

*Rheynn Chymmyltaght, Bee as Eirinys*

## **Agriculture and Fisheries Grant Scheme Agricultural and Horticultural Improvement Grants**

### **TERMS AND CONDITIONS**

1. The grant must only be used for the improvements identified in the Application.
2. The Applicant must covenant with the Department for a period of 5 years from the date on which the grant is paid by the Department that the buildings or land improved in respect of this application must
  - remain in use only for agricultural purposes;
  - not be sold or transferred without the prior written consent of the Department;
  - not be leased for other than agricultural purposes.
3. The Applicant must comply with all legal requirements for the operation of the business, including legislation that applies to all businesses such as Income Tax, National Insurance, VAT, Planning Regulations and Employment Legislation, as well as legal requirements that apply to particular improvements and business activities.
4. The applicant must ensure that all work will be carried out in accordance with the relevant Health & Safety legislation.
5. Where items are of a capital nature, the Applicant is responsible for the design, erection and completion and for their subsequent performance, durability and safety.
6. The Applicant must ensure that none of the items, which this Approval Document covers, will, when constructed, purchased or installed, cause avoidable injury, disturbance or damage to any wildlife or flora and will take into account the conservation and amenity of the countryside.
7. The Applicant must provide to the Department such financial and other information relating to the business of the Applicant as may from time to time be reasonably required by the Department.
8. Any duly authorised officer, employee or agent of the Department shall be entitled, from time to time, to enter the business premises of the Applicant to inspect any asset and accounting or other records in respect of the financial assistance which has been paid under the terms of this document.
9. The Applicant shall repay to the Department so much of the grant as the Department may at its discretion determine if:
  - the Applicant fails to comply with the terms and conditions specified in this document; or
  - the Applicant ceases to carry on the eligible agricultural business or substantially the whole of the eligible agricultural business described in the Application at any time before the expiry of 5 years from the date of this Approval Document.
10. If any person knowingly or recklessly makes a false statement, they shall be guilty of an offence and be liable on summary conviction to a fine not exceeding £5,000 [Agriculture & Fisheries (Miscellaneous Provisions) Act 1998 Ch. 7]. A false or misleading statement may also mean that approval may be revoked and any grant may be withheld or recovered with interest.
11. Claims for grant must be made using the official claim form, which must be received by the Department within **12 months** of the date of this Approval Document (known as the "Approval

Period"). In the case of improvements applied for and approved on an Actual Cost basis, claims must be fully supported by paid invoices vouched by the supplier or contractor. Claims will not be accepted after the expiry of the Approval Period. The Department may be prepared to extend the Approval Period in exceptional circumstances only, providing that written application for an extension is made before the end of the original Approval Period. Extensions to the Approval Period will only be valid if given in writing by the Department.

12. Payment of grant in respect of the proposal will be withheld unless the Department is satisfied that:-
  - no work was started before the a fully completed application was received by the Department;
  - no variation of or addition to the approved improvement was carried out without the written consent of the Department;
  - all work approved on the basis of Actual Costs was carried out in accordance with estimates, plans, specifications and details as previously approved by the Department;
  - all work approved on the basis of Standard Costs conforms with the requirements of the standard costs in force on the date of the approval and was carried out in accordance with plans, specifications and details approved by the Department;
  - all necessary consents, permissions and wayleaves were obtained by the Applicant from all persons having an interest in the land on which any work was carried out and all necessary notice given before such work was started.
13. The amount of grant payable will be based on actual or approved costs, whichever is the lowest.
14. No grant will be payable in excess of those approved or in respect of works or improvements not included in this document.
15. The Applicant shall immediately inform the Department of any event which may result in liability to repay the grant or some part thereof.
- 16. To obtain a claim form, please contact the Department by email on [agriculture@gov.im](mailto:agriculture@gov.im) or call us on 685844 with the reference number for your approved improvement.**

**If you decide not to go-ahead with the work, please inform DEFA Agriculture.**