
STATUTORY INSTRUMENTS

2001 No. 2503

The Beef Special Premium Regulations 2001

PART III

Beef special premium

Overgrazing

12.—(1) Subject to paragraph (2) below, where in the year preceding any given scheme year the appropriate authority forms the opinion that any parcel of land is being overgrazed, that authority may notify the occupier of the maximum number of bovine animals which may be grazed and maintained on that parcel in that scheme year, which number shall be determined by taking account of the number of other animals (expressed in terms of livestock units) likely to be grazed and maintained on the parcel concerned in the scheme year in question and having regard to such conditions as may be specified in the notification.

(2) The appropriate authority may in the year preceding any given scheme year issue a notification under paragraph (1) above, even where there is no evidence that the parcel of land to which it relates is being overgrazed, if—

- (a) that authority has previously made such a notification under paragraph (1); or
- (b) that authority has made a notification under any of the provisions specified in paragraph (5),

in respect of that parcel having formed the opinion that it was being overgrazed.

(3) Where—

- (a) the appropriate authority has made a notification under paragraph (1); or
- (b) that authority has made a notification under any of the provisions specified in paragraph (5),

no beef special premium shall be paid in respect of the scheme year for which it was issued on any number of bovine animals grazed and maintained in that scheme year on the parcel of land to which it relates in excess of the maximum number of such animals specified in it.

(4) Where the appropriate authority has made a notification under paragraph (1) above and is satisfied that—

- (a) any condition specified in that notification has been breached; or
- (b) more bovine animals than the maximum number specified in the notification have been grazed and maintained on the parcel of land to which it relates in the scheme year for which it was issued,

that authority may withhold or recover on demand the whole or any part of the beef special premium otherwise payable or as the case may be already paid to the recipient of the notification for the scheme year to which it relates.

(5) The provisions referred to in paragraphs (2) and (3) are—

- (a) regulation 11 of the Beef Special Premium Scheme Regulations 1996(1);
- (b) regulation 3A of the Suckler Cow Premium Regulations 1993(2);
- (c) regulation 5 of the Suckler Cow Premium Regulations 2001(3);
- (d) where the Minister is the appropriate authority, regulation 8 of the Slaughter Premium Regulations 2000(4);
- (e) where the National Assembly is the appropriate authority, regulation 8 of the Slaughter Premium (Wales) Regulations 2001(5);
- (f) regulation 3A of the Sheep Annual Premium Regulations 1992(6); and
- (g) regulation 10 of the Hill Livestock (Compensatory Allowances) Regulations 1999(7).

(1) S.I. 1996/3241, as amended by S.I. 1998/871, 1999/1179 and 2000/2573.

(2) S.I. 1993/1441, as amended by S.I. 1994/1528, 1995/15, 1995/1446, 1996/1488, 1997/249, 2000/2573 and revoked by 2001/1370.

(3) S.I. 2001/1370.

(4) S.I. 2000/3126.

(5) S.I. 2001/1332 (W. 82).

(6) S.I. 1992/2677, as amended by 1994/2741, 1995/2779, 1996/49, 1997/2500, 2000/2573 and 2001/281.

(7) S.I. 1999/3316.