1962. No. 86 **[C]**

AGRICULTURE

Cattle—Breeding Herds

SCHEME, DATED 24TH APRIL, 1962, MADE BY THE MINISTER OF AGRICULTURE UNDER SECTION 1 OF THE AGRICULTURE (TEMPORARY ASSISTANCE) ACT (NORTHERN IRELAND), 1954(a), AS AMENDED BY THE AGRICULTURE (TEMPORARY ASSISTANCE) (AMENDMENT) ACT (NORTHERN IRELAND), 1957(b).

The Minister of Agriculture, with the approval of the Minister of Finance and in exercise of the powers conferred on him by the Agriculture (Temporary Assistance) Acts (Northern Ireland), 1954 and 1957, and of all other powers him thereunto enabling, hereby makes the following Scheme:

Short title and commencement

1. This Scheme may be cited as the Cattle (Breeding Herds) Scheme (Northern Ireland), 1962, and shall come into operation on the 1st day of May, 1962.

Definitions

2. In this Scheme—

"the Acts" means the Agriculture (Temporary Assistance) Acts (Northern Ireland), 1954 and 1957;

"breeding cow" means a female bovine animal which has borne a calf;

"in-calf heifer" means a female bovine animal which was with calf for the first time on 1st December next preceding the qualifying day and which calves before the qualifying day;

"the Ministry" means the Ministry of Agriculture;

"occupier" means a person who is in occupation of land under an estate or interest for a period of not less than twelve months, and who is responsible for its management;

"premises" includes land;

"qualifying day" means 1st June in the subsidy year;

"subsidy year" means the calendar year in respect of which the subsidy payment is to be made.

Object of Scheme

3. With the object of encouraging farmers to maintain herds of breeding cows for the purpose of breeding store cattle and to rear the calves produced by such cows, the Ministry may make subsidy payments as provided for in this Scheme.

Subsidy Payments

4.—(1) Subject to the provisions of this Scheme the Ministry may in respect of the year 1962 and each of the two next succeeding years, make subsidy payments in respect of cattle grazed in Northern Ireland (being cattle of a description

(a) 1954. c. 31. (b) 1957. c. 3.

to which this Scheme applies) to the person who, at the beginning of the qualifying day, was the owner of the cattle and was the occupier of the land used for their maintenance.

(2) The amount which may be paid by way of subsidy payment under this Scheme in respect of any animal to which the Scheme applies shall be:

(*a*) in the year 1962 £9 or such higher amount as the Ministry, with the approval of the Ministry of Finance, may determine;

(*b*) in each of the years 1963 and 1964 such amount as the Minister, with the approval of the Minister of Finance, may by Order prescribe.

5.—(1) Subject to the provisions of the next succeeding sub-paragraph this Scheme shall apply to breeding cows and in-calf heifers of such type and quality as may be approved by the Ministry forming part of a regular breeding herd, that is to say, a herd of breeding cows and in-calf heifers maintained throughout their normal breeding life for the purpose of breeding store cattle.

(2) This Scheme shall not apply to

(*a*) cows and in-calf heifers owned by persons who, at any time during the subsidy year hold a licence in respect of any herd and premises to produce and sell milk issued under section one of the Milk Act (Northern Ireland), 1950(**a**), unless such persons sell no milk during the said year; or

(*b*) cows and in-calf heifers kept at any time during the subsidy year on premises in respect of which any person holds a licence to produce and sell milk issued under section one of the Milk Act (Northern Ireland), 1950, unless such person sells no milk during the said year; or

(*c*) cows which during the subsidy year are eligible for subsidy payments under the Hill Cattle (Breeding Herds) (Northern Ireland) Scheme, 1953(**b**).

Number of Cattle qualifying for Subsidy Payments

6. The number of cattle in respect of which subsidy payments may be made to a person shall be—

(*a*) the number of breeding cows and in-calf heifers in his breeding herd on the 1st December next preceding the qualifying day; or

(*b*) the number of breeding cows in his breeding herd on the qualifying day,

whichever of these numbers is the less:

Provided that if the number of cattle in respect of which an application is made is greater than the total number which, in the opinion of the Ministry, is capable of being properly grazed and maintained on the land on which they are grazed in accordance with good farming practice, the subsidy payments shall be restricted to such number as may be determined by the Ministry.

New entrants

7. The Ministry may make subsidy payments to a person who has established a herd of breeding cows or in-calf heifers after the 1st December next preceding the qualifying day and before the qualifying day if it is satisfied that the herd is otherwise eligible. In such cases the number of cattle in respect of which subsidy payments may be made to a person shall be—

(**a**) 1950. c. 31.

(**b**) S.I. 1953/1180.

(*a*) the number of breeding cows in his breeding herd on the qualifying day; or

(*b*) the number of breeding cows in his breeding herd on the 30th November next following the qualifying day,

whichever of these numbers is the less.

Management

8. It shall be a condition of the making of subsidy payments under this Scheme that, subject to the provisions of this Scheme, cattle to the number in respect of which subsidy payments may be made have been maintained throughout the subsidy year on land used for their maintenance and other activities carried on in connection therewith.

Application for Subsidy Payment

9. It shall be a condition of the making of a subsidy payment under this Scheme that any person who desires to be paid in accordance with the provisions of this Scheme:

(*a*) shall apply in writing on such form and at such time as the Ministry may require;

(*b*) shall to the best of his ability facilitate any counting or inspection of the cattle, which the Ministry may consider necessary, and shall, if so requested, gather them at some convenient place for the purpose.

Entry and Inspection

10. A duly authorised officer of the Ministry shall be entitled to enter upon any land occupied by an applicant under this Scheme.

Recovery of Monies

11. If the Ministry, after having made a payment under this Scheme, finds that such payment ought not to have been made in whole or in part or that the payment was in excess of the amount properly payable it may recover from the person to whom such payment has been made the whole or any part of the sum already paid, or may withhold or cause to be withheld any subsequent payment which might otherwise be made by the Ministry to that person under this or any other Scheme. The Ministry may also recover from an applicant under this Scheme by way of deduction from a payment which might otherwise be made to him under this Scheme, any monies due by that person to the Ministry or to any other Government Department.

12.—(1) There shall be no contract or obligation on the part of the Ministry to make any payment under this Scheme and all such payments shall be at the Ministry's absolute discretion.

(2) An application for subsidy under this Scheme shall imply acceptance of the conditions of this Scheme.

H. W. West,
Minister of Agriculture.

I approve the foregoing Scheme.

Terence O'Neill,
Minister of Finance.