
STATUTORY INSTRUMENTS

2014 No. 112

The Uplands Transitional Payment Regulations 2014

Interpretation

2. In these Regulations—

“breeding cow” means a suckler cow or a heifer;

“claim” means a claim for uplands transitional payment made in a single payment scheme application;

“claimed forage area” means land included as forage land in a single payment scheme application or related less favoured area allowance application;

“common land” means land registered as common land with grazing rights under the Commons Registration Act 1965⁽¹⁾ or the Commons Act 2006⁽²⁾;

“Council Regulation 1257/1999” means Council Regulation [\(EC\) No 1257/1999](#) on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations⁽³⁾;

“Council Regulation 1698/2005” means Council Regulation [\(EC\) No 1698/2005](#) on support for rural development by the European Agricultural Fund for Rural Development (EAFRD)⁽⁴⁾;

“Council Regulation 73/2009” means Council Regulation [\(EC\) No 73/2009](#) establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations [\(EC\) No 1290/2005](#), [\(EC\) No 247/2006](#), [\(EC\) No 378/2007](#) and repealing Regulation [\(EC\) No 1782/2003](#)⁽⁵⁾;

“CSS Agreement” means an agreement made under regulation 3(1) of the Countryside Stewardship Regulations 2000⁽⁶⁾;

“eligible forage area” means such part of the qualifying forage area that is severely disadvantaged land;

“the England LFA maps” means the four volumes of maps numbered 1 to 4, each volume being marked “Less Favoured Area Map of England 2009”, dated 29th January 2010, signed on behalf of the Secretary of State for Environment, Food and Rural Affairs and deposited at the Intelligence Hub at the offices of the Department for Environment, Food and Rural Affairs at Nobel House, 17 Smith Square, London, SW1P 3JR;

“ESA Agreement” means an agreement made under section 18(3) of the Agriculture Act 1986⁽⁷⁾;

(1) 1965 c. 64.

(2) 2006 c. 26.

(3) OJ No L 160, 26.6.1999, p80, last amended by Council Regulation [\(EC\) No 1698/2005](#).

(4) OJ No L 277, 21.10.2005, p1, repealed by Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 (OJ No L 347, 20.12.2013, p487), but with a provision that it shall continue to apply to operations implemented pursuant to programmes approved by the Commission under that Regulation before 1st January 2014.

(5) OJ No L 30, 31.1.2009, p16, last amended by Regulation (EU) No 1310/2013 of the European Parliament and of the Council of 17 December 2013 (OJ No L 347, 20.12.2013, p865).

(6) S.I. 2000/3048, as last amended by S.I. 2006/991.

(7) 1986 c. 49.

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“ewe” means a female sheep which was at least one year old on 1st January 2014, or had lambed by that date;

“heifer” means a female bovine animal aged 8 months or over which has not yet calved;

“holding” has the same meaning as in Article 2(b) of Council Regulation 73/2009;

“individual quota” has the same meaning as in Article 65(i) of Council Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)(8);

“less favoured area” means any area of land shown coloured blue or pink on the England LFA maps;

“moorland” means all the land shown coloured brown in the three volumes of maps entitled “Moorland Map of England 2009”, each volume being marked with the number of the volume, dated 29th January 2010, signed on behalf of the Secretary of State for Environment, Food and Rural Affairs and deposited at the Intelligence Hub at the offices of the Department for Environment, Food and Rural Affairs at Nobel House, 17 Smith Square, London, SW1P 3JR;

“qualifying forage area” means the claimed forage area or, where deductions are made under Schedule 2 (availability of individual quotas: deductions from claimed forage area), such part of that area as remains following those deductions;

“related less favoured area allowance” means a compensatory allowance payable in relation to land situated in Northern Ireland, Scotland or Wales in accordance with Article 36(a)(i) or (ii) of Council Regulation 1698/2005 or Chapter V of Title II of Council Regulation 1257/1999;

“relevant animal” means, in relation to a claimant, a breeding cow or ewe determined as a relevant animal in accordance with Schedule 1 (relevant animals);

“Rural Development Programme for England 2007-2013” means the programme for England approved by the European Commission on 7th December 2007 under Article 18(4) of Council Regulation 1698/2005;

“severely disadvantaged land” means any area of land shown coloured pink on the England LFA maps;

“single payment scheme” means the support scheme established under Title III of Council Regulation 73/2009;

“single payment scheme application” means an application to the single payment scheme submitted in 2013 in accordance with Article 19 of Council Regulation 73/2009 and Title II of Part II of Commission Regulation (EC) No 1122/2009 laying down detailed rules for the implementation of Council Regulation 73/2009 as regards cross-compliance, modulation and the integrated administration and control system under the direct support schemes for farmers provided for in that Regulation, as well as for the implementation of Council Regulation (EC) No 1234/2007 as regards cross-compliance under the support scheme provided for the wine sector(9);

“suckler cow” has the same meaning as in Article 109(d) of Council Regulation 73/2009;

“Uplands Entry Level Stewardship agreement” means an Uplands Entry Level Stewardship agreement made under the Rural Development Programme for England 2007-2013;

“uplands transitional payment” means the compensatory allowance payable in accordance with these Regulations, Article 36(a)(ii) of Council Regulation 1698/2005 and Chapter V of Title II of Council Regulation 1257/1999.

(8) OJ No L 299, 16.11.2007, p1, repealed by Regulation (EU) 1308/2013 of the European Parliament and of the Council of 17 December 2013 (OJ No L 347, 20.12.2013, p671), but with a provision that it shall continue to apply to the part of that Regulation concerning the system of milk production limitation until 31 March 2015.

(9) OJ No L 316, 2.12.2009, p65, last amended by Commission Regulation (EU) No 426/2013 (OJ No L 127, 9.5.2013, p17).

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Changes and effects yet to be applied to :

- Regulations revoked by [2023 c. 28 Sch. 1 Pt. 1](#)