



Jersey

BASIC SLAG AND LIME (JERSEY) SCHEME 1968

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Arrangement

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THE ECONOMIC DEVELOPMENT COMMITTEE, in pursuance of Article 5 of the Agriculture (Guaranteed Prices and Financial Assistance) (Jersey) Law 1965,² makes the following Scheme in the terms of a draft approved by the States on the 16th January 1968 –

Commencement [[see endnotes](#)]

1 Substances in respect of which contributions may be made

Subject to the provisions of this Scheme, contributions under this Scheme may be made by the Minister to occupiers in respect of the following substances, that is to say –

- (a) basic slag;
- (b) lime in any or all of the following forms –
 - (i) all forms of calcium oxide, calcium hydroxide and calcium carbonate,
 - (ii) all forms of naturally occurring combinations of calcium carbonate and magnesium carbonate and of the oxides and hydroxides derived therefrom,

which are commonly used for the liming of agricultural land, including –
quicklime, ground or otherwise;
calcium hydrate, calcium hydroxide, slaked lime;
ground limestone;
ground chalk;
dried carbonate of lime.

2 Exclusion of contributions in certain circumstances

No contribution under this Scheme shall be made in respect of –

- (a) lime mixed artificially with any other materials; or

- (b) basic slag or lime –
 - (i) purchased otherwise than from an approved supplier, or
 - (ii) where the quantity purchased is less than half a ton.

3 Approval of suppliers

- (1) An application by a person to become an approved supplier shall be made in writing to the Minister and the Minister may approve such person for such period and subject to such conditions as he or she thinks fit.
- (2) In any case where the Minister rejects an application under subparagraph (1), he or she shall, if so required by the applicant, furnish to the applicant a statement in writing of his or her reasons for rejecting the application, and shall afford the applicant a reasonable opportunity of making representations in the matter.
- (3) The Minister shall consider any representations so made and, after such consideration, may maintain or reverse his or her original decision.

4 Further conditions applicable to approved suppliers

- (1) Without prejudice to any conditions imposed by the Minister by virtue of paragraph 3(1) of this Scheme, the approval of a supplier for the purposes of this Scheme shall be subject to the following conditions, namely –
 - (a) the supplier shall undertake not to charge, or receive from, an occupier, for any basic slag or lime in respect of which a price or a margin has been approved by the Minister under paragraph 6 of this Scheme, a price exceeding the price so approved or a price showing a greater margin than the margin so approved;
 - (b) the supplier shall undertake to give such information and produce such accounts, books and other documents to the Minister as he or she may require for the purposes of this Scheme;
 - (c) the supplier shall comply with any directions given to the supplier from time to time by the Minister for giving effect to this Scheme, including directions as to the order in which demands for basic slag or lime under this Scheme are to be fulfilled in the event of a shortage of supplies.
- (2) The fact that a person has ceased to be an approved supplier shall not exempt the person from compliance with any requirements made under Article 11(1)(b) of the Agriculture (Guaranteed Prices and Financial Assistance) (Jersey) Law 1965³.

5 Withdrawal of approval

- (1) The Minister may withdraw the approval of an approved supplier in the event of a contravention by the supplier of any of the conditions of the approval, or for any other reason which seems to the Minister to be sufficient.
- (2) Where it appears to the Minister that the approval of an approved supplier should be withdrawn the Minister shall, before withdrawing the approval,

send to the supplier a statement in writing setting out the reasons for the Minister's intention to do so, and shall afford the person a reasonable opportunity of making representations in the matter.

- (3) The Minister shall consider any representations so made before withdrawing the approval.

6 Power of Minister to approve prices

The Minister may from time to time approve the prices to be charged by, or the margins to be allowed to, approved suppliers in respect of the supply of basic slag and lime to occupiers for the purposes of this Scheme.

7 Procedure for obtaining contributions

- (1) An application for a contribution under this Scheme shall be made in such manner, on such forms and within such time as the Minister may determine.
- (2) The Minister may require an occupier to furnish, in support of this application for a contribution under this Scheme, within such time, in such manner and to such authority or person as may be specified in the requirement, such information and to produce such accounts, invoices, receipts or other documents as may be so specified.
- (3) A contribution shall not be payable under this Scheme in any case where –
- (a) application therefor is made otherwise than in such manner, on such forms and within such time as may be determined by the Minister; or
 - (b) the applicant fails to comply with a requirement made under subparagraph (2),

and the Minister may in any case refuse payment of a contribution where application is made therefore after 31st January of the year next following that in which the basic slag or lime was sold.

8 Calculation of contributions

- (1) Subject to the provisions of this paragraph, a contribution under this Scheme shall be at such rate as may from time to time be fixed by the Minister, but shall not exceed a sum representing as nearly as may be three-fifths of the cost of acquiring the basic slag or lime for the purpose of adding it to agricultural land, and different rates of contribution may be fixed in respect of different kinds or descriptions of basic slag or lime.
- (2) For the purpose of calculating the amount of a contribution to be made under this Scheme, the Minister shall disregard –
- (a) any charges made for the transport of, or for otherwise dealing with, the basic slag or lime after it has left the premises of an approved supplier;

- (b) any charges made by an approved supplier for credit facilities afforded by an approved supplier to an occupier in respect of the purchase of the basic slag or lime.

9 Provisions to secure the economic use of basic slag and lime

- (1) If at any time it appears to the Minister that any basic slag or lime is not being used economically or to the best advantage, the Minister may give such directions to an occupier as the Minister thinks necessary to ensure that contributions under this Scheme are not made in respect of basic slag or lime which is not used economically or to the best advantage.
- (2) Any directions under this paragraph may be given to occupiers collectively by means of a notice published in the Jersey Gazette.
- (3) Where an occupier fails to comply with any directions given under this paragraph, no contribution under this Scheme shall be made to the occupier in respect of any basic slag or lime added by the occupier to agricultural land in his or her occupation in contravention of such directions.

10 Citation

This Scheme may be cited as the Basic Slag and Lime (Jersey) Scheme 1968.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Basic Slag and Lime (Jersey) Scheme 1968	R&O.5033	1 January 1968
States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005	R&O.44/2005	9 December 2005

Table of Endnote References

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- ¹ *This Scheme has been amended by the States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government.*
- ² *chapter 01.320*
- ³ *chapter 01.320*