1992 No. 570

AGRICULTURE

Deseasonalisation Premium (Protection of Payments) Regulations (Northern Ireland) 1992

Made . . . . . *30th December 1992*

Coming into operation . . *1st January 1993*

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 Deseasonalisation Premium (Protection of Payments) Regulations (Northern Ireland) 1992 and shall come into operation on 1st January 1993.

Interpretation

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

(2) In these Regulations:—

"animal" means a castrated male animal of the bovine species;

"authorised person" means any person authorised in writing by the Department to act for the purposes of regulation 4;

"the Commission Regulation" means EEC Commission Regulation of 27th November 1992(**d**) laying down the implementing rules of the premium schemes provided for in Articles 4a to 4k of Council Regulation (EEC) No. 805/68 on the common organisation of the market in beef and veal;

(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. 1984 No. 253.

(c) 1954 c. 33 (N.I.)

(d) O.J. No. L391, 31.12.92, p. 20

"the Council Regulation" means Council Regulation (EEC) No. 805/68 on the common organisation of the market in beef and veal, as amended(**a**);

"the Department" means the Department of Agriculture for Northern Ireland;

"premium" means the deseasonalisation premium referred to in Article 4c of the Council Regulation;

(3) Other expressions used in these Regulations have, in so far as the context admits, the same meanings as in the Council Regulation and the Commission Regulation.

Application for premium payments

3.—(1) Subject to the provisions of this regulation a producer may apply to the Department for a premium payment, in respect of an animal, in such form as the Department may require.

(2) Applications for payment of premium shall be lodged with the Department during the period 1st May to 31st May 1993 inclusive.

(3) A producer may lodge only one application.

Powers of entry and inspection

4.—(1) An authorised person may, up to the end of the third year after the calendar year in which an application for a premium was lodged—

(*a*) enter at any reasonable time upon any land which was used for the slaughter of animals to which that application related; and

(*b*) search for, examine, take possession of or copy any record or document relating to that application.

(2) An authorised person acting in exercise of the powers conferred by paragraph (1) shall carry a warrant of his authority so to act and shall produce it on demand.

Recovery of premiums

5. If at any time after a premium payment has been made it appears to the Department that any person—

(*a*) in order to obtain the premium payment made a false statement; or

(*b*) has, in relation to that premium payment, contravened or failed to comply with any requirement imposed by or under the Council Regulation, the Commission Regulation or these Regulations;

(a) O.J. No. L148, 28.6.68; p. 24 (O.J./S.E. 1968(I) p. 187) as amended by Council Regulation (EEC) No. 1261/71 (O.J. No. L132, 18.6.71, p. 1), Council Regulation (EEC) No. 2822/72 (O.J. No. L298, 31.12.72, p. 1), Council Regulation (EEC) No. 1855/74 (O.J. No. L195, 18.7.74, p. 14), Council Regulation (EEC) No. 568/76 (O.J. No. L067, 15.3.76, p. 28), Council Regulation (EEC) No. 425/77 (O.J. L061, 5.3.77, p. 1), Council Regulation (EEC) No. 2916/79 (O.J. L329, 24.12.79, p. 15), Council Regulation (EEC) No. 3768/85 (O.J. L362, 31.12.85, p. 8), Council Regulation (EEC) No. 3905/87 (O.J. No. L370, 30.12.87, p. 7), Council Regulation (EEC) No. 571/89 (O.J. L061, 4.3.89, p. 43), Council Regulation (EEC) No. 1628/91 (O.J. L150, 15.6.91, p. 16) and Council Regulation (EEC) No. 2066/92 (O.J. No. L215 30.7.92, p. 49).