
SCOTTISH STATUTORY INSTRUMENTS

1999 No. 187

The Hill Livestock (Compensatory Allowances) (Scotland) Regulations 1999

Provisions with respect to ewes

8.—(1) Subject to the following paragraph of this regulation, the number of ewes for which a compensatory allowance may be paid to a claimant who has made a valid claim for compensatory allowances for ewes in respect of the Scheme Year shall be the least of—

- (a) the number of ewes included in that claim;
- (b) the number of ewes which were owned by the claimant, or leased by him under a formal leasing arrangement, throughout the retention period applicable to ewes;
- (c) the number of ewes which in the opinion of the appropriate authority is reasonable, having regard to the number of lambs produced by the qualified flock of which they form part in the 12 months preceding the date the claimant's claim is lodged or, in the case of a qualified flock newly established or re established in the Scheme Year, in such shorter period as the appropriate authority may determine; or
- (d) 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;

on which he maintains breeding cows or ewes which was included in a valid area aid application submitted in 1999 and was determined to be forage area by the appropriate authority, or which is relevant afforested land; or

- (e) the number of ewes which, when added to the number of breeding cows which are the subject of a claim for a compensatory allowance made by the claimant in respect of the Scheme Year, is equivalent to 1.4 livestock units for each hectare of the eligible land which was included in the area aid application made by the claimant in 1999, and was determined by the appropriate authority to be eligible forage area, or which is relevant afforested land.

(2) A compensatory allowance shall not be paid for any ewe the use of which for breeding would not, in the opinion of the appropriate authority, be in accordance with sound husbandry practice.

(3) Where a claimant uses unsuitable supplementary feeding methods the appropriate authority may, in accordance with paragraph (4) reduce or withhold the compensatory allowance for ewes otherwise payable to him.

(4) Where the claimant was not penalised under regulation 4 of the 1996 Regulations for using unsuitable supplementary feeding methods in 1999, the compensatory allowance for ewes otherwise payable to him may be reduced by 10%; where the claimant was so penalised in 1999, but not in 1998, the compensatory allowance for ewes otherwise payable to him may be reduced by 20%, and where the claimant was so penalised in 1999 and 1998, the compensatory allowance for ewes otherwise payable to him may be withheld.