1955 No. 680

The Hill Sheep (Northern Ireland) Scheme, 1955

Made - - - -	*3rd May*, 1955
Laid before Parliament	*6th May*, 1955
Coming into Operation	*7th May*, 1955

The Minister of Agriculture, Fisheries and Food in pursuance of Sections 13 and 17 of the Hill Farming Act, 1946(a) as amended by Section 6 of the Livestock Rearing Act, 1951(b), and of all other powers enabling him in that behalf, with the approval of the Treasury, hereby makes the following Scheme:—

Citation, Application and Commencement

1. This Scheme which may be cited as the Hill Sheep (Northern Ireland) Scheme, 1955, and applies to Northern Ireland, shall come into operation on the seventh day of May, 1955.

Interpretation

2.—(1) The Interpretation Act, 1889(c) shall apply to the interpretation of this Scheme as it applies to the interpretation of an Act of Parliament.

(2) In this Scheme, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"the Act" means the Hill Farming Act, 1946, as amended by the Livestock Rearing Act, 1951, or any other enactment;

"Hill land" means mountain, hill and heath land which is suitable for use for the maintenance of sheep of a hardy kind but not of sheep of other kinds;

"the Minister" means the Minister of Agriculture, Fisheries and Food;

"the Ministry" means the Ministry of Agriculture, Northern Ireland;

"relevant day" means in relation to the year 1955, the 1st day of January, and in relation to the year 1956, the 2nd day of January;

"Shearling ewe" means a ewe whose age on the relevant day to which an application for subsidy payment relates, exceeds one year, but does not exceed two years;

"subsidy payment" means any payment falling to be made in respect of any ewe or shearling ewe in accordance with the provisions of this Scheme.

Subsidy Payments

3. Subject to the provisions of this Scheme, the Minister may make a subsidy payment in respect of any shearling ewe or older ewe comprised on a relevant day in a flock of sheep kept on hill land, being sheep of a description and flock to which the Scheme applies, to the person who, at the beginning of the relevant day, was maintaining that flock.

Amount of Subsidy Payment

4. A subsidy payment under this Scheme shall be of such amount as may be prescribed by an Order made by the Minister in accordance with the provisions of subsection (3) of Section 14 of the Act.

(a) 9 & 10 Geo. 6. c. 73. (b) 14 & 15 Geo. 6. c. 18. (c) 52 & 53 Vict. c. 63.

Person maintaining Flock

5. For the purposes of this Scheme the person maintaining a flock of sheep shall be the person who owns the flock and is responsible for its maintenance.

Sheep Eligible

6. This Scheme shall apply to (*a*) shearling and older ewes of the Blackface and Cheviot Breeds and of such other breeds of hardy mountain type as the Ministry may approve, (*b*) any crossbred shearling or older ewe the progeny of any of these breeds, and (*c*) shearling and older ewes referred to at (*a*) and (*b*) of this paragraph mated with a ram of the Border Leicester Breed.

Flocks Eligible

7.—(1) This Scheme shall apply to regular breeding flocks of shearling and older ewes kept on hill land in Northern Ireland and managed in accordance with the requirements of paragraph 8 hereof, which are flocks of either of the following descriptions:—

Standard Rate Flocks—that is to say, breeding flocks of shearling and older ewes referred to in (*a*) and (*b*) of paragraph 6 which are kept (*a*) in regular ages so that there are at least three successive age groups, the youngest age group consisting of shearling ewes, and the two succeeding age groups consisting of ewes born respectively in the two lambing seasons preceding that in which the shearling ewes were born, and (*b*) so that a sufficient number of ewe lambs of eligible breeds are bred, reared and retained in the flock annually to maintain the number of breeding sheep in the flock without the introduction of ewes or ewe lambs from outside the flock—

Provided that if, in the opinion of the Ministry, any of the conditions set out above has not been fulfilled because of the small size of a flock, its recent formation, unavoidable and abnormal losses, or other exceptional circumstances, the flock may be treated as a Standard Rate Flock.

Reduced Rate Flocks—that is to say, flocks of an eligible breed referred to in paragraph 6 not being standard rate flocks, which otherwise satisfy the conditions of this Scheme, including flocks containing sheep to which this Scheme applies in which a substantial number of the shearling and older ewes are mated with rams of the Border Leicester Breed for the production of cross-bred ewes or lambs for sale and in which the breeding flock of eligible ewes is maintained in whole or in part by the purchase of ewes, shearling ewes or ewe lambs.

(2) The minimum number of eligible breeding shearling and older ewes required to constitute a flock shall be four.

