

1995 No. 404

AGRICULTURE

**The Hill Livestock (Compensatory Allowances) (Amendment)
(No. 3) Regulations (Northern Ireland) 1995**

Made 23rd October 1995

Coming into operation 15th November 1995

The Department of Agriculture being a Department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Hill Livestock (Compensatory Allowances) (Amendment) (No. 3) Regulations (Northern Ireland) 1995 and shall come into operation on 15th November 1995.

Interpretation

2.—(1) In these Regulations, “the principal Regulations” means The Hill Livestock (Compensatory Allowances) Regulations (Northern Ireland) 1994(c); and

(2) The Interpretation Act (Northern Ireland) 1954(d) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment

3.—(1) The principal Regulations shall be amended in accordance with the following paragraphs of this regulation.

(2) In the definition of “Commission Regulation 3887/92” in paragraph 1 of regulation 2 (“Interpretation”) insert at the end “as last amended by Commission Regulation (EC) No. 1648/95”(e).

(3) In sub-paragraph (d) of paragraph (1) of regulation 5 (Provisions with respect to sheep) for—

“a number calculated at the rate of—

(i) six ewes for each hectare of severely disadvantaged land, and

(a) S.I. 1972/1811

(b) 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3), S.R. (N.I.) 1984 No. 253 and S.I. 1994/2795 (N.I. 15)

(c) S.R. 1994 No. 417 as amended by S.R. 1995 No. 22 and S.R. 1995 No. 245

(d) 1954 c. 33 (N.I.)

(e) O.J. No. L156, 7.7.95, p.27

(ii) nine ewes for each hectare of disadvantaged land," substitute "a number calculated at the rate of six ewes for each hectare of eligible land".

(4) In paragraph 3 of regulation 7 insert "or as the case may be sheep" after "for cattle" in the two places where those words occur.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 23rd October 1995.

(L.S.)

L. Sinclair

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

1. These Regulations amend the Hill Livestock (Compensatory Allowances) Regulations (Northern Ireland) 1994 ("the principal Regulations").

2. The amendments made by these Regulations to the principal Regulations are as follows:—

- (a) The definition of "Commission Regulation 3887/92" found in Regulation 2(1) is altered to reflect an amendment to that Community instrument which permits late applications for compensatory allowance to be made, albeit with penalties being applied;
- (b) The existing regulation 7 (Claims for Compensatory Allowances) now only allows one claim for sheep in each Scheme year;
- (c) The maximum payment for Hill Livestock Compensatory Allowance on sheep in respect of disadvantaged land is reduced to payment on six ewes per hectare. This will avoid continuing the anomaly of paying more allowances on the less disadvantaged land by reducing the payment limit on disadvantaged land.