STATUTORY INSTRUMENTS

1983 No. 1439

AGRICULTURE

HILL LANDS

The Heather and Grass Burning (England and Wales) (Amendment) Regulations 1983

Made - - - -	29*th September* 1983
Laid before Parliament	30*th September* 1983
Coming into Operation	1*st October* 1983

The Minister of Agriculture, Fisheries and Food as respects England, and the Secretary of State as respects Wales, in exercise of the powers conferred by section 20(1) of the Hill Farming Act 1946(a) and now vested in them(b) and of all other powers enabling them in that behalf, hereby make the following regulations:—

1. These regulations may be cited as the Heather and Grass Burning (England and Wales) (Amendment) Regulations 1983 and shall come into operation on 1st October 1983.

2. The Heather and Grass Burning (England and Wales) Regulations 1983(c) shall be amended in accordance with the following provisions of these regulations.

3. In regulation 2 (Interpretation) there shall be inserted immediately after the definition of "the Minister" the following definition:—

" "upland area" means—

(*a*) in relation to England, any area shaded pink on one of the 4 maps numbered 1–4, each such map being marked "map of upland areas for the purposes of the Heather and Grass Burning (England and Wales) Regulations 1983" and with the number of the map, signed and sealed by the Minister and deposited at the office of the Minister at Great Westminster House, Horseferry Road, London SW1;

(*b*) in relation to Wales, any area shaded pink on the map marked "map of upland areas for the purposes of the Heather and Grass Burning (England and Wales) Regulations 1983" signed by authority of the Secretary of State and deposited at the office of the Secretary of State at Plas Crug, Aberystwyth."

(a) 1946 c. 73.
(b) In the case of the Secretary of State, by virtue of S.I. 1978/272.
(c) S.I. 1983/425.

4. For regulation 6 (Prohibition on heather and grass burning during certain periods of the year except under and in accordance with the conditions of a licence) there shall be substituted the following regulation:

"6. Without prejudice to regulation 5 of these regulations no person shall, except in accordance with the conditions of a licence issued by the Minister under regulation 7 of these regulations, burn heather or grass during the following periods of any year, that is to say—

(*a*) between 15th April and 1st October; and additionally

(*b*) on land which is not within an upland area, between 31st March and 16th April or between 30th September and 1st November."

5. The Schedule to the Heather and Grass Burning (England and Wales) Regulations 1983(**a**) is hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 29th September 1983.

(L.S.)

Michael Jopling,
Minister of Agriculture, Fisheries and Food.

Signed by authority of the Secretary of State.

John Stradling Thomas,
Minister of State, Welsh Office.

27th September 1983.

(**a**) S.I. 1983/425.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the Heather and Grass Burning (England and Wales) Regulations 1983, replacing the list of upland parishes set out in the Schedule to those regulations with a reference to upland areas as marked on five maps. In any area shaded pink on any of the maps, the burning of heather or grass without a licence is prohibited only between 15th April and 1st October in any year; outside of those areas (which correspond to the "less-favoured areas" of the European Community in England and Wales as they exist at the date of making of these regulations) burning without a licence is prohibited between 31st March and 1st November. The maps are available for public inspection during normal office hours at the office of the Ministry of Agriculture, Fisheries and Food, at Great Westminster House, Horseferry Road, London SW1, and the Welsh Office Agriculture Department, Plas Crug, Aberystwyth. Copies of these maps may be inspected during normal office hours at any Regional or Divisional Office of the Ministry of Agriculture, Fisheries and Food, or of the Welsh Office.

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