
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 13

AGRICULTURE

**The Hill Livestock (Compensatory Allowances)
(Amendment) Regulations (Northern Ireland) 1997**

Made - - - - *17th January 1997*

Coming into operation *4th February 1997*

The Department of Agriculture being a Department designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) 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) Regulations (Northern Ireland) 1997 and shall come into operation on 4th February 1997.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(3) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment

3.—(1) The Hill Livestock (Compensatory Allowances) Regulations (Northern Ireland) 1996(4) shall be amended in accordance with the following paragraphs of this regulation.

(2) There shall be inserted at the beginning of paragraph (1) of regulation 3 (compensatory allowances for cattle and sheep) the following phrase—

“Subject to paragraphs (1A) and (1B),”.

(3) There shall be inserted between paragraphs (1) and (2) of regulation 3 the following paragraphs—

(1) [S.I. 1972/1811](#)

(2) [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 \(N.I. 15\)](#)

(3) [1954 c. 33 \(N.I.\)](#)

(4) [S.R. 1996 No. 230](#) as amended by [S.R. 1996 No. 498](#)

“(1A) Notwithstanding the rate of payment per breeding cow which is set out in paragraph (1), where a person is eligible under that paragraph to be paid a compensatory allowance for breeding cows in respect of the 1997 Scheme year, the rates of payment for breeding cows applicable to that year shall be as follows:—

- (a) where the eligible land indicated on the Area Aid Application submitted by that person as described in paragraph (1) comprises severely disadvantaged land only, £97·50 per breeding cow;
- (b) where that eligible land comprises both severely disadvantaged land and disadvantaged land—
 - (i) £97·50 per breeding cow, up to an amount of money calculated by multiplying the total number of hectares of that severely disadvantaged land and any other such land occupied by the person concerned which (although not indicated on that Area Aid Application) is relevant afforested land by £121·49 and deducting from the resulting figure any compensatory allowance for sheep paid to the claimant under paragraph (1B)(a), and
 - (ii) thereafter for additional breeding cows, £69·75 per breeding cow; and
- (c) where that eligible land comprises disadvantaged land only, £69·75 per breeding cow.

(1B) Notwithstanding the rate of payment per ewe which is set out in paragraph (1), where a person is eligible under that paragraph to be paid a compensatory allowance for ewes in respect of the 1997 Scheme year, the rates of payment for ewes applicable to that year shall be as follows—

- (a) in the case of ewes which are of a hardy breed or hardy cross-breed comprised in a specially qualified flock, £5·75 per ewe;
- (b) in the case of any other ewes maintained by that person—
 - (i) (where the eligible land indicated on the Area Aid Application submitted by him as described in paragraph (1) comprises severely disadvantaged land only) £3 per ewe.
 - (ii) (where that eligible land comprises both severely disadvantaged land and disadvantaged land)—
 - (aa) £3 per ewe, for the number of ewes calculated by multiplying the total number of hectares of that severely disadvantaged land and any other such land occupied by him which (although not indicated on that Area Aid Application) is relevant afforested land by 6 and deducting from the resulting figure the number of ewes (if any) for which a compensatory allowance has been paid under sub-paragraph (a) of this paragraph, up to an amount of money calculated by multiplying the said total number of hectares by £121·49 and deducting from the resulting figure any compensatory allowance for cattle paid to the person concerned under paragraph (1A)(b)(i) and any compensatory allowance for ewes paid to him under sub-paragraph (a) of this paragraph, and
 - (bb) thereafter for additional ewes, £2·65 per ewe, and
 - (iii) (where that eligible land comprises disadvantaged land only) £2·65 per ewe.”.

- (4) There shall be inserted at the beginning of paragraph (3) of regulation 3 the following phrase—
 “Subject to paragraph (3A),”.

(5) There shall be inserted between paragraphs (3) and (4) of regulation 3 the following paragraph—

“(3A) Insofar as the reference to “any Scheme year” in paragraph (3) is a reference to the 1997 Scheme year—

- (a) the reference in sub-paragraph (a) of that paragraph to “£88·70” shall be construed as a reference to £121·49; and
- (b) the reference in sub-paragraph (b) of that paragraph to “£60·85” shall be construed as a reference to £97·65.”.

(6) There shall be substituted for sub-paragraph (d) of paragraph (1) of regulation 4 (provisions with respect to cattle) the following sub-paragraph—

- “(d) the number of breeding cows which, when added to the number of ewes which are the subject of a claim for compensatory allowances made by that person in respect of that Scheme year, is equivalent to 1.4 livestock units per hectare of eligible land which—
- (i) was included in an Area Aid Application made under Article 6 of Council Regulation 3508/92 in the calendar year preceding that Scheme year and was determined by the Department to be eligible forage area, or
 - (ii) is relevant afforested land.”.

(7) There shall be substituted for sub-paragraph (e) of paragraph (1) of regulation 5 (provisions with respect to sheep) the following sub-paragraph—

- “(e) the number of ewes which, when added to the number of breeding cows which are the subject of a claim for compensatory allowances made by that person in respect of that Scheme year, is equivalent to 1.4 livestock units per hectare of eligible land which—
- (i) was included in an Area Aid Application made under Article 6 of Council Regulation 3508/92 in the calendar year preceding that Scheme year and was determined by the Department to be eligible forage area, or
 - (ii) is relevant afforested land.”.

(8) In each of paragraphs (1) and (2) of regulation 6 (replacement animals) there shall be substituted for the word “him” the phrase “the claimant concerned”.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on

L.S.

17th January 1997.

Evelyn Cummins
Assistant Secretary

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Hill Livestock (Compensatory Allowances) Regulations (Northern Ireland) 1996 (“the principal Regulations”). The principal Regulations comply with Council Directive [75/268/EEC](#) on mountain and hill farming in less-favoured areas (O.J. No. L128, 19.5.75, p. 1), as last amended by Council Decision [95/1/EC](#), Euratom, ECSC adjusting the instruments concerning the accession of new member States to the European Union (O.J. No. L1, 1.1.95, p. 1), and with Articles 17 to 19 of Council Regulation [\(EEC\) No. 2328/91](#) on improving the efficiency of agricultural structures (O.J. No. L218, 6.8.91, p. 1), as last amended by Commission Regulation [\(EC\) No. 2387/95](#) (O.J. No. L244, 12.10.95, p. 50).

These Regulations set the rates of payment in respect of the 1997 Scheme year for the annual compensatory allowance for certain cattle and ewes payable under regulation 3 of the principal Regulations.