

1987 No. 94

AGRICULTURE

**Farm Structure (Payments to Outgoers) (Continuation) Scheme
(Northern Ireland) 1987***Made* 5th March 1987*Coming into operation* 1st April 1987*To be laid before Parliament under paragraph 3(3) of
Schedule 1 to the Northern Ireland Act 1974*

The Department of Agriculture in exercise of the powers conferred on it by Articles 10, 11 and 19(2) of the Agriculture and Fisheries (Financial Assistance) (Northern Ireland) Order 1987(a) and of every other power enabling it in that behalf, 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 Farm Structure (Payments to Outgoers) (Continuation) Scheme (Northern Ireland) 1987 and shall come into operation on 1st April 1987.

Interpretation

2. In this Scheme—

“corresponding Scheme” means any Scheme listed in the Schedule;

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

Payments

3.—(1) The Department may pay—

(a) to or for the benefit of any individual who relinquished occupation of, or of part of, an uncommercial unit of agricultural land in accordance with proposals submitted and approved under any corresponding Scheme;

(b) to the widow or widower of such an individual,

any annuity which, apart from the Order, would have been payable at any time on or after 1st April 1987 under such a Scheme to or for the benefit of that individual or (as the case may be) to the widow or widower.

(2) Where an individual referred to in paragraph (1)(a) dies on or after 1st April 1987 the payment of the annuity under paragraph (1)(b) to the widow or widower of that individual shall be subject to such conditions as the Department may specify.

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

Transitional provisions

4. Without prejudice to section 29 of the Interpretation Act (Northern Ireland) 1954(a), for the purposes of Article 12 of the Order (recovery of grant)—

- (a) any proposal approved, grant paid, condition imposed or act or other thing done under or in pursuance of a corresponding Scheme by the appropriate Minister (within the meaning of the corresponding Scheme) shall be treated as if it had been approved, paid, imposed or done under or in pursuance of a Scheme under Article 10 of the Order by the Department; and
- (b) any other act or thing done under or in pursuance of a corresponding Scheme by any other person shall be treated as if it had been done under or in pursuance of a Scheme under Article 10 of the Order.

Sealed with the Official Seal of the Department of Agriculture on 5th 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 5th March 1987.

(L.S.)

D. W. Alexander

Assistant Secretary

<i>Column 1 Statutory Schemes</i>	<i>Column 2 References</i>
The Farm Structure (Payments to Outgoers) Scheme 1967	S.I. 1967/1609
The Farm Structure (Payments to Outgoers) Scheme 1970	S.I. 1970/2026
The Farm Structure (Payments to Outgoers) Scheme 1973	S.I. 1973/1403

EXPLANATORY NOTE

(This note is not part of the Scheme.)

This Scheme is made under the Agriculture and Fisheries (Financial Assistance) (Northern Ireland) Order 1987 ("the Order"). It provides for payments by the Department of Agriculture for Northern Ireland ("the Department") of grant by way of an annuity to individuals who qualified for such payments under the provisions of the Farm Structure (Payments to Outgoers) Scheme 1967, the Farm Structure (Payments to Outgoers) Scheme 1970 or the Farm Structure (Payments to Outgoers) Scheme 1973 (which were all revoked with the coming into force of the Order) and which would have been payable but for such revocation.

Payments under the Scheme will be made to those who relinquished occupation of, or of part of, an uncommercial unit of land in accordance with proposals submitted and approved under any of the Schemes revoked by the Order or, after the death of such a person, to his or her surviving spouse provided he or she meets certain conditions. The conditions attaching to the payments and their value are the same as under the revoked Schemes.

The Scheme also makes provision for the Department to recover any payments made under the revoked Schemes as if they had been made under a Scheme made in pursuance of Article 10 of the Order.