

GOVERNMENT CIRCULAR

No. 33/60.

G.O. Reference No. S.2807/11.

The Improvement of Grassland Scheme, 1960.

His Excellency the Lieutenant Governor has approved a Scheme (a copy of which is appended) entitled "The Improvement of Grassland Scheme, 1960", prepared by the Isle of Man Board of Agriculture and Fisheries and which provides for the making of a grant of £4 os. od. per acre in respect of land sown to grass between the 1st January and the 31st December in any year, in accordance with the provisions of the Scheme. The new Scheme revokes the Improvement of Glassland Scheme, 1958.

By Order,

E. R. St. A. DAVIES,
Government Secretary.

Government Office,
Isle of Man.

4th June, 1960.

THE IMPROVEMENT OF GRASSLAND SCHEME, 1960.

1.—(1) The Treasurer of the Isle of Man (hereinafter referred to as “the Treasurer”) shall pay, out of monies provided by Tynwald, grants (hereinafter referred to as “sowing down grants”) subject to and in accordance with the provisions of this Scheme in respect of land sown to grass between 1st January and 31st December in any year.

(2) A sowing down grant of £4 0s. 0d. per acre may be made only if the applicant shows to the satisfaction of the Isle of Man Board of Agriculture and Fisheries (hereinafter referred to as “the Board”) that, in respect of the land to which an application refers, he has complied with the following conditions :—

- (a) the land shall be dealt with in one or other of the undermentioned ways :—
 - (i) the land shall be sown with a nurse crop of cereals or rape, or a mixture of rape and kale in normal crop rotation undersown with a mixture of grass and other seeds, e.g. Ryegrass and Timothy and/or Cocksfoot, etc., plus clovers approved by the Board to give either a satisfactory hay crop or pasture and lea thereafter, or
 - (ii) the land shall be re-seeded to grass with a seeds mixture, e.g., Ryegrass and Timothy, and/or Cocksfoot, etc., plus clovers approved by the Board either directly or through a catch crop, e.g., rape or a mixture of rape and kale in the first year of ploughing but in such case the land shall have been continuously in grass for a minimum period of four calendar years, provided, however, that in special cases where the old lea was reclaimed and ploughed and sown with rape or with a mixture of rape and kale in the year of ploughing and sown down with rape or a mixture of rape and kale and a mixture of grass and other seeds, e.g., Ryegrass and Timothy and/or Cocksfoot, etc., plus clovers approved by the Board in the next following year, the Board shall consider eligibility of the land in question on the merits of each case ;
- (b) the land shall have been suitably prepared for seeding ;
- (c) the seeds mixture sown in conjunction with the nurse crop shall be of a nature, quantity, purity and substance suitable to the land sown and shall be such as to satisfy the Board's requirements to ensure a good hay crop or pasture and a good lea thereafter for a period of at least two years ;
- (d) after the land has been sown with grass seeds, the nurse crop shall be properly managed and stored, and the succeeding crop shall be either properly harvested and stored as hay or cut-grass for silage or adequately grazed ;
- (e) any other conditions prescribed (either generally or in relation to any class of land) by regulations made by the Board shall be complied with in relation to the land, but land shall be considered ineligible in cases where a cereal crop has been taken in the year previous to the cereal crop which is undersown in accordance with Paragraph 1 (2) (a) (i) hereof unless prior application has been made to the Board and the Board is satisfied that such treatment was in the interests of good husbandry or exceptional circumstances prevailed to merit such treatment.

Application for the above second cereal cropping must be made before the completion of the preliminary ploughing.

(3) The method of treatment which is adopted in respect of the land shall be subject to the approval of the Board who may withhold the approval of the application if the treatment is not regarded as suitable for the land in question.

(4) land which is re-seeded to grass by any of the methods given in Paragraph 1 (2) (a) (ii) or by undersowing in a second successive white crop must receive lime and fertilisers to make good any deficiency as shown by soil analysis carried out by the Agricultural Organiser for the Isle of Man, under the free soil analysis and advisory service available to farmers.

(5) no responsibility shall be accepted by the Board for an application in respect of which the prescribed form of acknowledgment of the application cannot be produced by the person concerned as evidence of the receipt of the application by the Board.

2. An application made to the Board for a sowing down grant shall be accompanied by an invoice of the merchant concerned in respect of the seeds purchased for sowing and giving details of the seeds mixture involved, of the acreage where sown and the application shall specify the following details:—

- (a) Name of Field or other identification.
- (b) Number of acres claimed.
- (c) Crop sown.
- (d) Quantity of fertilisers used on the crop in question.
- (e) Crops grown in the four calendar years immediately prior to the year of application.
- (f) The total acreage of the holding.

