

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. 1983

AGRICULTURE HORTICULTURE

The Agriculture Improvement (Variation) (No. 2) Scheme 1988

<i>Made</i>	- - - -	<i>14th November 1988</i>
<i>Laid before Parliament</i>		<i>16th November 1988</i>
<i>Coming into force</i>	- -	<i>17th 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. 2) Scheme 1988 and shall come into force on 17th November 1988.

Commencement Information

II [Para. 1](#) in force at 17.11.1988, see [para. 1](#)

Variation of the Agriculture Improvement Scheme 1985

2. The Agriculture Improvement Scheme 1985(2) (hereinafter called “the principal Scheme”) shall be varied in accordance with paragraphs 3 to 8 below.

3. In paragraph 3(1) thereof (payment of grants) there shall be substituted for paragraph (a) the following paragraph—

(1) 1970 c. 40.

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 By S.I. 1987/166 (N.I. 1) the Agriculture Improvement Scheme was revoked in so far as it formed part of the law of Northern Ireland.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Agriculture Improvement (Variation) (No. 2) Scheme 1988. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- “(a) has been incurred—
- (i) on or after 1st October 1985 in respect of any work, facility or transaction of a kind specified in any of paragraphs 1 to 8 and 10 in column 1 of Schedule 1 or, in relation to Scotland only, paragraph 9 in column 1 of Schedule 1;
 - (ii) on or after 17th November 1988 in relation to the Isles of Scilly only in respect of any work, facility or transaction of a kind specified in any of paragraphs 1 to 5 in column 1 of Schedule 1A;”.
4. In paragraph 4(2) thereof (restrictions on payment of grant) there shall be inserted at the end the words “or, in the case of the Isles of Scilly only, has been incurred in relation to any work, facility or transaction of a kind specified in paragraph 5 in column 1 of Schedule 1A”.
5. In paragraph 5 thereof (amounts of grant)—
- (a) in sub-paragraph (2) there shall be inserted after the words “In the case of any” the word “such”;
 - (b) after sub-paragraph (4) there shall be inserted the following sub-paragraph—

“(4A) Subject to the provisions of paragraphs 8 and 9, the amount of any grant payable under paragraph 3(1) towards expenditure in respect of any work, facility or transaction of a kind specified in any of paragraphs 1 to 5 in column 1 of Schedule 1A shall be the percentage of that expenditure specified in relation to that work, facility or transaction in column 2 of that Schedule.”.
6. In paragraph 7 thereof (closing dates for claims)—
- (a) after sub-paragraph (b) there shall be inserted the following sub-paragraph—

“(bA) any work, facility or transaction which is of a kind specified in any of paragraphs 1 to 5 in column 1 of Schedule 1A unless the claim for grant is received by him on or before 16th November 1994;”;
 - (b) in sub-paragraph (c) for the words “sub-paragraph (a) or (b)” there shall be substituted the words “sub-paragraph (a), (b) or (bA)”.
7. After paragraph 7 thereof there shall be inserted the following paragraph—
- “7A. The appropriate Minister shall not pay grant under this Scheme in relation to any expenditure incurred on or after 17th 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.”.
8. The Schedule to this Scheme shall be inserted after Schedule 1 to the principal Scheme as Schedule 1A thereto.

Commencement Information

- I2** Para. 2 in force at 17.11.1988, see [para. 1](#)
- I3** Para. 3 in force at 17.11.1988, see [para. 1](#)
- I4** Para. 4 in force at 17.11.1988, see [para. 1](#)
- I5** Para. 5 in force at 17.11.1988, see [para. 1](#)
- I6** Para. 6 in force at 17.11.1988, see [para. 1](#)
- I7** Para. 7 in force at 17.11.1988, see [para. 1](#)
- I8** Para. 8 in force at 17.11.1988, see [para. 1](#)

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 11th November 1988.

L.S.

John MacGregor
Minister of Agriculture, Fisheries and Food

9th November 1988

Sanderson of Bowden
Minister of State, Scottish Office

11th November 1988

Peter Walker
Secretary of State for Wales

We approve,

14th November 1988

David Maclean
Tony Durant
Two of the Lords Commissioners of Her
Majesty's Treasury

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SCHEDULE

Paragraph 8

CONTAINING NEW SCHEDULE 1A TO THE PRINCIPAL SCHEME

Commencement Information
19 Sch. in force at 17.11.1988, see [para. 1](#)

“SCHEDULE 1A Paragraphs 3(1)(a), 4(2), 5(4A), 7(bA) and 7A

ELIGIBLE WORKS, FACILITIES AND TRANSACTIONS
 AND RATES OF GRANT IN THE ISLES OF SCILLY

Column 1 Kind of work or facility or transaction	Column 2 Rate of grant. Per cent.
1. Provision, replacement, improvement or alteration of temperature-controlled stores for the treatment and holding of bulbs and flowers, including plant for the cooling and heating of such stores.	35
2. Application of lime (other than normal husbandry applications) raising the soil pH to 5.5.	20
3. Equipment for the production or preparation for market of horticultural produce, comprising bulb sterilising tanks; specialist soil sterilant incorporation machines; bulb lifters; bulb graders; bulb cleaners; bulb chipping machines; flower sleeving machines; polythene laying equipment; bulb planters and flame cultivators.	20
4. Provision, replacement, improvement or alteration of:	
(a) facilities for the storage, supply and distribution of water for agricultural purposes;	35
(b) facilities for the supply and distribution of electricity for agricultural purposes.	35
5. Provision, replacement or improvement of shelter hedges (including hedgerow trees and associated protective fencing).	60”

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), and Council Directive No. 75/268/EEC (OJ No. L128, 19.5.75, p.1) on mountain and hill farming and farming in certain less-favoured areas.

The Scheme introduces new grants for agricultural businesses in the Isles of Scilly in respect of expenditure of a capital nature incurred on or after 17th November 1988 in relation to the works, facilities or transactions specified in column 1 of new Schedule 1A to the principal Scheme (paragraphs 3 and 8 and Schedule). The rates of grant are set out (paragraph 5(b) and Schedule).

The closing date for receipt of claims in respect of these grants is 16th November 1994 (paragraph 6), and grant is not payable in relation to expenditure incurred on or after 17th November 1993 (paragraph 7).

The Scheme also—

- (a) disapplies financial restrictions in the principal Scheme on payment of grant where expenditure has been incurred in relation to any work, facility or transaction of a kind referred to in paragraph 5 of new Schedule 1A (shelter hedges) (paragraph 4);
- (b) makes a consequential amendment (paragraph 5(a)).

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Changes and effects yet to be applied to :

- Scheme revoked by [2023 c. 28 Sch. 1 Pt. 1](#)