

1994 No. 405

AGRICULTURE

**Arable Area Payments (Amendment) Regulations
(Northern Ireland) 1994**

Made 24th October 1994

Coming into operation 21st November 1994

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 on it by that section and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Arable Area Payments (Amendment) Regulations (Northern Ireland) 1994 and shall come into operation on 21st November 1994.

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

Amendment of the Arable Area Payments Regulations (Northern Ireland) 1994

2.—(1) The Arable Area Payments Regulations (Northern Ireland) 1994(d) shall be amended in accordance with the following paragraphs of this regulation.

(2) Sub-paragraph (a) of regulation 8(3) shall be replaced by the following—

“(a) shall not be required to comply with any provision of Schedule 2 (except as applied by Schedule 3), but”.

(3) Paragraph (4) of regulation 9 shall be replaced by the following—

“(4) For the purposes of Article 2(1)(d) of Commission Regulation 2294/92 (which restricts eligibility for compensatory payments in respect of oilseed crops to areas sown in accordance with locally recognised standards)—

(a) S.I. 1972/1811
(b) 1972 c. 68
(c) 1954 c. 33 (N.I.)
(d) S.R. 1994 No. 181

(a) a farmer who sows—

- (i) a crop of winter high erucic acid rapeseed within 50 metres of a crop of previously sown winter OO rapeseed;
- (ii) a crop of spring high erucic acid rapeseed within 50 metres of a crop of previously sown spring OO rapeseed;
- (iii) a crop of winter OO rapeseed within 50 metres of a crop of previously sown winter high erucic acid rapeseed; or
- (iv) a crop of spring OO rapeseed within 50 metres of a crop of previously sown high erucic acid rapeseed;

shall not be regarded as having sown that crop in accordance with locally recognised standards; and

(b) a farmer who in any case referred to in paragraphs (i) to (iv) of sub-paragraph (a), has also sown the previously sown crop, shall not be regarded as having sown that previously sown crop in accordance with locally recognised standards.”.

(4) At the end of regulation 9(5)(c) the word “and” shall be omitted.

(5) The following sub-paragraphs shall be inserted at the end of regulation 9(5)—

“(e) “high erucic acid rapeseed” means rapeseed of any variety conforming to the requirements of Annex IV to Commission Regulation 2294/92, except OO rapeseed;

(f) “winter OO rapeseed” and “winter high erucic acid rapeseed” means OO or high erucic acid (as the case may be) rapeseed sown before 31st December in the year before the intended year of harvest of the crop; and

(g) “spring OO rapeseed” and “spring high erucic acid rapeseed” means OO or high erucic acid (as the case may be) rapeseed sown in the same calendar year as it is intended to harvest the crop.”.

(6) Sub-paragraph (b) of regulation 16(2) shall be replaced by the following—

“(b) fails without reasonable excuse to comply with a requirement of an authorised person pursuant to regulation 14(4)(a) or (c) or with a request made under regulation 15,”.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 24th October 1994.

(L.S.)

I. C. Henderson

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations, which come into operation on 21st November 1994, amend the Arable Area Payments Regulations (Northern Ireland) 1994 by amending the locally recognised standards established for the purpose of Commission Regulation (EEC) No. 2294/92 (O.J. No. L221, 6.8.92, p. 22) in relation to the Community's rapeseed quality improvement policy. Farmers who sow their land with rapeseed must comply with these standards in order to qualify for compensatory payments. The effect of the amendment is that the minimum distance required between crops of high erucic acid rapeseed and OO rapeseed is abolished where one crop is winter sown and the other is spring sown, and is reduced from 100 metres to 50 metres in other cases.

These Regulations also make minor and drafting amendments.

1994 No. 406

This Order has been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. A summary is given in the List of Statutory Rules of a Local Character under the heading ROADS.