

1987 No. 445

AGRICULTURE

The Hill Livestock (Compensatory Allowances) (Amendment) Regulations (Northern Ireland) 1987

Made 9th December 1987

Coming into operation 1st January 1988

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 upon it by that section 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) 1987 and shall come into operation on 1st January 1988.

Interpretation

2.—(1) In these regulations—

“the principal regulations” means the Hill Livestock (Compensatory Allowances) Regulations (Northern Ireland) 1987(c);

“relevant afforested land” has the same meaning as in the principal regulations.

(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 of principal regulations

3. Subject to regulation 10, the principal regulations shall be amended in accordance with regulations 4 to 9.

4. In regulation 2(2) (interpretation) the definition of “relevant afforested land” shall be deleted.

5. In regulation 3 (compensatory allowances) the words “or which is relevant afforested land” shall be deleted in each of paragraphs (2)(b)(i), (3)(b)(ii) and (4)(a) and (b).

(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) and S.R. (N.I.) 1984 No. 253

(c) S.R. (N.I.) 1987 No. 92

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

6. In regulation 4(2) (provisions with respect to cattle) for the words "or disposals of cows" there shall be substituted the words "of cows from relevant causes".

7. After regulation 4(2) there shall be inserted the following paragraph—
“(2A) In paragraph (2) “relevant causes” means any cause except slaughter for food.”.

8. In regulation 5(2)(c) (provisions with respect to sheep) the words "or which is relevant afforested land" shall be deleted.

9. In regulation 10 (false statements) for the reference to "£1,000" there shall be substituted a reference to "£2,000".

Saving

10. Regulations 4, 5 and 8 of these regulations shall not have effect in relation to the payment of a compensatory allowance to any person who occupied relevant afforested land at any time between 31st December 1985 and 31st December 1987.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 9th December 1987.

(L.S.)

D. A. J. Hirrell

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Hill Livestock (Compensatory Allowances) Regulations (Northern Ireland) 1987, ("the principal regulations"), which implemented part of Council Directive No. 75/268/EEC (O.J. No. L128, 19.5.85, p. 1) on mountain and hill farming and farming in certain less-favoured areas, and comply with Articles 13 to 15 of Council Regulation (EEC) No. 797/85 (O.J. No. L93, 30.3.85, p. 1) (as amended by Council Regulation (EEC) No. 1760/87 (O.J. No. L167, 26.6.87, p. 1)) on improving the efficiency of agricultural structures.

Amendments made by these regulations have the effect of providing that persons in receipt of a compensatory allowance who afforest land used as a basis for calculating the allowance can from 1st January 1988 no longer take that afforested land into account for the purposes of calculating the allowance (regulations 4, 5 and 8). These changes do not apply in the case of persons who occupied and afforested land at any time between 31st December 1985 and 1st January 1988 (regulation 10).

The rules relating to the effect of a temporary reduction in cow numbers on the calculation of the allowance are changed to provide that the Department may disregard such a reduction where it is satisfied that it is due to the deaths of cows except deaths due to slaughter for food (regulation 6).

The maximum penalty for knowingly or recklessly making false statements is increased to £2,000 (regulation 9).

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These Orders have been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROADS.