1995 No. 22

AGRICULTURE

The Hill Livestock (Compensatory Allowances) (Amendment) Regulations (Northern Ireland) 1995

Made	*24th January 1995*
Coming into operation . .	*31st January 1995*

The Department of Agriculture being a Department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) 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 and commencement

1. These Regulations may be cited as the Hill Livestock (Compensatory Allowances) (Amendment) Regulations (Northern Ireland) 1995 and shall come into operation on 31st January 1995.

Interpretation

2.—(1) In these Regulations, "the principal Regulations" means The Hill Livestock (Compensatory Allowances) Regulations (Northern Ireland) 1994(**c**); and

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

Amendment

3.—(1) The principal Regulations shall be amended in accordance with the following paragraphs of this regulation.

(2) In paragraph 2 of regulation 2 (interpretation) of the principal Regulations:—

(*a*) In the definition of the "Council Regulation" the following shall be inserted at the end—

"as amended by Council Regulation (EC) No. 2843/94 (O.J. No. L302, 25.11.94, p. 1)";

(**a**) S.I. 1972/1811
(**b**) 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.R. (N.I.) 1984 No. 253
(**c**) S.R. 1994 No. 417
(**d**) 1954 c. 33 (N.I.)

(*b*) in the definition of "ECU", the following phrase shall be substituted after the words "converted into sterling" and ending with the words "compensatory allowance is paid"—

"at the agricultural conversion rate (as determined in accordance with Council Regulation (EEC) No. 3813/92 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy(**a**) as amended by Council Regulation (EEC) No. 3528/93(**b**) and Council Regulation (EC) No. 3311/94(**c**)) applicable on 1st January in the Scheme year in respect of which the compensatory allowance is paid";

(*c*) the following definition for hardy breed or hardy cross-breed shall be inserted after the definition of "forage area"—

" "hardy breed or hardy cross-breed" means a breed or, as the case may be, cross-breed of sheep which is in the opinion of the Department suitable for breeding and rearing on land where the severity of the permanent natural handicaps affecting the breeding and rearing of sheep on it is greater than that affecting the breeding and rearing of sheep on severely disadvantaged land generally;"; and

(*d*) the following definition for specially qualified flock shall be inserted after the definition of "sound husbandry practice"—

" "specially qualified flock" means a qualified flock—

(*a*) in which all or, in the opinion of the Department, substantially all of the ewes comprised in the flock are of any hardy breed or hardy cross-breed;

(*b*) in which the ewes are in the opinion of the Department maintained in 3 distinct age groups; and

(*c*) which is maintained on severely disadvantaged land or on severely disadvantaged land and other land used with it;".

(3) The following paragraph shall be substituted for paragraph (3) of Regulation 3 (compensatory allowances) of the principal Regulations—

"(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

(**a**) O.J. No. L387, 31.12.92, p. 1, "agricultural conversion rate" is defined in Article 1(*e*)
(**b**) O.J. No. L320, 22.12.93, p. 18
(**c**) O.J. No. L350, 26.12.94