
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate (with changes) the Hill Livestock (Compensatory Allowances) Regulations 1994, as amended. The Regulations extend to Great Britain. They comply with Council Directive [75/268/EEC](#) on mountain and hill farming and farming in less-favoured areas (OJNo. L128, 19.5.75, p. 1), as last amended by Council Regulation [\(EEC\) No. 797/85](#) (OJ No. L93, 30.3.85, p. 43), and with Articles 17 to 19 of Council Regulation [\(EEC\) No. 2328/91](#) on improving the efficiency of agricultural structures (OJ No. L218, 6.8.91, p. 1), as last amended by Commission Regulation [\(EEC\) No. 2387/95](#) (OJ No. L244, 12.10.95 p. 50). The Regulations also make provision for the administration and enforcement of the integrated administration and control system established by Council Regulation [\(EEC\) No. 3508/92](#) insofar as that system applies to compensatory allowances for breeding cows and ewes.

The Regulations provide for the payment of a specified annual compensatory allowance for certain breeding cows and ewes (*regulation 3*).

They lay down detailed provisions relating to the payment of allowances for breeding cows and ewes (*regulations 4 and 5*).

Provision is made enabling animals which are subject to a claim to be replaced (*regulation 6*).

Penalties for overgrazing are specified (*regulation 7*).

Regulation 8 makes provision for the making of claims for compensatory allowances.

Regulations 9 and 10 provide for enforcement powers.

Regulation 11 makes provision relating to retirement pensioners.

Regulation 12 provides for the withholding and recovery of compensatory allowances in the circumstances stated therein.

Regulation 13 determines the applicable rate of interest for allowances wrongly paid under these Regulations but recovered under Commission Regulation [\(EEC\) No. 3887/92](#).

Regulations 14 to 17 relate to prosecutions.

The principal changes effected by these Regulations are—

- (a) the definition of “ewe” in regulation 2(1) now provides for the animal concerned to be at least 1 year old on 1st January in the Scheme year in question;
- (b) the definitions of “qualified flock” and “regular breeding herd” in regulation 2(1) now require the animals concerned usually to be kept on a production unit which includes disadvantaged land or severely disadvantaged land;
- (c) entitlement to an allowance (as specified in regulation 3(1)) is now based on the number of ewes or as the case may be breeding cows owned or leased by the producer throughout the retention period for those animals, as defined in regulation 2(2);
- (d) there is now included a provision, regulation 6, allowing animals to be replaced during the retention period;
- (e) regulation 12(4) and (5) permits allowances to be withheld or as the case may be recovered where a claimant fails to comply with the record-keeping provisions of specified animal health legislation, made under the Animal Health Act 1981 ([1981 c. 22](#)). This is in conformity with Article 9 of Council Directive 92/102/EEC (OJ No. L355, 5.12.92, p.32).

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

No Compliance Cost Assessment has been prepared.