
STATUTORY INSTRUMENTS

1994 No. 1528

The Suckler Cow Premium (Amendment) Regulations 1994

Amendments to the Suckler Cow Premium Regulations 1993

2.—(1) The Suckler Cow Premium Regulations 1993(1) shall be amended in accordance with the following paragraphs of this regulation.

(2) In paragraph (1) of regulation 2 (interpretation)—

(a) in the definition of “Council Regulation 805/68” for the phrase “and Council Regulation (EEC) No. 125/93(2)” substitute “, Council Regulation (EEC) No. 125/93 and Council Regulation (EC) No. 3611/93(3)”; and

(b) insert the following definition after the definition of “holding”—

““overgrazing” means grazing land with livestock—

(a) 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; or

(b) in such numbers that the need for supplementary feeding leads to excessive trampling or poaching of the land by the animals or excessive rutting by vehicles used to transport the feed;”.

(3) In paragraph (1) of regulation 3 (applications) substitute “9th December” for “11th December”.

(4) Insert the following regulation after regulation 3—

“Overgrazing

3A.—(1) The number of suckler cows in respect of which premium may be paid to a producer for any given calendar year shall not exceed the number of suckler cows which the appropriate Minister notifies to the producer as being the number which the land on which those suckler cows are to be grazed and maintained during the retention period for them is in his opinion capable of carrying without overgrazing the whole or any part of it, taking into account the number of other animals to be grazed and maintained on that land in that period.

(2) Where the appropriate Minister is satisfied that the number of suckler cows being grazed and maintained on land which is the subject of a notification made by him under paragraph (1) above exceeds the number of suckler cows specified in that notification he may withhold all premium payments otherwise payable to the recipient of the notification for the calendar year to which it relates.

(3) In paragraph (1) above, the retention period for the suckler cows is that referred to in Article 4d(5) or as the case may be (6) of Council Regulation 805/68 and starting as indicated in Article 23 of Commission Regulation 3886/92.”.

(5) In paragraph (3) of regulation 5 (powers of authorised persons)—

(1) S.I.1993/1441.

(2) OJ No. L18, 27.1.93, p.1.

(3) OJ No. L328, 29.12.93, p.7.

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- (a) delete the word “and” at the end of sub-paragraph (b);
- (b) substitute a semi-colon followed by the word “and” for the full-stop at the end of sub-paragraph (c); and
- (c) insert the following sub-paragraph after sub-paragraph (c)—
 - “(d) inspect that land for the purpose of determining whether or not it has been subject to overgrazing.”.
- (6) In regulation 6 (assistance to authorised persons) substitute “by” for “under”.
- (7) In paragraph (d)(i) of regulation 9 (offences) substitute “under regulation 5” for “by regulation 4”.