

Scheme made by the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, laid before Parliament under section 29(2) of the Agriculture Act 1970, for approval by resolution of each House of Parliament within forty days beginning with the day on which the Scheme was made, subject to extension for periods of dissolution, prorogation or adjournment for more than four days.

STATUTORY INSTRUMENTS

1988 No. 2066

**AGRICULTURE
HORTICULTURE**

The Agriculture Improvement (Variation) (No. 3) Scheme 1988

<i>Made</i>	- - - -	<i>25th November 1988</i>
<i>Laid before Parliament</i>		<i>28th November 1988</i>
<i>Coming into force</i>	- -	<i>29th November 1988</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly in exercise of the powers conferred on them by sections 28 and 29 of the Agriculture Act 1970(1) and of all other powers enabling them in that behalf, with the approval of the Treasury, hereby make the following Scheme:

Citation and commencement

1. This Scheme may be cited as the Agriculture Improvement (Variation) (No. 3) Scheme 1988 and shall come into force on 29th November 1988.

Variation of the Agriculture Improvement Scheme 1985

2. The Agriculture Improvement Scheme 1985(2) shall be varied in accordance with paragraphs 3 and 4 below.

3. In paragraph 7 thereof (closing dates for claims)—

(a) after sub-paragraph (bA) there shall be inserted the following sub-paragraphs—

“(bB) any work, facility or transaction which is of a kind specified in paragraph 9 in column 1 of Schedule 1 (arterial drainage works in Scotland) unless the claim for grant is received by him on or before 31st May 1991;

(1) 1970 c. 40.

(2) S.I. 1985/1029, amended by S.I. 1988/1056, 1983. By S.I. 1987/166(N.I.1) the Agriculture Improvement Scheme was revoked in so far as it formed part of the law of Northern Ireland.

- (bC) any work, facility or transaction in relation to an agricultural business which on 31st May 1989 is the subject of a current development plan approved under the 1980 Regulations or the 1981 Regulations or of a current improvement plan approved under the 1985 Regulations unless the claim for grant is received by him within one month of the date of closure of that plan;”;
- (b) there shall be substituted for sub-paragraph (c) the following sub-paragraph—
 - “(c) any work, facility or transaction which is of a kind not referred to in any of the above sub-paragraphs unless the claim for grant is received by him on or before 31st May 1989, or such later date, not later than 30th June 1989, as that Minister may in special circumstances permit.”.
- 4. For paragraph 7A thereof (closing date for incurring expenditure) there shall be substituted the following paragraph—
 - “7A. The appropriate Minister shall not pay grant under this Scheme in relation to any expenditure incurred on or after 29th November 1988 except expenditure incurred—
 - (a) in relation to any work, facility or transaction which is of a kind specified in paragraph 5 or 6 in column 1 of Schedule 1 (heated glasshouses and glasshouse heating systems);
 - (b) in Scotland in relation to any work, facility or transaction which is of a kind specified in paragraph 9 in column 1 of Schedule 1 and for which an application for approval was made in writing before 29th November 1988;
 - (c) in the Scilly Isles on or before 16th November 1993 in respect of any work, facility or transaction which is of a kind specified in any of paragraphs 1 to 5 in column 1 of Schedule 1A.”.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 23rd November 1988.

L.S.

John MacGregor
Minister of Agriculture, Fisheries & Food

23rd November 1988

Sanderson of Bowden
Minister of State, Scottish Office

24th November 1988

Peter Walker
Secretary of State for Wales

We approve,

25th November 1988

Kenneth Carlisle
Tony Durant
Two of the Lords Commissioners of Her
Majesty's Treasury

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 further varies the Agriculture Improvement Scheme 1985 (“the principal Scheme”) and complies with Article 8 of Council Regulation (EEC) No. 797/85 (OJ No. L93, 30.3.85, p. 1) on improving the efficiency of agricultural structures, as amended by Council Regulation (EEC) No. 1760/87 (OJ No. L167, 26.6.87, p. 1).

This Scheme provides that expenditure incurred on or after 29th November 1988 is not generally eligible for grant (paragraph 4).

The Scheme also brings forward the closing date for receipt of claims for grant from 1st April 1993 to 31st May 1989 in most cases (paragraph 3(b)). A new closing date for receipt of claims is introduced where on 31st May 1989 the agricultural business to which the claim relates is the subject of a current development plan approved under the Agriculture and Horticulture Development Regulations 1980 (S.I.1980/1298) or the Farm and Horticulture Development Regulations 1981 (S.I. 1981/1707) or of a current improvement plan approved under the Agriculture Improvement Regulations 1985 (S.I. 1985/1266) (paragraph 3(a)).

In the case of arterial drainage works in Scotland, to be eligible for grant the written application for approval must be made before 29th November 1988 (paragraph 4) and the deadline for receipt of claims is 31st May 1991 (paragraph 3(a)).

The Scheme does not alter the position in relation to heated glasshouses and glasshouse heating systems and works, facilities or transactions in the Isles of Scilly of a kind specified in column 1 of Schedule 1A to the principal Scheme.