
STATUTORY INSTRUMENTS

2001 No. 2503

The Beef Special Premium Regulations 2001

PART I

Introduction

Title and commencement

1. These Regulations may be cited as the Beef Special Premium Regulations 2001 and shall come into force on 15th August 2001.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“applicant” means a producer who has made an application for beef special premium;

“the appropriate authority” means the relevant competent authority within the meaning of the IACS Regulations;

“authorised person” means a person (whether or not an officer of the appropriate authority) who is authorised by the appropriate authority, either generally or specifically, to act in matters arising under these Regulations;

“beef special premium” means one or more of the first premium, the second premium and the bull premium;

“bovine animal” means a male bovine animal within the meaning of Article 1(2)(a) of Council Regulation 1254/1999;

“bovine animal in the first age bracket” means a steer which on the date of the commencement of the retention period for it is not less than seven months old but is less than 20 months old;

“bovine animal in the second age bracket” means a steer which on the date of the commencement of the retention period for it is not less than 20 months old;

“bull” means an uncastrated bovine animal which on the date of the commencement of the retention period for it is not less than seven months old;

“bull premium” means the premium payable in respect of bulls pursuant to Article 4(2)(a) of Council Regulation 1254/1999;

“cattle passport” means, in relation to a bovine animal—

- (a) to which the Cattle Passports Order 1996(1) applied, a cattle passport as defined in article 2(2) of that Order;
- (b) to which Article 6(1) of Council Regulation 820/97 applied, a valid cattle passport issued pursuant to that Article; and
- (c) to which Article 6(1) of Regulation 1760/2000 applies, a valid cattle passport issued pursuant to that Article;

“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 2629/97” means Commission Regulation (EC) No. 2629/97 laying down detailed rules for the implementation of Council Regulation (EC) No. 820/97 as regards eartags, holding registers and passports in the framework of the system for the identification and registration of bovine animals(3);

“Commission Regulation 2342/1999” means Commission Regulation (EC) No. 2342/1999 laying down detailed rules for the application of Council Regulation (EC) No. 1254/1999 on the common organisation of the market in beef and veal as regards premium schemes(4) (as amended by Commission Regulation (EC) No. 1042/2000(5), Commission Regulation (EC) No. 1900/2000(6), Commission Regulation (EC) No. 2733/2000(7) and Commission Regulation (EC) No. 192/2001(8));

“Council Regulation 3508/92” means Council Regulation (EEC) No 3508/92 establishing an integrated administration and control system for certain Community aid schemes(9);

“Council Regulation 820/97” means Council Regulation (EC) No 820/97 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products(10);

“Council Regulation 1254/1999” means Council Regulation (EC) No. 1254/1999 on the common organisation of the market in beef and veal(11);

“eartag number” means—

- (a) the number on an eartag attached to a bovine animal as the approved identification required by article 4(1) of the Bovine Animals (Identification, Marking and Breeding Records) Order 1990(12),
- (b) an eartag number as defined in article 2(1) of the Bovine Animals (Records, Identification and Movement) Order 1995(13),
- (c) the unique identification code referred to in Article 4(1) of Council Regulation 820/97 or
- (d) the unique identification code referred to in Article 4(1) of Regulation 1760/2000, as the case may be;

“electronic communication” has the same meaning as in the Electronic Communications Act 2000(14);

“first premium” means the premium payable in respect of bovine animals in the first age bracket pursuant to the first indent of Article 4(2)(b) of Council Regulation 1254/1999;

“forage area” has the same meaning as in Article 12(2)(b) of Council Regulation 1254/1999;

“holding” has the same meaning as in Article 3(b) of Council Regulation 1254/1999;

(2) OJ No. L391, 31.12.92, p.36, as last amended by Commission Regulation (EC) No. 882/2001 (OJ No. L123, 4.5.2001, p.20).

(3) OJ No. L354, 30.12.97, p.19.

(4) OJ No. L281, 4.11.1999, p.30.

(5) OJ No. L118, 19.5.2000, p.4.

(6) OJ No. L228, 8.9.2000, p.25.

(7) OJ No. L316, 15.12.2000, p.44.

(8) OJ No. L29, 31.1.2001, p.27.

(9) OJ No. L355, 5.12.92, p.1, as last amended by Commission Regulation (EC) No. 1593/2000 (OJ No. L182, 21.7.2000, p.4).

(10) OJ No. L117, 7.5.97, p.1, repealed by Regulation (EC) No. 1760/2000 of the European Parliament and of the Council (OJ No. L204, 11.8.2000, p.1).

(11) OJ No. L160, 26.6.1999, p.21.

