1992 No. 190

AGRICULTURE

The Oilseeds Producers (Support System) Regulations (Northern Ireland) 1992

Made	*13th April 1992*
Coming into operation . .	*22nd May 1992*

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 that section 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 Oilseeds Producers (Support System) Regulations (Northern Ireland) 1992 and shall come into operation on 22nd May 1992.

Interpretation

2.—(1) In these Regulations—

"authorised officer" means an officer of the Department duly authorised for the purposes of regulation 5;

"the Commission Regulation" means Commission Regulation (EEC) No. 615/92(**c**) laying down detailed rules for a support system for producers of soya beans, rape seed, colza seed and sunflower seed;

"the Council Regulation" means Council Regulation (EEC) No. 3766/91(**d**) establishing a support system for producers of soya beans, rape seed, colza seed and sunflower seed;

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

"oilseeds" means soya beans, rape seed, colza seed and sunflower seed;

"specified control measure" means any check, test, verification, inspection, investigation, control or other operation a Member State is required to carry out under Article 4(5) or 9 of the Council Regulation or Article 4, 6(2), 10, 11, 12, 13, 14, 16 or 17 of the Commission Regulation.

(**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**) O.J. No. L67, 11.3.92, p. 11
(**d**) O.J. No. L356, 24.12.91, p. 17

(2) Other expressions used in these Regulations shall have the same meanings as in the Council Regulation and the Commission Regulation.

(3) The Interpretation Act (Northern Ireland) 1954(**a**) except section 20(2) and (3) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Minimum plot size

3.—(1) Subject to paragraph 2, for the purposes of Article 3(1)(ii)(*b*) of the Commission Regulation, the minimum plot size shall be 0.1 hectares.

(2) Where seed of a type specified in Article 6(1)(*d*) of the Commission Regulation is sown the minimum plot size shall be 0.01 hectares.

Latest date for lodging applications for direct payment

4.—(1) For the purposes of Article 3(1)(iv) of the Commission Regulation, the latest date for the lodging of an application for a direct payment shall be the date specified in Annex I to that Regulation.

(2) For the purposes of Article 5 of the Commission Regulation, the latest date for the lodging of a harvest declaration shall be the date specified in Annex I to that Regulation.

Powers of authorised officers

5.—(1) An authorised officer may at all reasonable times and on production of his authority on demand, exercise the powers specified in this regulation for the purposes of—

(*a*) carrying out any specified control measure; or

(*b*) ascertaining whether an offence under regulation 9(2) has been or is being committed.

(2) An authorised officer may enter any land, other than land used only as a dwelling, which is, or which such officer has reasonable cause to believe to be, a production holding occupied by, or in the possession of, a producer or any employee, servant or agent of a producer.

(3) An authorised officer who has entered any land may—

(*a*) inspect all or any part of the land farmed by a producer;

(*b*) inspect any oilseeds growing on that land or kept on it; and

(*c*) where the producer's application states that he has sown seed of a type specified in Article 6(1)(*b*) of the Commission Regulation, remove a sufficient quantity of seed of the type sown in order to carry out the analysis referred to in Annex V or Annex VI of that Regulation.

(4) An authorised officer entering any land may take with him such other persons as he considers necessary.

(5) An authorised officer may—

(*a*) require any producer or any employee, servant or agent of a producer to produce any record and to supply such additional information in that person's possession or under his control relating to an application for direct payment as the authorised officer may reasonably request;

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