

1987 No. 113

FISHERIES

**The Fishing Vessels (Financial Assistance) Scheme
(Northern Ireland) 1987**

Made 16th March 1987

Coming into operation 13th April 1987

The Department of Agriculture, in exercise of the powers conferred on it by Articles 17(1) and 19(3) of the Agriculture and Fisheries (Financial Assistance) (Northern Ireland) Order 1987(a) and of every other power enabling it in that behalf, and with the approval of the Department of Finance and Personnel, hereby makes the following Scheme:

Citation and commencement

1. This Scheme may be cited as the Fishing Vessels (Financial Assistance) Scheme (Northern Ireland) 1987 and shall come into operation on 13th April 1987.

Interpretation

2. In this Scheme—

“laying up grant” means a grant which would, apart from the Order, fall to be made in accordance with the provisions of Parts II and VI of the 1983 Scheme after 1st April 1987;

“the Order” means the Agriculture and Fisheries (Financial Assistance) (Northern Ireland) Order 1987;

“the 1983 Scheme” means the Fishing Vessels (Financial Assistance) Scheme 1983(b);

“superseded vessel” means a vessel which was previously owned by the applicant for a laying up grant and which was replaced by the vessel to which the application relates;

and other words and expressions shall, unless the context otherwise requires, have the same meaning as in the 1983 Scheme.

Payment of grant

3.—(1) The Department may if it is satisfied—

(a) that the registered fishing vessel to which the declaration submitted in accordance with paragraph 14 of the 1983 Scheme relates was laid up in accordance with the application or plan relating to the vessel;

(b) that the conditions (if any) subject to which the approval under paragraph 13 of the 1983 Scheme was given have been observed;

(a) S.I. 1987/166 (N.I. 1)

(b) S.I. 1983/1883

(c) that the requirements as detailed in paragraphs 5 to 14 of the 1983 Scheme have been met in respect of the vessel; and

(d) that the owner of the vessel has not received any grant in accordance with the provisions of Parts II and VI of the 1983 Scheme for the vessel in respect of the laying up year to which the application refers;

pay a laying up grant to the owner of the vessel.

(2) The Department shall not pay a laying up grant in respect of a vessel if in its opinion substantial alterations or improvements were made to the vessel, or to a superseded vessel while it was laid up in accordance with the application or plan relating to the vessel.

Amount of grant

4.—(1) The amount of laying up grant to be paid in respect of a fishing vessel shall be determined in accordance with paragraph 16 of the 1983 Scheme.

(2) Without prejudice to Article 2 references to the appropriate Minister in paragraphs 16 and 17 of the 1983 Scheme as those paragraphs apply for the purposes of this Scheme shall be construed as references to the Department.

Records

5. Any person who has received any payment under this Scheme shall preserve until the end of the third calendar year following the calendar year in which the payment was made all books, documents or other records which relate to any application made by him for payment under the 1983 Scheme or this Scheme and shall supply to the Department such copies of such of those books, documents or other records as the Department may require.

Recovery where false statement made

6. If any person makes a false statement or furnishes false information in connection with an application for a grant under this Scheme, the Department may require any grant already made in relation to that application to be repaid.

Sealed with the Official Seal of the Department of Agriculture on 16th March 1987.

(L.S.)

N. E. Morrison

Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing Scheme.

Sealed with the Official Seal of the Department of Finance and Personnel on 16th March 1987.

(L.S.)

D. W. Alexander

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Scheme.)

This Scheme provides for the making of laying up grants in respect of registered fishing vessels in Northern Ireland by the Department of Agriculture instead of by the Minister of Agriculture, Fisheries & Food. Grants which are payable under this Scheme are those which would have been paid under the Fishing Vessels (Financial Assistance) Scheme 1983 after 1st April 1987. Provision for laying up grants is made in implementation of Council Directive No. 83/525/EEC concerning certain measures to adjust capacity in the fisheries sector (O.J. No. L290, 22.10.83, p. 15).

A laying up grant is payable when a registered fishing vessel fishes on fewer days than in previous years if certain requirements are met. Those requirements are set out in the Fishing Vessels (Financial Assistance) Scheme 1983 (S.I. 1983/1883).