
STATUTORY INSTRUMENTS

1994 No. 1729

The Nitrate Sensitive Areas Regulations 1994

Land which is eligible for aid

5.—(1) For the purposes of regulation 3(1)(b) land in a nitrate sensitive area is eligible for payments of aid under a scheme if, at the date the undertakings mentioned in regulation 7 are to take effect, it satisfies the condition set out in whichever one of the following paragraphs applies to that scheme.

(2) In respect of the basic scheme, the condition is that, since 31st December 1991, but except for such period as it has been set-aside land, the land has been used only for the production of any agricultural crop other than—

- (a) a permanent crop; or
- (b) grass grown for more than five consecutive years.

(3) In respect of the premium arable scheme, the condition is that, since 31st December 1991, but except for such period as it has been set-aside land, the land has not been woodland or permanent grassland and has been used only for the production of any agricultural crop other than—

- (a) a permanent crop; or
- (b) grass grown for more than one consecutive year.

(4) In respect of the premium grass scheme, the condition is that the land is grassland which has been receiving more than 250kg of nitrogen in the form of inorganic nitrogen fertiliser per hectare per year in each of the three years immediately preceding the date when the undertakings given or to be given in respect of it are to commence.