1968. No. 166 **[C]**

AGRICULTURE

Cattle—Breeding Herds

SCHEME, DATED 16TH JULY 1968, MADE BY THE MINISTER OF AGRICULTURE UNDER SECTION 1 OF THE AGRICULTURE (TEMPORARY ASSISTANCE) ACT (NORTHERN IRELAND) 1954(**a**), AS AMENDED BY THE AGRICULTURE (TEMPORARY ASSISTANCE) (AMENDMENT) ACT (NORTHERN IRELAND) 1957(**b**).

The Minister of Agriculture, with the approval of the Minister of Finance and in exercise of the powers conferred on him by the Agriculture (Temporary Assistance) Acts (Northern Ireland) 1954 and 1957, and of all other powers him thereunto enabling, hereby makes the following Scheme:—

Short title and commencement

1. The Scheme may be cited as the Cattle (Breeding Herds) Scheme (Northern Ireland) 1968, and shall come into operation on the date hereof.

Revocation of the Schemes of 1966 *and* 1967

2. The Cattle (Breeding Herds) Schemes (Northern Ireland) 1966(**c**) and 1967(**d**) are hereby revoked.

Definitions

3. In this Scheme—

"the Acts" means the Agriculture (Temporary Assistance) Acts (Northern Ireland) 1954 and 1957;

"Breeding Cow" means a female bovine animal which has borne a calf or has, in the opinion of the Ministry, been brought into the herd to replace one which has borne a calf. A female bovine animal in-calf for the first time which calves within the subsidy year shall be deemed to be a breeding cow;

"Eligible Cow" means a cow which is in the opinion of the Ministry suitable for breeding calves for beef;

"Regular Breeding Herd" means a herd of cows which appears to the Ministry to be maintained primarily for the purpose of breeding calves suitable for beef, and which is reasonably constant in number and composition throughout the subsidy year;

"the Ministry" means the Ministry of Agriculture;

"Occupier" includes a person who by virtue of any agreement, whether written or otherwise, has the right to the use of the land;

"Qualifying day" means 1st June in the subsidy year;

"Subsidy year" means a calendar year in respect of which the subsidy payment is to be made.

Object of the Scheme

4. With the object of encouraging farmers to maintain herds of cows primarily for the purpose of breeding calves for beef the Ministry may make subsidy payments as provided for in this Scheme.

(a) 1954. c. 31.
(b) 1957. c. 3.
(c) S.R. & O. (N.I.) 1966, No. 117.
(d) S.R. & O. (N.I.) 1967, No. 208.

Subsidy Payments

5.—(1) Subject to the provisions of this Scheme the Ministry may make subsidy payments in respect of breeding cows maintained in Northern Ireland (being cows of a description to which this Scheme applies) to the person who, on the qualifying day, was the owner of the cows and was the occupier of the land used for their maintenance.

(2) Subject to sub-paragraph (3) the amount which may be paid by way of subsidy payment under this Scheme in respect of any animal shall be £13 or such other amount as the Ministry, with the approval of the Ministry of Finance, may by Scheme determine.

(3) Where, in any subsidy year, any subsidy is payable under any other Scheme (whether statutory or otherwise) in respect of an animal to which this Scheme applies for purposes similar to the purposes of this Scheme, the amount of subsidy which may be paid in respect of that animal under this Scheme shall be abated by an amount equivalent to the subsidy payable under that other Scheme in the same subsidy year.

6.—(1) Subject to the provisions of the next succeeding sub-paragraph this Scheme shall apply to such breeding cows as may be approved by the Ministry as forming a regular breeding herd.

(2) This Scheme shall not apply to cows on which subsidy payments are made in respect of the same year under the Hill Cattle (Breeding Herds) (Northern Ireland) Scheme 1968(**e**).

Number of Breeding Cows qualifying for Subsidy Payment

7.—(1) Subject to the provisions of this paragraph and of paragraph 9 of this Scheme the number of breeding cows in respect of which subsidy payments may be made to a person shall be the number of eligible cows in his breeding herd on the qualifying day, in the year in which the subsidy is sought.

Provided that if the number of cows in respect of which an application is made is greater than the total number which, in the opinion of the Ministry, is capable of being properly grazed and maintained in accordance with good farming practice on the grass and forage crops available to them on the land on which they are grazed the subsidy payments shall be restricted to such number as may be determined by the Ministry.

(2) If, in the opinion of the Ministry—

(*a*) the number of calves produced by cows in a herd is less than it considers reasonable, having regard to all the circumstances, or

(*b*) an appreciable quantity of milk is produced by the herd, and is sold as milk or milk products or is used for domestic consumption or for feeding to animals other than calves intended for beef production,

the number of cows in that herd in respect of which subsidy payments may be made under the preceding provisions of this Scheme shall be reduced by such number as may be determined by the Ministry.

New Entrants

8. The Ministry may make subsidy payments to a person who has established or re-established a herd of breeding cows after the 1st January next preceding the qualifying day and before the qualifying day if it is satisfied that the herd is otherwise eligible. In such cases the number of cows in

(e) S.I. 1968, No. 965.