

SCHEDULE 2

Management requirements in relation to set-aside land

Part A

Management Options for set-aside land

Exemptions from the requirement to maintain a green cover on set-aside land

9.—(1) In each field or part field to which this paragraph is applied by virtue of any of paragraphs 2 to 6, a farmer shall be exempt from a requirement to maintain a green cover on set-aside land (except for guaranteed set-aside land and environmental transferred set-aside land) where that green cover is destroyed following the application of herbicide to the land on or after 15th April in the current scheme year in accordance with paragraph 20(1), which exemption shall run from the time of the application until (where the land is to be set aside in the following scheme year but is not to be used as land set aside for non-food purposes) the commencement of the following green cover season.

(2) In respect of each field or part field to which this paragraph is applied by virtue of any of paragraphs 2 to 6, the Department shall on the application of a farmer treat him as having been exempted from a requirement to maintain a green cover, where he provides evidence sufficient to satisfy the Department that the green cover which he established failed and he could not reasonably have prevented such failure, such exemption lasting from the time of the failure until the end of the current scheme year.

(3) In each field or part field to which this paragraph is applied by virtue of any of paragraphs 2 to 6, and where a farmer has chosen not to establish a green cover on a strip of land pursuant to paragraph 8(2), he need not maintain any green cover which nevertheless subsequently becomes established on that strip.