

1973. No. 499

**FISH INDUSTRY****Assistance to Fisheries Co-operatives Scheme (Northern Ireland) 1973***Made* . . . . . 11th December 1973*Coming into operation* . . . . . 1st March 1974*To be laid before the Parliament of the United Kingdom under paragraph 4(5)(b) of the Schedule to the Northern Ireland (Temporary Provisions) Act 1972.*

The Ministry of Agriculture (hereinafter called "the Ministry") on behalf of the Secretary of State in exercise of the powers conferred on it by section 2 of the Fish Industry Act (Northern Ireland) 1972(a) (hereinafter called "the Act") and of every other power enabling it in that behalf and with the approval of the Ministry of Finance hereby makes the following Scheme:—

1. This Scheme may be cited as the Assistance to Fisheries Co-operatives Scheme (Northern Ireland) 1973 and shall come into operation on 1st March 1974.

2. Subject to the provisions of this Scheme the Ministry of Agriculture may make to any body of persons carrying on or proposing to carry on a co-operative enterprise in the fishing industry, a grant towards the approved expenditure incurred by that body for the purposes of that enterprise.

3. The expenditure towards which a grant may be provided under this Scheme in connection with a co-operative enterprise is—

(a) the provision of—

(i) any buildings (including any ice plant, fish hatchery, or mollusc purification plant) or fixed equipment;

(ii) any vehicle constructed or adapted for the conveyance or haulage of loads in or about private premises for use in connection with that enterprise;

(b) the provision of administration (including management) and training during the first three years after the date of making the first application in respect of grant for such an enterprise;

(c) the acquisition of any stock-in-trade during the first three years after the date of making the first application in respect of grant for such an enterprise and any expenditure incurred during such three years for the purposes of such enterprise in respect of wages, salaries, the heating, lighting, repairing or redecoration of any premises used for the purposes of or in connection with such enterprise, or for rates on such premises or the acquisition, repairing or renewal of any fixed plant or machinery or chattels used for the purposes of or in connection with such enterprise;

(d) provision of any vessel or the improvement of any existing vessel used for the protection of any fishing rights owned by such an enterprise.

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(a) 1972. c. 4 (N.I.).

4. The rates of grant payable under Article 3 shall be—

- (a) in the case of the provision of any buildings or fixed equipment forty per cent. of approved expenditure and in the case of the provision of any other equipment or vehicle thirty per cent. of approved expenditure;
- (b) in the case of administrative and training expenses sixty per cent. in the first year, forty per cent. in the second year and twenty per cent. in the third year of certified and approved expenditure;
- (c) in the case of any item specified in Article 3(c) hereof twenty per cent. of certified and approved expenditure;
- (d) in the case of the provision of any vessel or vessel improvements thirty per cent. of approved costs.

5. Under Article 4 “certified” means certified by a member of a body of accountants for the time being recognised for the purposes of section 155(1)(a) of the Companies Act (Northern Ireland) 1960(b) by the Ministry of Commerce.

6. Applications for grant under this Scheme shall be made in writing in such form as the Ministry may from time to time require.

7. Applications for grants under this Scheme may be made only by bodies the majority of whose members are resident in Northern Ireland and whose registered offices are situated in Northern Ireland.

8. Applications for grants under this Scheme in respect of buildings, equipment, vehicles, and boats shall be accompanied by appropriate plans and specifications and a completed tender or tenders relating to the expenditure incurred and the form of contract or contracts to be entered into between the applicant and the builder supplier or other contractor and no contract shall be placed without the prior approval of the Ministry.

9. The Ministry may require any applicant for a grant to provide more than one tender.

10. Any person authorised by the Ministry shall have the right to inspect at all reasonable times within the control period any building, vehicle, boat or equipment in respect of which a grant has been or is to be made.

11. If any person makes a false statement or furnishes false information in respect of any of the matters required to be disclosed in connection with an application for a grant or if any of the conditions relating to the payment of grant are not complied with by an applicant any payment of or on account of a grant to that applicant may at any time be refused and any such payment already made in relation to that application may be recovered by the Ministry.

12. Any body whose application for grant under this Scheme is approved by the Ministry may be required to give such undertakings as the Ministry may consider appropriate and in particular shall be required—

- (a) where the grant exceeds £300 to insure any building, vehicle, boat or equipment in respect of which a grant has been made and keep them insured against such risks and in such sums as required by the Ministry during the control period;

- (b) to keep and make available for inspection by the Ministry at all reasonable times during the control period any books, records or other documents necessary to enable the Ministry to satisfy itself that the conditions of the grant have been complied with.
- (c) if within the control period—
  - (i) there occurs the total or partial loss or destruction of any building, vehicle, boat or equipment in respect of which a grant has been made arising out of any insured risks, to repay to the Ministry the whole or such portion of the grant as the Ministry may require;
  - (ii) there occurs a breach of any undertaking or condition subject to which the grant was made or a disposition by way of mortgage or sale of any building, vehicle, boat or any part thereof or of any equipment used on or in connection therewith in respect of which a grant has been made, to repay to the Ministry such proportion of the grant as the Ministry may require;
  - (iii) the body ceases to operate as a co-operative enterprise within the meaning of section 2(2) of the Act, to repay to the Ministry such proportion of the grant as the Ministry may require.

13. If any body receives grant under this Scheme and that body ceases to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969(c) all persons who were members of that body between the date of the body's first application for grant under this Scheme and such cessation of registration shall be jointly and severally liable to repay to the Ministry such proportion of the grant as the Ministry may require.

14. For the purposes of this Scheme the "control period" in relation to any grant shall mean a period of—

- (a) in the case of any building or the provision of any vessel a period of 10 years commencing with the date on which the final payment of grant was made;
- (b) in any other case a period of 5 years commencing with the date on which the final payment of grant was made.

15. No grants under this Scheme shall be made towards expenditure—

- (a) in respect of which any person is entitled under any other statutory provision to a payment for a purpose similar to any of the purposes mentioned in the Scheme;
- (b) in respect of which any grant has been made under any other statutory provision;
- (c) on second-hand buildings, boats, vehicles or equipment.

16. A grant exceeding £1,000 shall not be made without the approval of the Ministry of Finance.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 5th day of December 1973.

(L.S.)

J. Parke,

Assistant Secretary.

The Ministry of Finance on behalf of the Secretary of State hereby approves the foregoing Scheme.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 11th day of December 1973.

(L.S.)

A. J. Green,

Assistant Secretary.

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#### EXPLANATORY NOTE

*(This note is not-part of the Scheme, but is intended to indicate its general purport.)*

This Scheme provides for the payment of grant to co-operative enterprises in the fishing industry and lays down the purposes for which grant may be paid and the rates of grant payable.

The Scheme also specifies requirements to qualify for grant and provides for repayment to the Ministry of Agriculture in certain circumstances of all or part of any grant.