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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 7**

**AGRICULTURE**

**The Hill Livestock (Compensatory Allowances)  
(Amendment) Regulations (Northern Ireland) 1996**

*Made* - - - - *10th January 1996*

*Coming into operation* *31st January 1996*

The Department of Agriculture being a Department designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2) 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) 1996 and shall come into operation on 31st January 1996.

**Interpretation**

2.—(1) In these Regulations, “the principal Regulations” means The Hill Livestock (Compensatory Allowances) Regulations (Northern Ireland) 1994<sup>(3)</sup>; and

(2) The Interpretation Act (Northern Ireland) 1954<sup>(4)</sup> shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

**Amendment**

3.—(1) The principal Regulations shall be amended in accordance with the following paragraphs of this regulation.

(2) For the definition of “ECU” in paragraph (2) of regulation 2 (interpretation) there shall be substituted the definition:—

“ECU means the unit of account used in legal instruments relating to the common agricultural policy of the European Community as defined in Council Regulation (EEC) No. 3320/94 on the consolidation of the existing Community legislation on the definition of the ECU following

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(1) S.I.1972/1811

(2) 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), S.R. (N.I.) 1984 No. 253 and S.I. 1994/2795 (N.I. 15)

(3) S.R. 1994 No. 417 as amended by S.R. 1995 No. 22, S.R. 1995 No. 245 and S.R. 1995 No. 404

(4) 1954 c. 33 (N.I.)

the entry into force of the Treaty on European Union<sup>(5)</sup> and any reference in these Regulations to a specified number of ECU in relation to a compensatory allowance shall be taken to be a reference to the sterling equivalent of that number of ECU, converted into sterling at the agricultural conversion rate (as determined in accordance with Council Regulation (EEC) No. 3813/92 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(6)</sup> as amended by Council Regulation (EEC) No. 3528/93, Council Regulation (EC) No. 3311/94 and Council Regulation (EC) No. 150/95<sup>(7)</sup> applicable on the 1st January in the year in respect of which the compensatory allowance is paid”;

(3) The following paragraph shall be substituted for paragraph (3) of regulation 3 (compensatory allowances) of the principal Regulations—

“(3) Subject to the following provisions of these Regulations, a compensatory allowance for cattle shall be payable in respect of the number of breeding cows comprised in a herd on the qualifying day at the following rates—

- (a) in the case of cows maintained by a person whose eligible land comprises solely severely disadvantaged land, £47·50 or 150 ECU per cow;
- (b) in the case of cows maintained by a person whose eligible land comprises severely disadvantaged land and disadvantaged land—
  - (i) £47·50 or 150 ECU per cow up to an amount of money calculated by multiplying the total number of hectares of that severely disadvantaged land which was included in an area aid application made under Commission Regulation 3887/92 in the year preceding the Scheme year to which that qualifying day relates or which is relevant afforested land by £88·70 and deducting from the resulting figure any compensatory allowance for sheep maintained by that person payable under paragraph (4)(a), and
  - (ii) thereafter for additional cows £23·75 or 150 ECU per cow; or
- (c) in the case of cows maintained by a person whose eligible land comprises solely disadvantaged land, £23·75 or 150 ECU per cow.”.

(4) The following paragraph shall be substituted for paragraph (4) of regulation 3 (compensatory allowances) of the principal Regulations—

“(4) Subject to the following provisions of these Regulations, a compensatory allowance for sheep shall be payable in respect of the number of ewes comprised in a qualified flock on the qualifying day at the following rates—

- (a) in the case of ewes of a hardy breed or hardy cross-breed comprised in a qualified flock which is a specially qualified flock, £5·75 or 22·50 ECU per ewe; and
- (b) in the case of any other ewes maintained by a person—
  - (i) whose eligible land comprises solely severely disadvantaged land, £3 or 22·50 ECU per ewe,
  - (ii) whose eligible land comprises severely disadvantaged land and disadvantaged land, £3 or 22·50 ECU per ewe, for a number of ewes calculated by multiplying the total number of hectares of that severely disadvantaged land which was included in an area aid application made under Commission Regulation 3887/92 in the year preceding the Scheme year to which that qualifying day relates and was determined by the Department to be eligible forage area for the purposes of that Regulation or which is relevant afforested land by 6 and deducting from the resulting

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(5) O.J. No. L350, 31.12.94, p. 27

(6) O.J. No. L387, 31.12.92, p.1 “agricultural conversion rate is defined in Article 1(e)”

(7) O.J. No. L22, 31.1.95, p. 1

figure the number of ewes, if any, falling within sub-paragraph (a) up to an amount of money calculated by multiplying the said total number of hectares by £88.70 and deducting from the resulting figure any compensatory allowance for cattle maintained by that person payable under paragraph (3)(b)(i) and any compensatory allowance for sheep maintained by that person payable under sub-paragraph (a) and thereafter for additional ewes £2.65 or 22.50 ECU per ewe, or

(iii) whose eligible land comprises solely disadvantaged land, £2.65 or 22.50 ECU per ewe.”.

(5) For regulation 5(1)(d) substitute—

“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, which was included in an area aid application made under Commission Regulation 3887/92 in the year preceding that Scheme year and was determined by the Department to be eligible forage area for the purposes of that Regulation or which is relevant afforested land”.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on

10th January 1996.

*L. Sinclair*  
Assistant Secretary

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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

1. These Regulations amend the Hill Livestock (Compensatory Allowances) Regulations (Northern Ireland) 1994 (“the principal Regulations”). They provide for the rates of compensatory allowances payable for cattle and sheep in respect of the 1996 Hill Livestock Compensatory Allowances Scheme.
2. These Regulations also amend the principal Regulations by providing for:—
  - (a) The maximum payment for Hill Livestock Compensatory Allowance for sheep in respect of disadvantaged land to be reinstated to 9 ewes per hectare.
  - (b) An amended definition of ECU in the light of the consolidation of the relevant Community texts relating to this matter by Council Regulation ([EEC](#)) No. 3320/94 (O.J. No. L350, 31.12.94, p. 27).