(12) S.I. 1990/1867, amended by S.I. 1993/503 and revoked by S.I. 1995/12.

(13) S.I. 1995/12, partially revoked by S.I. 1998/871.

(14) 2000 c. 7.

“the IACS Regulations” means the Integrated Administration and Control System Regulations 1993(15);

“livestock unit” means the unit of measurement used to establish the stocking density of the forage area on a holding, and calculated in accordance with Article 12 of, and Annex III to, Council Regulation 1254/1999;

“the Minister” means the Minister of Agriculture, Fisheries and Food;

“national administrative document” means the administrative document provided for in Article 4(3)(b) of Council Regulation 1254/1999 and issued by the appropriate authority pursuant to regulation 5;

“the National Assembly” means the National Assembly for Wales;

“official veterinary surgeon” means an official veterinary surgeon designated under regulation 8 of the Fresh Meat (Hygiene and Inspection) Regulations 1995(16);

“overgrazing” means grazing land with livestock in such numbers as adversely to affect the growth, quality or species composition of vegetation (other than vegetation normally grazed to destruction) on that land to a significant degree, and “overgrazed” shall be construed accordingly;

“producer” has the same meaning as in Article 3(a) of Council Regulation 1254/1999;

“regional ceiling” means the maximum number of—

- (a) bovine animals in the first age bracket; and
- (b) bulls,

entitled to benefit from first premium or bull premium, as the case may be, in the United Kingdom in any calendar year, and referred to in Article 4(4) of, and Annex I to, Council Regulation 1254/1999;

“Regulation 1760/2000” means Regulation (EC) No. 1760/2000 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No. 820/97(17);

“relevant competent authority” has the same meaning as in the IACS Regulations;

“retention period” means the retention period for bovine animals referred to in Article 4(3) (a) of Council Regulation 1254/1999 and starting, subject to regulation 11, as provided for in Article 5 of Commission Regulation 2342/1999;

“scheme year” means any calendar year in respect of which beef special premium may be paid and includes any part of a retention period in relation to an application for that premium in respect of a given scheme year which falls within the following calendar year;

“second premium” means the premium payable in respect of bovine animals in the second age bracket pursuant to the second indent of Article 4(2)(b) of Council Regulation 1254/1999;

“specified control measure” means any check which a Member State is required to carry out under Article 6 of Commission Regulation 3887/92;

“specified record” means any record which an applicant is required to retain or has retained pursuant to—

- (i) regulation 14(1);
- (ii) article 9(1) of the Bovine Animals (Identification, Marking and Breeding Records) Order 1990;

(15) S.I. 1993/1317 as amended by S.I. 1994/1134, 1997/1148, 1999/1820 and 2000/2573.

(16) S.I. 1995/539, to which there are no relevant amendments.

(17) OJ No. L204, 11.8.2000, p.1.

- (iii) article 5(1) of the Bovine Animals (Records, Identification and Movement) Order 1995;
- (iv) Article 7(1) and (4) of Council Regulation 820/97 and the Cattle Identification (Enforcement) Regulations 1997⁽¹⁸⁾;
- (v) Article 7(1) and (4) of Council Regulation 820/97 and the Cattle Identification Regulations 1998⁽¹⁹⁾; or
- (vi) Article 7(1) and (4) of Regulation 1760/2000 and the Cattle Identification Regulations 1998;

“steer” means a castrated bovine animal; and

“unsuitable supplementary feeding methods” means providing supplementary feed (other than to maintain livestock during abnormal weather conditions) in such a manner as to result in damage to vegetation through excessive trampling or poaching of land by animals or excessive rutting by vehicles.

(2) Other expressions used in these Regulations have, in so far as the context admits, the same meanings as in Council Regulation 1254/1999, Commission Regulation 2342/1999 and Commission Regulation 3887/92.

(3) In these Regulations any reference to anything done in writing or produced in written form includes a reference to an electronic communication which has been recorded and is subsequently capable of being reproduced.

(4) In these Regulations any reference to a numbered regulation shall be construed as a reference to the regulation so numbered in these Regulations.

Application

3.—(1) These Regulations shall apply to any person applying, or who has applied, for a national administrative document and any applicant, and, in relation to the holdings of that person or applicant, to the specified extent.

(2) For the purposes of paragraph (1), “the specified extent”, in relation to a person applying, or who has applied, for a national administrative document or an applicant, is the extent to which the Minister or the National Assembly is the relevant competent authority in relation to his holding for the purposes of the IACS Regulations.

⁽¹⁸⁾ S.I. 1997/1901, revoked by S.I. 1998/871.

⁽¹⁹⁾ S.I. 1998/871, as amended by S.I. 1998/1796, 1998/2969 and 1999/1339.