more than 300 pig places on the land occupied for the purposes of the agricultural business to which the plan relates, and that after completion of the work, facility or transaction, the number of pig places on that land will not exceed 800, and”

(b) in paragraph (3)(g)(i) there shall be substituted for the words “the further sum of £86,000” the words “the further sum of £24,000”.

5. In regulation 12(2)(b) thereof (claims for grant) there shall be substituted for the words “on or before 30th November 1988” the words “on or before 30th November 1989”.

6. In the Schedule thereto (eligible works, facilities and transactions and rates of grant), in paragraph 10, columns 2 and 3, there shall be substituted for the existing figure the figure “45”.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 12th July 1988.



John MacGregor
Minister of Agriculture, Fisheries and Food

11th July 1988

Sanderson of Bowden
Minister of State, Scottish Office

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Agriculture Improvement Regulations 1985 ("the principal Regulations"), implementing in part the provisions of Council Regulation (EEC) No. 797/85 (O.J. No. L93, 30.3.85, p.1), as amended by Council Regulation (EEC) No. 1137/88 (O.J. No. L108, 29.4.88, p.1), on improving the efficiency of agricultural structures.

With effect from 1st September 1988, the regulations reduce the grant rate for heated glasshouses from 50% to 45% and reduce the additional ceiling for expenditure in respect of heated glasshouses and glasshouse heating systems from £86,000 to £24,000 (regulations 4(b) and 6). With effect from 5th August 1988, the closing date for receipt of claims in respect of those items, at the reduced rates and ceiling, is extended from 30th November 1988 to 30th November 1989 (regulation 5).

An exception is, however, provided under which a claimant may still qualify for the previous higher rates and ceiling in respect of heated glasshouses and glasshouse heating systems if—

- (a) he has submitted an application for approval or variation of an improvement plan including proposed expenditure in respect of those items before 1st September 1988; and
- (b) a claim for such expenditure is received by the appropriate Minister before 1st December 1988 (regulation 2(2)).

In addition, the regulations modify the restrictions on the approval of grant in connection with pig production enterprises in relation to any application for an improvement plan, or for a variation of such a plan, received on or after 5th August 1988, and to claims for grant towards expenditure incurred on or after that date (regulations 2(1) and 4(a)).