

SCHEDULE 1

regulation 7(1)

PAYMENT RATES PER HECTARE

<i>column 1</i>	<i>column 2</i>
1. Severely disadvantaged land (not being moorland or common land)	£34.40
2. Disadvantaged land (not being moorland or common land)	£18.60
3. Moorland or common land	£13.02

SCHEDULE 2

regulation 9

DEDUCTIONS FROM CLAIMED FORAGE AREA

1. If, on 31st March 2000, a claimant had available to him an individual reference quantity of milk, the claimed forage area shall, subject to paragraph 4 of Schedule 3, be subject to the deductions specified in paragraph 4.

2. The deductions shall be calculated by reference to the number of livestock units deemed to constitute the dairy herd kept by the claimant on land in England (“the notional dairy herd”), determined in accordance with paragraph 3.

3. The notional dairy herd shall be calculated as follows—

$$TLU = IRQ \div 5730$$

where— “IRQ” is the individual reference quantity of milk (expressed in litres) available to the claimant in relation to his land in England;

“TLU” is the number of livestock units in the notional dairy herd; and

“5730” is the number of litres of milk deemed to be equivalent to the annual production of one dairy cow.

4. The deductions to claimed forage area shall be made as follows—

(a) X hectares shall be deducted from A, where X is equal to the lesser of—

(i) $TLU \div 2$; and

(ii) A;

(b) if TLU is greater than 2X, Y hectares shall be deducted from B, where Y is equal to the lesser of—

(i) $(TLU - 2X) \div 1.4$; and

(ii) B;

(c) if TLU is greater than $2X + (1.4 \times Y)$, Z hectares shall be deducted from C, where Z is equal to the lesser of—

(i) $TLU - (2A + (1.4 \times Y))$; and

(ii) C;

where—

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Hill Farm Allowance Regulations 2001. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- “A” is the number of hectares of relevant forage area not within a less favoured area;
- “B” is the number of hectares of relevant forage area which is disadvantaged land or severely disadvantaged land, in each case other than moorland or common land;
- “C” is the number of hectares of relevant forage area which is moorland or common land; and
- “TLU” is the total number of livestock units in the notional dairy herd.

SCHEDULE 3

regulations 1(2) and 10

HOLDINGS SITUATE PARTLY OUTSIDE ENGLAND

Agency arrangements

1.—(1) The Minister may arrange for any of his functions under these Regulations in relation to any claim in respect of a holding situate partly in Scotland to be exercised on his behalf by the Scottish Ministers, and may agree to exercise any corresponding functions on behalf of the Scottish Ministers.

(2) Any such arrangement shall be in writing and be signed by or on behalf of the Minister and the Scottish Ministers and any such arrangement may be subject to such conditions (including conditions as to the costs and charge for costs) as may be agreed from time to time.

Set-off

2.—(1) In relation to a holding situate partly outside England, the amount of any sum payable by the Minister by way of hill farm allowance, whether as principal or on behalf of any other competent authority, may, without prejudice to the amount of any sum payable by the Minister to any other competent authority, be set-off against the amount of any sum recoverable by the Minister, whether as principal or on behalf of such competent authority.

(2) For the purposes of sub-paragraph (1), “other competent authority” means the Scottish Ministers, the National Assembly for Wales or, in Northern Ireland, the Department of Agriculture and Rural Development.

Apportionment of livestock units

3. Where any holding in respect of which a claim has been made is situate partly outside England, the number of livestock units grazed on that part of the holding which is situate in England shall be calculated as follows:

$$N = \text{TLU} \times X \div Y$$

where— “X” is the claimed forage area in hectares of that part of the holding which is situate in England;

“Y” is the total claimed forage area in hectares of that holding;

“TLU” is the total number of livestock units grazed on that holding; and

“N” is the number of livestock units grazed on that part of the holding situate in England.

Apportionment of individual reference quantity of milk

4. Where any holding in respect of which a claim has been made is situate partly outside England, the individual reference quantity of milk which shall be treated as available to a claimant in relation to his land in England shall be calculated as follows:

$$\text{IRQ} = \text{TIRQ} \times X \div Y$$

where— “X” is the claimed forage area in hectares of that part of the holding which is situate in England;

“Y” is the total claimed forage area in hectares of that holding;

“TIRQ” is the total individual reference quantity of milk available to the claimant in respect of that holding; and

“IRQ” is the individual reference quantity of milk which is treated as available in respect of that part of the holding which is situate in England.

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Changes and effects yet to be applied to :

- Regulations transfer of functions by [S.S.I. 2013/150 art. 26\(2\)](#) (2011 asp 1, s. 7 brought into force on 24.6.2013 by S.S.I. 2013/195, arts. 2, 3)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Regulations revoked by [S.I. 2012/114 reg. 9](#)
- reg. 6(2)(b)(c) substituted by [S.S.I. 2013/150 art. 26\(3\)](#) (2011 asp 1, s. 7 brought into force on 24.6.2013 by S.S.I. 2013/195, arts. 2, 3)