
STATUTORY INSTRUMENTS

1996 No. 27

AGRICULTURE

The Hill Livestock (Compensatory Allowances) (Amendment) Regulations 1996

<i>Made</i>	- - - -	<i>9th January 1996</i>
<i>Laid before Parliament</i>		<i>11th January 1996</i>
<i>Coming into force</i>	- -	<i>1st February 1996</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated(1) for the purposes of subsection (2) of section 2 of the European Communities Act 1972(2) in relation to the common agricultural policy of the European Community, acting jointly in exercise of the powers conferred upon them by that subsection and of all other powers enabling them in that behalf, hereby make the following Regulations:

Title, extent and commencement

1. These Regulations may be cited as the Hill Livestock (Compensatory Allowances) (Amendment) Regulations 1996, shall extend to Great Britain and shall come into force on 1st February 1996.

Amendments to the Hill Livestock (Compensatory Allowances) Regulations 1994

2.—(1) The Hill Livestock (Compensatory Allowances) Regulations 1994(3) shall be amended in accordance with the following paragraphs of this regulation.

(2) In the definition of “ECU” in paragraph (1) of regulation 2 (interpretation) there shall be substituted for the phrase beginning with the reference to Council Regulation (EEC) No. 3180/78(4) and ending with the reference to Council Regulation (EEC) No. 1971/89(5) the phrase “Council Regulation (EC) No. 3320/94 on the consolidation of the existing Community legislation on the definition of the ecu following the entry into force of the Treaty on European Union(6)”.

(3) In the definition of “livestock unit” in paragraph (1) of regulation 2 there shall be substituted for the phrase beginning with “Council Regulation” where those words appear for the first time

(1) S.I. 1972/1811.

(2) 1972 c. 68.

(3) S.I. 1994/2740, amended by S.I. 1995/100, S.I. 1995/1481 and S.I. 1995/2778.

(4) OJ No. L379, 30.12.78, p.1.

(5) OJ No. 189, 4.7.89, p.1.

(6) OJ No. L350, 31.12.94, p.27.

and ending at the end of the definition the phrase “Council Regulation (EEC) No. 2328/91 on improving the efficiency of agricultural structures⁽⁷⁾, as last amended by Commission Regulation (EC) No. 2387/95⁽⁸⁾”.

(4) The following paragraph shall be substituted for paragraph (3) of regulation 3 (compensatory allowances)—

“(3) Subject to the following provisions of these Regulations, a compensatory allowance for cattle shall be payable in respect of the number of breeding cows comprised in a herd on the qualifying day at the following rates—

- (a) in the case of cows maintained by a person whose eligible land comprises solely severely disadvantaged land, £47.50 or 150 ECU per cow;
- (b) in the case of cows maintained by a person whose eligible land comprises severely disadvantaged land and disadvantaged land—
 - (i) £47.50 or 150 ECU per cow up to an amount of money calculated by multiplying the total number of hectares of that severely disadvantaged land which was included in an area aid application made under Commission Regulation 3887/92 in the year preceding the Scheme year to which that qualifying day relates or which is relevant afforested land by £88.70 and deducting from the resulting figure any compensatory allowance for sheep maintained by that person payable under paragraph (4)(a), and
 - (ii) thereafter for additional cows £23.75 or 150 ECU per cow; or
- (b) in the case of cows maintained by a person whose eligible land comprises solely disadvantaged land, £23.75 or 150 ECU per cow.”.

(5) The following paragraph shall be substituted for paragraph (4) of regulation 3—

“(4) Subject to the following provisions of these Regulations, a compensatory allowance for sheep shall be payable in respect of the number of ewes comprised in a qualified flock on the qualifying day at the following rates—

- (a) in the case of ewes of a hardy breed or hardy cross-breed comprised in a qualified flock which is a specially qualified flock, £5.75 or 22.50 ECU per ewe; and
- (b) in the case of any other ewes maintained by a person—
 - (i) whose eligible land comprises solely severely disadvantaged land, £3 or 22.50 ECU per ewe,
 - (ii) whose eligible land comprises severely disadvantaged land and disadvantaged land, £3 or 22.50 ECU per ewe, for a number of ewes calculated by multiplying the total number of hectares of that severely disadvantaged land which was included in an area aid application made under Commission Regulation 3887/92 in the year preceding the Scheme year to which that qualifying day relates and was determined by the appropriate Minister to be eligible forage area for the purposes of that Regulation or which is relevant afforested land by 6 and deducting from the resulting figure the number of ewes, if any, falling within sub-paragraph (a) of this paragraph, up to an amount of money calculated by multiplying the said total number of hectares by £88.70 and deducting from the resulting figure any compensatory allowance for cattle maintained by that person payable under paragraph (3)(b)(i) and any compensatory allowance for sheep maintained by that person payable under sub-paragraph (a) of this

(7) OJ No. L218, 6.8.91, p.1.

(8) OJ No. L244, 12.10.95, p.50.

paragraph, and thereafter for additional ewes £2.65 or 22.50 ECU per ewe,
or

(iii) whose eligible land comprises solely disadvantaged land, £2.65 or 22.50 ECU per ewe.”.

(6) For the existing text of regulation 5(1)(d) there shall be substituted—

“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,

which land was included in an area aid application made under Commission Regulation 3887/92 in the year preceding that Scheme year and was determined by the appropriate Minister to be eligible forage area for the purposes of that Regulation or which is relevant afforested land”.

9th January 1996

Tim Boswell
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

9th January 1996

Lindsay
Parliamentary Under Secretary of State, Scottish
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

1. These Regulations amend the Hill Livestock (Compensatory Allowances) Regulations 1994 (S.I.1994/2740, as already amended by S.I. 1995/100, S.I. 1995/1481 and S.I. 1995/2778). Like those Regulations these Regulations extend to Great Britain.
2. Regulation 3 of S.I. 1994/2740 is amended to reflect the new rates for compensatory allowances payable in respect of cattle and sheep.
3. Regulation 5(1)(d) is amended so as to restore the former maximum (9 ewes) governing the payment of compensatory allowances for sheep in respect of each hectare of disadvantaged land.
4. The definition of “ECU” in Regulation 2(1) is amended in the light of the consolidation of the relevant Community texts relating to this matter by Council Regulation (EEC) No. 3320/94 (OJ No. L350, 31.12.94, p.27).
5. The definition of “livestock unit” in regulation 2(1) is amended to reflect amendments made to Council Regulation (EEC) No. 2328/91 (OJ No. L218, 6.8.91, p.1); the latest amendment was effected by Commission Regulation (EC) No. 2387/95 (OJ No. L244, 12.10.95, p.50).
6. Articles 17 to 19 of Council Regulation (EEC) No. 2328/91 continue to provide the legal base for the making of compensatory allowances for sheep and cattle.
7. No compliance cost assessment has been prepared in respect of these Regulations.