
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 43

Countryside Management Regulations (Northern Ireland) 2001

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954⁽¹⁾ shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(2) In these Regulations—

“activities” means the activities referred to in regulation 3(4);

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, livestock breeding or keeping, the use of land as grazing land, meadowland, osier land, reed beds, market gardens and nursery grounds;

“agri-environment scheme” means an arrangement which is—

- (a) regulated by statutory provision providing for the payment of aid to persons who give an undertaking or enter an agreement in relation to land to which that statutory provision relates; and
- (b) approved by the Commission of the European Communities under Article 44.2 of the Council Regulation as part of a rural development plan drawn up pursuant to Article 41 of that Regulation;

“aid” means payments under the agri-environment measure referred to in Chapter VI of Title II of the Council Regulation which are provided for in the rural development plan relating to Northern Ireland approved by Commission Decision (C2000) 3638 of 4th December 2000;

“applicant” means an applicant under these Regulations and in regulations 10 and 11 includes a person whose application for grant has been accepted and a person who takes on an undertaking on a change of occupation as provided in regulation 9;

“application for grant” means an application under these Regulations and includes an application made under regulation 6(1);

“Commission Regulation 3887/92” means Commission Regulation (EEC) No. 3887/92 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes⁽²⁾;

“Commission Regulation 1750/1999” means Commission Regulation (EC) No. 1750/1999 laying down detailed rules for the application of Council Regulation (EC) No. 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF)⁽³⁾;

“the Council Regulation” means Council Regulation (EC) No. 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations⁽⁴⁾;

(1) 1954 c. 33 (N.I.)

(2) O.J. No. L391, 31.12.92, p. 36 as last amended by Commission Regulation (EC) No. 2801/1999 (O.J. No. L340, 31.12.1999, p. 29)

(3) O.J. No. L214, 13.8.1999, p. 31

(4) O.J. No. L160, 26.6.1999, p. 80

“the Department” means the Department of Agriculture and Rural Development;

“environmentally sensitive area” means an area designated as an environmentally sensitive area under Article 3 of the Agriculture (Environmental Areas) (Northern Ireland) Order 1987(5);

“eligible land” means land which is outside an environmentally sensitive area and which is used for agriculture;

“parkland” means an enclosed area of land at least 3 hectares in extent with a minimum of two mature trees per hectare;

“parkland management plan” means a management plan agreed with the Department designed to restore parkland through a programme of tree planting and restoration of landscape features;

“relevant period” means a period of not less than 5 years or, in the case of an undertaking under these Regulations which is in substitution for an undertaking given under any of the Regulations mentioned in regulation 6(1), a period which together with the expired period of the undertaking under those Regulations forms a continuous period of not less than 5 years;

“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954;

“tenant” means a person who occupies land under a contract or tenancy for a fixed term of years the unexpired portion of which at the commencement of the relevant period is equal to or greater than that period;

“undertaking” means an undertaking mentioned in regulation 3(2).

(3) Words and phrases used in Schedules 1 to 6 and not defined in paragraph (2) shall be construed in accordance with Schedule 6.