

1993 No. 467

AGRICULTURE

HORTICULTURE

**Farm and Conservation Grant (Amendment) Regulations
(Northern Ireland) 1993**

Made 30th November 1993

Coming into operation 1st December 1993

The Department of Agriculture, being a department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Economic Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Farm and Conservation Grant (Amendment) Regulations (Northern Ireland) 1993 and shall come into operation on 1st December 1993.

(2) In these Regulations “the principal Regulations” means the Farm and Conservation Grant Regulations (Northern Ireland) 1991(c).

(3) The Interpretation Act (Northern Ireland) 1954(d) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Savings

2. These Regulations shall not apply to—

(a) an improvement plan approved under the principal Regulations before 1st December 1993; or

(b) a request for the variation of such a plan or an application for approval of an improvement plan received before that date by the Department,

and these Regulations shall not affect the operation of the principal Regulations in relation to any such plan, request or application.

(a) S.I. 1972/1811

(b) 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.R. 1984 No. 253

(c) S.R. 1991 No. 264 as amended by S.R. 1992 No. 565

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

Amendment of the principal Regulations

3. The principal Regulations shall be further amended in accordance with regulation 4 and 5.

4. In Article 2(2) (interpretation) after the definition of “the 1989 Scheme” there shall be inserted, “ ‘wetland’ means any ground which is normally saturated with water”.

5. In Schedule 1 (“eligible agricultural works, facilities and transactions and rates of grant”)—

- (a) in each of paragraphs 1(a) and (c)(i), 2, 3 and 4, in column 2, for the figure “40” there shall be substituted the figure “25”, and in column 3, for the figure “50” there shall be substituted the figure “30”;
- (b) in paragraph 1(b), in each of columns 2 and 3, for the figure “50” there shall be substituted the figure “25”;
- (c) in paragraph 1(c)(ii), in column 3, for the figure “50” there shall be substituted the figure “30”;
- (d) in paragraph 5, in column 2, for the figure “35” there shall be substituted the figure “20”, and in column 3, for the figure “35” there shall be substituted the figure “25”;
- (e) in paragraph 9(a) and (b) after “excluding heathland and moorland” there shall be inserted “and wetland”.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 30th November 1993.

(L.S.)

L. Sinclair

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Farm and Conservation Grant Regulations (Northern Ireland) 1991, as amended, (“the principal Regulations”) (which implement provisions in Title IV of Council Regulation (EEC) No. 2328/91 (O.J. No. L218, 6.8.91, p. 1) on improving the efficiency of agricultural structures.

The Regulations amend the principal Regulations by—

- (a) reducing the rates of grant payable in respect of a number of items of work (regulation 5); and
- (b) providing that the replacement of field drainage, the reseedling and regeneration of grassland and the application of lime or fertiliser shall not be eligible for grant where these exercises relate to wetland.

A saving provision is provided for cases where applications are received or improvement plans approved before 1st December 1993 or variations of such improvement plans approved before that date.