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STATUTORY INSTRUMENTS

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**1993 No. 2631**

**The Hill Livestock (Compensatory Allowances) Regulations 1993**

**Provisions with respect to sheep**

5.—(1) A compensatory allowance for sheep shall not be paid in respect of any ewe the use of which for breeding would not, in the opinion of the appropriate Minister, be in accordance with sound husbandry practice.

(2) Subject to paragraph (1) above and notwithstanding the foregoing provisions of these Regulations, the number of ewes in respect of which a compensatory allowance may be paid in relation to any qualifying day shall not exceed—

- (a) the number of ewes comprised in the flock on the date of the application for that allowance;
- (b) the number of ewes maintained in the flock for a total of 120 days between 1st January in the year preceding that qualifying day and the date of the application for that allowance, inclusive, or, in the case of a flock newly established or re-established between those dates, for such smaller number of days between those dates as the appropriate Minister may determine, disregarding—
  - (i) any seasonal variation in number, and
  - (ii) any losses which he is satisfied have been or will be made good, or cannot reasonably be made good, within a reasonable period;
- (c) the number of ewes held by the applicant on eligible land, or on eligible land and other land used with it, for a period of two months from the day following lodgement of the application for that allowance;
- (d) the number of ewes which, in the opinion of the appropriate Minister, is reasonable, having regard to the number of lambs produced in the year preceding the qualifying day or, in the case of a flock newly established or re-established in that year, in such shorter period as the appropriate Minister may determine;
- (e) a number calculated at the rate of—
  - (i) six ewes for each hectare of severely disadvantaged land, and
  - (ii) nine ewes for each hectare of disadvantaged land, which is relevant afforested land or forage area and which the appropriate Minister is satisfied was available for the maintenance of the flock throughout the period referred to in sub-paragraph (b) above;
- (f) the number of ewes which the appropriate Minister determines to be the number which the land on which the flock was grazed and maintained in the year preceding that day was, in his opinion, capable of carrying without overgrazing the whole or any part of it, taking into account the number of other animals grazed and maintained on that land in that year; or
- (g) the number of ewes which, when added to the number of cattle comprised in a regular breeding herd grazed and maintained on eligible land available to the applicant's flock and, as the case may be, herd throughout the period referred to in sub-paragraph (b) above,

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is equivalent to 1.4 livestock units per hectare of the forage area of the eligible land so available.