The application form (including such declarations from the farmer concerned as the Board considers necessary) shall be checked as to the acreage involved and the cultivation carried out on the land, but actual payment shall not be made until a certificate has been received from the claimant that requisite fertilisers have been applied and that cereal crops so grown have been properly cultivated and harvested. Any farmer participating in this Scheme who has received a sowing down grant shall be liable for the return of any payment so made in the event of the crop not being properly stored, stacked or threshed after harvesting, and such repayment shall be recoverable by the Treasurer under due process of law.

In the event of a total or a partial failure of the crop, or in the event of an unsatisfactory yield being obtained, the sowing down grant shall be withheld if it appears to the Board that the applicant has not exercised due care and diligence in any or all of the following matters, namely:—

- (a) the suitability of the ground in which the crop has been grown;
- (b) the selection of the crop grown;
- (c) the quality of the seed purchased and the quantity sown;
- (d) the suitability of fertilisers applied and the appropriateness of the quantities given;
- (e) the general cultivation of the land and crops.

3. If any applicant contravenes or fails to comply with any of the provisions of this Scheme or any conditions imposed by the Board, the applicant shall forfeit any claim to the sowing down grant or any part thereof and if any payment has been made by the Treasurer to the applicant in respect of the grant or any part thereof, the sum so paid shall become repayable to the Treasurer by the applicant on demand and may be recovered by the Treasurer from the applicant summarily as a civil debt.

4.—(1) Subject to the provisions of this article, the rate at which a sowing down grant may be made shall be forty shillings for each half acre of such land as is sown-down in accordance with and under the provisions of this Scheme.

(2) Such grant shall not be made—

- (a) in respect of any holding of less than one acre in extent; or,
- (b) where the area of land in respect of which a claim for grant is made is less than half an acre.

(3) In computing the amount of such grant payable, where the total area involved is not an exact number of half acres, the odd fraction of half an acre shall be disregarded.

5.—(1) A sowing down grant to be made in respect of any land shall be made to the person at whose expense the land has been treated, and has been or is to be dealt with as aforesaid, or, if one or more of those operations had been or is being or is to be carried out at the expense of one person and one or more of them at the expense of another person, shall be divided amongst them in such proportions as the Board may direct :

Provided that, where a payment in respect of such a grant would, if it had been a debt which had accrued due at the time when any such operation as aforesaid was carried out to the person at whose expense it was carried out, be properly payable to some other person otherwise than by virtue of an assignment, the payment may be made to that other person.

Provided also that, if the applicant is indebted to the Board in respect of goods sold and delivered or work or labour done, the Treasurer may at the request of the Board pay to the Board the amount of the grant on behalf of the applicant, in which event the Board shall set off the amount of the grant against the amount of the indebtedness and account to the applicant for any difference (if any) and notify the applicant accordingly.

(2) The determination of the Board as to any question arising under the preceding sub-section shall be conclusive for the purposes of this Scheme

(3) The Treasurer shall not be authorised to make any such grant unless an application therefor has been made to the Board by the person to whom the grant may be made or by a person to whom a part thereof may be paid on a division thereof, being an application in such form, and containing particulars with respect to such matters and verified in such a manner as the Board may require.

6. The Board shall certify to the Treasurer the persons to whom sowing down grants are to be paid and the amounts respectively payable to such persons under the provisions of this Scheme.

7. For the purpose of obtaining information required in connection with this Scheme, the Board may authorise any person to inspect any agricultural land in respect of which a sowing-down grant has been applied for or made.

8. Notwithstanding anything in the Agricultural Returns Act, 1955, any return made under that Act may be used by the Board for the purpose of this Scheme.

9. If in furnishing any information for the purpose of this Scheme, any person makes any statement which he knows to be false in a material particular, or recklessly or negligently makes any statement which is false in a material particular, he shall forfeit any claim to any grant under the provisions of this Scheme.

10. No application for sowing down grant will be entertained by the Board if received (i) after the first delivery of the post on the morning of the 7th July, in respect of land sown with a nurse crop of cereals undersown with a mixture of grass and other seeds or (ii) after the first delivery of the post on the morning of the 12th November, in respect of land re-seeded to grass directly or through a catch crop.

Acknowledgment of the receipt of an application will be sent to the applicant by the Board and a farmer is advised in his own interests to enquire from the Board's Office, 16 Buck's Road, Douglas, the position of his claim if an acknowledgment form has not been received within 14 days of the date of posting the application to the Board.

11. For the purpose of this Scheme "agricultural land" means any land used as arable, meadow or pasture ground, or for the purpose of poultry farming or market gardens.

12. The decision of the Board in regard to any matters arising out of the Scheme shall be final and binding on all parties concerned.

13. The Improvement of Glassland Scheme, 1958, is hereby revoked.