1989 No. 239

EUROPEAN COMMUNITIES

AGRICULTURE

Set-Aside (Amendment) Regulations (Northern Ireland) 1989

Made	*23rd June 1989*
Coming into operation . .	*26th June 1989*

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. The Regulations may be cited as the Set-Aside (Amendment) Regulations (Northern Ireland) 1989 and shall come into operation on 26th June 1989.

Amendment of the Set-Aside Regulations (Northern Ireland) 1988

2. The Set-Aside Regulations (Northern Ireland) 1988(**c**) shall be amended in accordance with regulations 3 to 9.

3. In regulation 2(1) thereof (interpretation)—

(*a*) in the definition of ''arable land'' there shall be inserted at the end the words ''or for rotational fallow'';

(*b*) in the definition of ''eligible person'' the words ''comprising arable land'' shall be omitted;

(*c*) there shall be inserted after the definition of ''the Farm Woodland Scheme'' the following definition—

''grazing land'' does not include land grazed by horses unless they are kept for food or use in the farming of land;'';

(*d*) in the definition of ''the set-aside area'' the word ''arable'' shall be omitted;

(*e*) in the definition of ''the set-aside obligations'' there shall be inserted in paragraph (*a*) after the words ''regulation 3'' the words ''or 12'';

(**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**) S.R. 1988 No. 279

(*f*) there shall be substituted for the definition of ''to set aside'' the following definition—

''to set aside'' means, in relation to land, to withdraw it from agricultural production;''.

4. In regulation 3 thereof (aid for set aside of arable land)—

(*a*) in paragraph (1) there shall be substituted for sub-paragraph (*a*) the following sub-paragraph—

''(*a*) to set aside on his holding an area of land which—

(i) is arable land or temporary grassland at the time the undertaking is given;

(ii) was arable land in the reference period; and

(iii) is equal in size to at least 20 per cent. of the relevant arable land on that holding in the reference period but does not exceed an area equal in size to such relevant arable land; and'';

(*b*) in paragraph (2)—

(i) in sub-paragraph (*a*) there shall be inserted after the words ''arable land'' (where they first occur) the words ''or temporary grassland'';

(ii) in sub-paragraph (*b*) there shall be inserted after the words ''paragraph (1)(*b*)'' the words ''(ii) to (iv)'';

(*c*) in paragraph (3)—

(i) there shall be inserted after the words ''arable land'' (where they first occur) the words ''or temporary grassland'';

(ii) in sub-paragraph (*a*) the word ''arable'' shall be omitted;

(iii) in sub-paragraph (*b*) there shall be inserted after the words ''paragraph (1)(*b*)'' the words ''(ii) to (iv)'';

(iv) in sub-paragraph (*c*) there shall be substituted for the words ''the acquired arable land'' the words ''that acquired land''.

5. In regulation 5(2) thereof (applications for aid) the word ''arable'' shall be omitted.

6. In regulation 11(1) thereof (change of use of set-aside land) there shall be inserted after the words ''regulation 3(1)(*b*)'' the words ''(ii) to (iv)''.

7. In regulation 12(2)(*a*) thereof (change of occupation) there shall be inserted after the words ''arable land'' the words ''or temporary grassland''.

8. In Schedule 1 thereto (arable crops)—

(*a*) there shall be inserted in List A at the end the following crops—

''Forage roots and tubers, except potatoes

Lucerne/alfalfa, except when grown as part of a grass mixture

Sainfoin, except when grown as part of a grass mixture