
STATUTORY INSTRUMENTS

1995 No. 2778

AGRICULTURE

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

<i>Made</i>	- - - -	<i>24th October 1995</i>
<i>Laid before Parliament</i>		<i>25th October 1995</i>
<i>Coming into force</i>	- -	<i>15th November 1995</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers 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, acting jointly in exercise of the powers conferred upon them by the said section 2(2) and of all other powers enabling them in the behalf, hereby make the following Regulations:

Title, extent and commencement

1. These Regulations may be cited as the Hill Livestock (Compensatory Allowances) (Amendment) (No. 3) Regulations 1995, shall extend to Great Britain and shall come into force on 15th November 1995.

Amendments to the Hill Livestock (Compensatory Allowances) Regulations 1994

2.—(1) The Hill Livestock (Compensatory Allowances) Regulations 1994⁽³⁾ 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⁽⁴⁾”.

(3) In sub-paragraph (b) of paragraph (1) of regulation 5 (provisions with respect to sheep) for “100 days starting on the last day of the period specified in sub-paragraph (a) or as the case may be (b) of paragraph (4) of regulation 7 during which his claim for that allowance in respect of that Scheme year has been lodged with the appropriate Minister” substitute “100 days starting on the last date for lodging a claim for a compensatory allowance for sheep in respect of that Scheme year permitted by paragraph (4) of regulation 7”.

(1) S.I. 1972/1811.

(2) 1972 c. 68.

(3) S.I. 1994/2740, amended by S.I. 1995/100 and S.I. 1995/1481.

(4) OJ No. L156, 7.7.95, p.27.

- (4) In sub-paragraph (d) of paragraph (1) of regulation 5 for—
“a number calculated at the rate of—
(i) six ewes for each hectare of severely disadvantaged land, and
(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”.
- (5) In paragraph (2) of regulation 6 (overgrazing) for “regulation 7(4)(a)” substitute “paragraph (4) of regulation 7”.
- (6) In paragraph (3) of regulation 6 for “regulation 7(4)(a)” substitute “paragraph (4) of regulation 7”.
- (7) For paragraph (4) of regulation 7 (claims for compensatory allowances) substitute—
“(4) Any claim for a compensatory allowance for sheep in respect of any Scheme year shall be lodged with the appropriate Minister—
(a) on or after 4th December in the prededing Scheme year; but
(b) not later than 4th February in the Scheme year concerned.”.
- (8) In paragraph (5) of regulation 7 insert “or as the case may be sheep” after “for cattle” in the two places where those words occur.

23rd October 1995

Tim Boswell
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

24th October 1995

Lindsay
Parliamentary Under Secretary of State, Scottish
Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Hill Livestock (Compensatory Allowances) Regulations 1994 (S.I.1994/2740, as already amended by S.I. 1995/100 and S.I. 1995/1481).
2. Like S.I. 1994/2740, these Regulations extend to Great Britain only.
3. The principal amendments are as follows—
 - (a) the calculation set out in regulation 5(1)(d) for determining the number of ewes in respect of which compensatory allowances may be paid is altered so that compensatory allowances will now be paid in respect of 6 ewes for each hectare of eligible land;
 - (b) a revised paragraph (4) of regulation 7 is substituted for the existing paragraph so numbered, in that regulation with the effect that a claim for a compensatory allowance for sheep in respect of a given year has to be made on or after 4th December in the preceding year but not later than 4th February in the given year;
 - (c) the definition of “Commission Regulation 3887/92” found in regulation 2(1) is altered to reflect amendments made to that Community instrument, one of which extends the period allowed for making late claims, albeit with penalties being applied;
 - (d) paragraph (5) of regulation 7 is amended and now provides that only one claim for a compensatory allowance for sheep may be made in respect of a given year.
4. A number of consequential changes are made to S.I. 1994/2740 in the light of the amendment referred to in paragraph 3(b) of this note (new claim period for compensatory allowances for sheep).
5. No compliance cost assessment has been prepared.