

GOVERNMENT CIRCULAR

No. 29/50.

G.O. Reference No. 25009/53/1.

THE AGRICULTURAL IMPROVEMENTS FUND (IMPROVEMENT OF HILL FARMS) (AMENDMENT) REGULATIONS, 1950.

His Excellency the Lieutenant Governor has made amending Regulations (a copy of which is appended) under Section 5 (2) of the Agricultural Rates and Improvements Fund Act, 1934, governing the application of the Agricultural Improvements Fund for (1) the provision of accommodation for the dipping or treatment of sheep or cattle, and (2) the provision of pens and other equipment for use for or in connection with the sheltering, gathering, marking, dipping or treatment of sheep or cattle on hill farms.

By Order,

J. N. PANES,

Government Secretary.

Government Office,

Isle of Man.

11th February, 1950.

THE AGRICULTURAL IMPROVEMENTS FUND (IMPROVEMENT OF HILL FARMS) (AMENDMENT) REGULATIONS, 1950.

The Isle of Man Board of Agriculture and Fisheries, in exercise of the powers contained in Section 5 (1) of the Agricultural Rates and Improvements Fund Act, 1934, and with the approval of His Excellency the Lieutenant Governor, determined that the Agricultural Improvements Fund may be applied for the purpose of making loans for: (1) the provision of accommodation for the dipping or treatment of sheep or cattle, and (2) the provision of pens and other equipment for use for or in connection with the sheltering, gathering, marking, dipping or treatment of sheep or cattle on hill farming land.

"Hill farming land" means uncultivated high ground of the type classified in the Agricultural Returns as mountain and heath land used for grazing, excluding low range moorland.

In exercise of the powers contained in Section 5 (2) of the Agricultural Rates and Improvements Fund Act, 1934, His Excellency the Lieutenant Governor makes the following Regulations with regard to loans for the above purposes:—

- (1) Applications for financial assistance out of the Fund shall be made to the Isle of Man Board of Agriculture and Fisheries (in these Regulations referred to as "the Board"). Applicants shall supply to the Board such particulars as the Board shall from time to time direct including certificate of title signed by an advocate certifying that the title of the agricultural holding is in order and free from encumbrances or if subject to any charges specifying the encumbrances, and the estimated cost of the proposed works.
- (2) Loans shall be free of interest, repayable in equal annual instalments over a period not exceeding ten years and shall not exceed 90% of the margin of security which it is estimated the mortgaged security will bear after the completion of the works.

[P.T.O.]

- (3) Applications for loans shall be referred to an Inspector appointed by the Board for investigation, report and certification.
- (4) If the report of the Inspector is favourable to the execution of the proposed works, and he certifies to the Board that
 - (a) the work is necessary for the improvement of the agricultural holding;
 - (b) the estimated cost is reasonable; and
 - (c) upon completion of the works the value of the margin of security (inclusive of the loan) does not after bringing into account prior encumbrances exceed 90% of the value of the security;

and the Board approves the application, the Board may recommend to the Governor the application for the loan subject to the provisions of these Regulations, for such an amount and subject to such terms and conditions as to repayment as the Board may consider reasonable, and shall forward to the Treasurer of the Isle of Man for the approval of the Governor the application, the report and certificate of the Inspector and the recommendation of the Board as to the amount and the terms and conditions upon which the loan shall be made.

- (5) The loan shall be secured by deed of Bond and security passed by the owner to the Treasurer chargeable on the farm upon which the works will be carried out, and shall contain such provisions as the Attorney General may consider necessary, including the conditions that so long as any money remains outstanding on the security of the loan the following provisions shall have effect :—

The amount of the loan shall become immediately repayable to the Treasurer :

- (a) if the owner makes default for a period of fourteen days in the payment of any capital instalment of the said loan, and the Treasurer before any such instalment is paid by notice in writing to the owner calls in the principal moneys of the said loan; or
 - (b) if after the completion of the works the owner fails to keep such works in good and substantial repair and condition (reasonable wear and tear excepted); or
 - (c) if default shall be made by the owner in the performance or observance of any of these Regulations, or any covenant condition or provision contained in the deed of Bond and security.
- (6) The loan shall not be paid until the Treasurer has received the certificate that the works have been done, executed and completed to the satisfaction of an Inspector appointed by the Board.
 - (7) These Regulations may be cited as the Agricultural Improvements (Improvement of Hill Farms) (Amendment) Regulations, 1950.
 - (8) The Agricultural Improvements (Improvement of Hill Farms) Regulations, 1949 (Government Circular 182/49), are hereby revoked.

This 11th day of February, 1950.

G. R. BROMET,

Lieutenant Governor.