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STATUTORY INSTRUMENTS

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**1995 No. 3212 (N.I. 21)**

**NORTHERN IRELAND**

**The Agriculture (Conservation  
Grants) (Northern Ireland) Order 1995**

<i>Made</i>	- - - -	<i>13th December 1995</i>
		<i>22nd December</i>
<i>Laid before Parliament</i>		<i>1995</i>
<i>Coming into operation</i>		<i>14th February 1996</i>

At the Court at Buckingham Palace, the 13th day of December 1995

Present,

The Queen's Most Excellent Majesty in Council

Whereas this Order is made only for purposes corresponding to those of section 98 of the Environment Act 1995<sup>(1)</sup>:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974<sup>(2)</sup> (as modified by section 125(6) of the said Act of 1995) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

**Title and commencement**

1. This Order may be cited as the Agriculture (Conservation Grants) (Northern Ireland) Order 1995 and shall come into operation on the expiration of 2 months from the day on which it is made.

**Interpretation**

2. The Interpretation Act (Northern Ireland) 1954<sup>(3)</sup> shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

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(1) 1995 c. 25.

(2) 1974 c. 28.

(3) 1954 c. 33 (N.I.).

### **Grants for purposes conducive to conservation**

3.—(1) The Department of Agriculture, with the consent of the Department of Finance and Personnel, may by regulations make provisions for an in connection with the making of grants to persons who do, or who undertake to the Department of Agriculture that they will do, anything which in the opinion of that Department is conducive to—

- (a) the conservation or enhancement of the natural beauty or amenity of the countryside (including its flora and fauna and geological and physiographical features) or of any features of archaeological interest there; or
- (b) the promotion of the enjoyment of the countryside by the public.

(2) Regulations under this Article may—

- (a) make different provision for different areas;
- (b) provide for grants to be made subject to conditions;
- (c) confer power on the Department of Agriculture to modify, in any particular case, the conditions to which a grant would otherwise be subject, if it is satisfied that the making of that grant, subject to the conditions as so modified, is consistent with the purposes for which the regulations are made;
- (d) make provision for or in connection with the recovery of any sums paid by way of grant, or the withholding of any further payments of grant, in cases where the applicant for the grant—

- (i) in making the application, or in furnishing any information in connection with the application, has made a statement which was false or misleading in a material respect;
- (ii) has failed to do something which he undertook to do if the grant was made; or
- (iii) is in breach of any condition subject to which the grant was made.

(3) Regulations under this Article shall be subject to negative resolution.

(4) The powers conferred by this Article are in addition to any other powers of the Department of Agriculture.

*N. H. Nicholls*  
Clerk of the Privy Council

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order is made only for purposes corresponding to those of section 98 of the Environment Act 1995.

The Order confers power on the Department of Agriculture to make regulations for the making of grants to persons doing, or undertaking to do, anything conducive to the conservation or enhancement of the countryside or the promotion of the enjoyment of the countryside by the public.