STATUTORY RULES OF NORTHERN IRELAND

# 1997 No. 351

# AGRICULTURE

## Habitat Improvement (Amendment) Regulations (Northern Ireland) 1997

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| *Made - - - -* | *30th July 1997* |
| *Coming into operation* | *1st September 1997* |

The Department of Agriculture, being a Department designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Economic Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:

### Citation, commencement and interpretation

**1.**—(1) These Regulations may be cited as the Habitat Improvement (Amendment) Regulations (Northern Ireland) 1997 and shall come into operation on 1st September 1997.

(2) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

### Amendments to the Habitat Improvement Regulations (Northern Ireland) 1995

**2.**—(1) The Habitat Improvement Regulations (Northern Ireland) 1995(**4**) shall be amended as provided in paragraphs (2) and (3).

(2) In regulation 3 (aid for improvement or establishment of habitats) after paragraph (2) there shall be added the following paragraphs—

> "(3) Where the Department considers that the erection of stock-proof fencing is necessary for the purpose of aiding compliance by a beneficiary with an undertaking given under paragraph (1) or (2), it may for that purpose agree with him in advance, the erection of that fencing, and the specification to which it is to be erected and, in that event, shall make a payment of aid to him in respect of the erection of that fencing if he has undertaken that it will be maintained in a stock-proof condition from the time of the payment for the remainder of the duration of the undertaking given under paragraph (1) or (2).

(**1**) S.I. 1972/1811
(**2**) 1972 c. 68, Section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.I. 1994/2795 (N.I. 15)
(**3**) 1954 c. 33 (N.I.)
(**4**) S.R. 1995 No. 134 as amended by S.R. 1996 No. 608