

Scheme made by the Department of Agriculture and Rural Development and laid before the Assembly under Article 16(2) of the Agriculture and Fisheries (Financial Assistance) (NI) Order 1987 for approval of the Assembly before the expiration of 40 days beginning with the date of its coming into operation.

STATUTORY RULES OF NORTHERN IRELAND

2001 No. 90

AGRICULTURE

The Pig Industry Restructuring (Capital Grant) Scheme (Northern Ireland) 2001

Made - - - - 5th March 2001
Coming into operation 30th March 2001

The Department of Agriculture and Rural Development⁽¹⁾, in exercise of the powers conferred on it by Article 16(1) of the Agriculture and Fisheries (Financial Assistance) (Northern Ireland) Order 1987⁽²⁾, 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 Pig Industry Restructuring (Capital Grant) Scheme (Northern Ireland) 2001, and shall come into operation on 30th March 2001.

Interpretation

2. In this Scheme:—

“the Department” means the Department of Agriculture and Rural Development;

“bank” means—

- (a) any institution for the time being authorised under a provision of the Banking Act 1987⁽³⁾,
- (b) any person for the time being specified in any of paragraphs 2 to 10 of Schedule 2 to that Act (exempted persons),

(1) Formerly the Department of Agriculture. See S.I. 1999/283 (N.I.) Article 3
(2) S.I. 1987/166 (N.I. 1)
(3) 1987 c. 22

- (c) any person for the time being entitled by virtue of the Banking Coordination (Second Council Directive) Regulations 1992⁽⁴⁾ to accept deposits (within the meaning of that Act) in the United Kingdom;

“business plan” means a detailed plan setting out the objectives of any business, the strategy and tactics to achieve those objectives, estimates as to the financial and other circumstances of the business in the event the objectives are achieved and the investment required to achieve those objectives;

“eligible person” shall be construed in accordance with Article 4;

“Non-Capital Grant Scheme” means the Pig Industry Restructuring (Non-Capital Grant) Scheme (Northern Ireland) 2001⁽⁵⁾;

“pig production” means any form of pig production including breeding, rearing and finishing.

Payment and amounts of grants

3.—(1) Subject to the following provisions of this Scheme, the Department may make to any eligible person a grant towards expenditure incurred in servicing the relevant part of a qualifying loan.

(2) For the purposes of this Scheme a qualifying loan is a loan which has been, or is to be, obtained from a bank for the purpose of implementing a business plan for the restructuring of a pig production business, and the relevant part of a qualifying loan is that part of the loan which—

- (a) has been or is to be obtained for the purposes of, or in connection with, the carrying on of a pig production business;
- (b) appears to the Department to be of a capital nature or incurred in connection with expenditure of a capital nature; and
- (c) is approved by the Department for the purposes of a grant under this Scheme.

(3) Where a loan has been obtained partly for the purposes of or in connection with the restructuring of a pig production business and partly for other purposes, the Department may for the purposes of a grant under this Article treat as a qualifying loan so much of that loan as appears to the Department to be referable to that restructuring.

(4) A grant under this Scheme, when coupled with any payment made under the Non-Capital Grant Scheme, shall not exceed in aggregate 5% of the qualifying loan (excluding accrued interest).

Eligible persons

4. The following persons shall be eligible for a grant under this Scheme—

- (a) an individual carrying on a business of pig production, to whom a qualifying loan has been or is to be made and who undertakes, if his application is successful, to pursue the objectives of his business plan;
- (b) a body carrying on a business of pig production, to which a qualifying loan has been or is to be made and on behalf of which a person duly authorised for the purpose undertakes, if the body’s application is successful, to pursue the objectives of its business plan; and
- (c) persons carrying on a business of pig production in partnership, to whom a qualifying loan has been or is to be made and on whose behalf the undertaking required of an individual by sub-paragraph (a) is given by a person duly authorised for the purpose.

(4) S.I. 1992/3218

(5) S.R. 2001 No. 91

Claims for grant

5. Any claims for grant under this Scheme shall be made in such form and manner and at such time as the Department may from time to time reasonably require, and the claimant for grant shall furnish all such particulars and information relating to the claim and copies of such documents and records relating thereto as the Department may reasonably require.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 5th March 2001.

L.S.

R. S. Johnston
A senior officer of the
Department of Agriculture and Rural
Development

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 2001.

L.S.

J. Layberry
A senior officer of the
Department of Finance and Personnel

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Scheme.)

This Scheme makes provision for the payment of grants towards the cost of loans obtained in order to pay for capital expenditure incurred in the restructuring of pig production businesses.

Those eligible under the Scheme for grants are described in Article 4.

The Scheme provides that claims for grant shall be made in such form as the Department may reasonably require (Article 5).

Article 16(6) of the Agriculture and Fisheries (Financial Assistance) (Northern Ireland) Order 1987 enables the Department to revoke an approval in whole or in part and for grant monies to be recovered in certain circumstances.