
STATUTORY INSTRUMENTS

1982 No. 1886**AGRICULTURE****The Hill Livestock (Compensatory Allowances)
(Amendment) Regulations 1982***Laid before Parliament in Draft**Made - - - - 23rd December 1982**Coming into Operation 1st January 1983*

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers 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 Economic Community, acting jointly, in exercise of the powers conferred by the said section 2(2), and of all their other enabling powers, hereby make the following regulations, a draft of which has been laid before Parliament and has been approved by a resolution of each House of Parliament:—

1. These regulations may be cited as the Hill Livestock (Compensatory Allowances) (Amendment) Regulations 1982 and shall come into operation on 1st January 1983.

2. The Hill Livestock (Compensatory Allowances) Regulations 1979(c) shall be amended in accordance with the following provisions.

3. In regulation 2(1) (interpretation) for the definition of “eligible land” there shall be substituted the following definition:—

““eligible land” means land of not less than three hectares situated in an area which is included in the list of less-favoured farming areas adopted by the Council or the Commission of the European Communities under Article 2 of Council Directive No. 75/268/EEC of 28th April 1975(d) and which either—

(a) consists predominantly of mountains, hills or heath and is, or by

(a) S.I. 1972/1811.

(b) 1972 c.68.

(c) S.I. 1979/1748, to which there are amendments not relevant to these Regulations.

(d) OJ No. L128, 19.5.75, p. 1.

improvement could be made, suitable for use for the breeding, rearing and maintenance of sheep or cattle but not, in the opinion of the appropriate Minister, for the carrying on, to any material extent, of dairy farming, the production, to any material extent, of fat sheep or fat cattle or the production of crops in quantity materially greater than that necessary to feed the number of sheep or cattle capable of being maintained on the land; or

(b) is situated in the Isles of Scilly or in any other area included in the list of less-favoured areas as being a less-favoured area within the terms of Article 3(5) of Council Directive No. 75/268/EEC.”.

4. In regulation 9 (recovery of compensatory allowances) the word “or” shall be inserted at the end of subparagraph (c), and there shall be inserted immediately thereafter the following additional subparagraph:—

“(d) being a person in receipt of a compensatory allowance under these regulations, fails to comply with a requirement by a person authorised by the appropriate Minister to gather a herd or flock for counting and inspection or to produce documents or records required by the appropriate Minister in accordance with regulation 7(2),”.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 23rd December 1982.



Peter Walker,
Minister of Agriculture, Fisheries
and Food.

George Younger,
Secretary of State.

23rd December 1982.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make changes in the Hill Livestock (Compensatory Allowances) Regulations 1979 (as amended) in the following respects:

(1) Following the amendment (by Commission Decision 82/656/EEC OJ No L 277, 29.9.82, p. 20) of the list of less-favoured farming areas in the United Kingdom to include the Isles of Scilly as a less-favoured area within the terms of Article 3(5) of Council Directive 75/268/EEC (OJ No L 128, 19.5.75, p. 1) the definition of "eligible land" in relation to which a compensatory allowance may be paid has been widened to include in addition to land presently eligible, land of not less than 3 hectares in extent situated in the Isles of Scilly or in any other area listed as falling within the terms of Article 3(5) of Council Directive 75/268/EEC. (At present only the Isles of Scilly are listed under Article 3(5). The full list of all the less-favoured areas is at present contained in Council Directive 75/276/EEC of 28th April 1975 (OJ No L 128, 19.5.75, p. 231) as amended by Commission Decision 76/685/EEC (OJ No L 231, 21.8.76, p. 30) and Commission Decision 82/656/EEC.)

(2) An additional provision is made for recovery of the whole or any part of a compensatory allowance when a person in receipt of such an allowance has failed to comply with a requirement of a person authorised by the appropriate Minister to gather a herd or flock for counting or inspection or has failed to produce documents or records required by the appropriate Minister in accordance with Regulation 7(2) of the principal Regulations.

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