
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 361

AGRICULTURE

**The Less Favoured Area Compensatory Allowances
(No. 2) Regulations (Northern Ireland) 2007**

Made - - - - *22nd August 2007*

Coming into operation *12th September 2007*

The Department of Agriculture and Rural Development, being a Department designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the common agricultural policy of the European Community and in relation to matters relating to the promotion of rural development, in exercise of the powers conferred on it by the said section 2(2), hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Less Favoured Area Compensatory Allowances (No. 2) Regulations (Northern Ireland) 2007 and shall come into operation on 12th September 2007.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954⁽³⁾ shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(2) In these Regulations “the Principal Regulations”⁽⁴⁾ means the Less Favoured Area Compensatory Allowances Regulations (Northern Ireland) 2007;

(3) Other expressions used both in these Regulations and the Principal Regulations shall have the meaning in these Regulations as they have in the Principal Regulations.

(4) Any reference in these Regulations to a Community instrument is a reference to that instrument as amended on the date on which these Regulations are made.

(5) A reference in these Regulations to anything done in writing or produced in written form includes a reference to an electronic communication which has been recorded and is capable of being subsequently reproduced.

(1) [S.I.2000/2812](#) to which there are amendments not relevant to the subject matter of these Regulations and [S.I. 2000/3238](#)
(2) [1972 c. 68](#)
(3) [1954 c. 33 \(N.I.\)](#)
(4) [S.R. 2007 No. 27](#)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Power to make additional payments

3.—(1) Where in respect of 2007 the Department has granted the application by any claimant for a payment of less favoured area compensatory allowance under regulation 3 of the Principal Regulations, it may make an additional payment of less favoured area compensatory allowance in respect of that year in accordance with the following provisions.

Amount of payment

4.—(1) Any additional payment in respect of the descriptions of eligible forage area specified in column 1 of Schedule 1 shall be made at the rates specified in column 2 of Schedule 1.

(2) The amount of the payment under paragraph (1) may be increased by an amount determined by the Department if the number of suckler cows and heifers expressed in livestock units kept by a claimant throughout at least the minimum grazing period is at least 25% of the number of the claimant’s relevant animals expressed in livestock units.

Application of the Principal Regulations

5. Regulations 4(6), 5, 6 and 9 to 24 of the Principal Regulations shall apply to any additional payment of less favoured area compensatory allowance made under these Regulations as they apply in relation to a payment under regulation 3 of the Principal Regulations.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 22nd August 2007.

L.S.

G. O'Doherty
A senior officer of the
Department of Agriculture and Rural
Development

SCHEDULE 1

Regulation 4

PAYMENT RATES PER HECTARE

<i>Column 1</i>	<i>Column 2</i>
1. Severely disadvantaged land (not being common land)	£17.20
2. Disadvantaged land (not being common land)	£8.60
3. Common land	£8.60

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Commission Regulation 817/2004 (O.J. No. L153, 30.04.2004, p. 30; Corrigendum O.J. No. L231, 30.06.2004, p. 24) laying down detailed rules for the application of Council Regulation 1257/1999 (O.J. No. L160, 26.06.1999, p. 80) and Commission Regulation 1974/2006 laying down detailed rules for the application of Council Regulation 1698/2005 on support for rural development.

These Regulations also implement Measure 2.1 of the Northern Ireland Rural Development Programme.

The Northern Ireland Rural Development Programme was approved at the sixteenth meeting of the European Commission's Committee on Rural Development on 24th and 25th July 2007.

In particular the Regulations implement Articles 13, 14 and 15 of Council Regulation 1257/1999 and Articles 36 and 51(1) of Council Regulation 1698/2005 (which deal with support for less favoured areas) by authorising the Department to make payment of less favoured area compensatory allowance (regulation 3) and the rates at which it is to be paid (regulation 4 and Schedule 1).

Regulation 5 provides for certain provisions of the "Principal Regulations" (the Less Favoured Area Compensatory Allowances Regulations (Northern Ireland) 2007) to apply to payments made under these Regulations as they apply to payments made under regulation 3 of the Principal Regulations.

The Northern Ireland Rural Development Programme is available for inspection at the offices of the Department of Agriculture and Rural Development, Dundonald House, Upper Newtownards Road, Belfast BT4 3SB.