
STATUTORY INSTRUMENTS

1988 No. 1302

The Farm Businesses(Northern Ireland) Order 1988

Grants in respect of farm businesses

3.—(1) The Department may, with the approval of the Department of Finance and Personnel, by order make a scheme to provide for the payment by the Department of grants towards expenditure which—

- (a) has been or is to be incurred for the purposes of, in connection with or in connection with any proposals for—
 - (i) the establishment or expansion of a farm business of such a description as may be specified in the scheme;
 - (ii) the establishment or expansion, for purposes connected with the establishment, expansion or carrying on of such a farm business, of any agricultural business;
 - (iii) the promotion of such a farm business; or
 - (iv) the marketing of anything produced or supplied in the course of such a farm business; and
- (b) appears to the Department to be neither expenditure of a capital nature nor expenditure which would fall to be treated for the purposes of Article 16 of the Agriculture and Fisheries (Financial Assistance) (Northern Ireland) Order 1987(1) as incurred in connection with expenditure of a capital nature.

(2) Without prejudice to the generality of paragraph (1), a scheme under this Article providing for the payment of grants may—

- (a) impose requirements to be complied with by persons applying for the grants;
- (b) confer a discretion on the Department as to the payment of the grants, as to the manner and timing of their payment and as to their amounts;
- (c) provide for the grants to be paid to persons on such terms as may be specified in or determined under the scheme and for the modification of any such terms in such manner as may be so specified or determined;
- (d) provide for the terms on which the grants are paid to impose such requirements on the persons to whom they are paid, including requirements to be complied with after the payment of the grants and requirements as to the repayment of grants, as may be so specified or determined;
- (e) provide for any discretion conferred by or under the scheme to be exercisable in such circumstances and by reference to such matters, and the opinion of such persons, as may be so specified or determined; and
- (f) contain such supplemental, consequential and transitional provision as the Department thinks fit.

(3) An order under this Article shall be made subject to negative resolution.

(4) In this Article—

“agricultural business” means a business consisting in, or such part of a business as consists in, the pursuit of agriculture;

“agriculture” has the same meaning as in the Agriculture Act (Northern Ireland) 1949⁽²⁾ and includes the use of land as osier land;

“the Department” means the Department of Agriculture;

“farm business” means any business consisting in, or such part of any business as consists in, a business which—

- (a) is carried on by a person who also carries on an agricultural business at the same time and on the same or adjacent land; and
- (b) is not itself an agricultural business.

(2) 1949 c. 2 (N.I.)