Management

8. For the purpose of this Scheme the sheep must be kept and must rear their lambs under natural conditions on hill land, in accordance with the recognised practices of hill sheep farming—Provided that if the Ministry is satisfied that occasional supplementary feeding during severe weather in winter or during lambing was necessary for the proper maintenance of the flock, such supplementary feeding shall not be regarded as making the flock ineligible.

Flying Flocks

9. No shearling or older ewe comprised in a flock in which a substantial proportion of the shearling and older ewes are kept for less than two breeding seasons shall be eligible for a subsidy payment.

Eligibility for Subsidy in respect of both Standard and Reduced Rate Flocks

10. Subsidy payments shall not be paid in respect of sheep in a standard rate flock as well as in respect of sheep in a reduced rate flock unless shearling and older ewes running with a ram of the Blackface, Cheviot or other approved breed are kept separate from shearling and older ewes running with a Border Leicester ram.

Reduction in number of Sheep eligible for Subsidy Payments on Dispersal of Flock

11. If at any time between the relevant day in any year and the 1st June next following the person who maintains a flock of sheep to which the Scheme applies, sells or otherwise disperses his flock, and in the opinion of the Ministry the number of shearling and older ewes eligible for subsidy payments exceeds the number which would have been eligible if the flock had not been dispersed, the Ministry may reduce the number of shearling and older ewes in respect of which subsidy payments may be made to the number which would have been eligible if the flock had not been dispersed.

Improved Land

12. If land has been improved to an extent which renders it suitable for use for the maintenance of sheep of breeds other than those specified in paragraph 6, such land may be regarded as hill land for the purposes of the Scheme if the Ministry is satisfied that the land in its original and unimproved state was suitable only for the maintenance of hardy sheep of the breeds referred to in (*a*) and (*b*) of paragraph 6.

Overstocking of hill land

13. Payment of subsidy shall not be made under this Scheme for any shearling and older ewes in excess of the number which, in the opinion of the Ministry, could properly be maintained on the area of hill land which an applicant for subsidy payments is entitled to use for the maintenance of sheep.

14. Every person who makes application for hill sheep subsidy may be required to satisfy the Ministry that he is entitled to use the hill grazings on which his sheep were kept.

Computation of Numbers of Sheep

15. In any case where it appears to the Ministry to be advisable for the better computation of the number of shearling and older ewes in respect of which subsidy payments may be made, the Ministry may require an applicant for subsidy payments to gather the sheep in respect of which he has applied and to permit them to be inspected and counted by an authorised officer of the Ministry, and the number of eligible shearling and older ewes in respect of which subsidy may be paid shall be determined as the result of such count.

Application for Subsidy Payment

16. 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 shall apply in writing in such form and at such time as the Ministry may from time to time require.

Inspection of Flocks for which Subsidy Payment is claimed

17. No subsidy payment shall be made under the terms of this Scheme until the flock of sheep for which application for payment is made has been inspected by an authorised officer of the Ministry.

Prohibition of Assignment of Subsidy Payments

18. Any reference in this Scheme to the person who was maintaining a flock of sheep at the beginning of a relevant day shall be construed as including a reference to the person who, if any subsidy payment which might lawfully be made under this Scheme in respect of shearling and older ewes comprised in the flock were a debt which had at the beginning of that day accrued due to the person maintaining the flock, would have been entitled to claim subsidy payment otherwise than by virtue of an assignment.

Revocation

19. The Hill Sheep (Northern Ireland) Scheme, 1947(**a**), the Hill Sheep (Northern Ireland) Emergency Payments Scheme, 1948(**b**), and the Hill Sheep (Northern Ireland) Extension Scheme, 1951(**c**), are hereby revoked, save that the aforesaid schemes shall continue to have effect in respect of any application for subsidy payments to be made thereunder which is outstanding immediately before the coming into operation of this Scheme.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food, is hereunto affixed this second day of May, nineteen hundred and fifty-five.

(L.S.) *D. Heathcoat Amory,*
Minister of Agriculture, Fisheries and Food.

We approve this third day of May, nineteen hundred and fifty-five.

Hendrie D. Oakshott,
Martin Redmayne,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Scheme, but is intended to indicate its general purport.)

The Hill Farming Act, 1946, as extended by the Livestock Rearing Act, 1951, provides that schemes may be made for subsidy payments in respect of hill sheep. This Scheme consolidates with minor amendments the Hill Sheep (Northern Ireland) Scheme, 1947, as varied by the Hill Sheep (Northern Ireland) Emergency Payments Scheme, 1948, and the Hill Sheep (Northern Ireland) Extension Scheme, 1951. It is made by the Minister of Agriculture, Fisheries and Food with the approval of the Treasury and makes provision for subsidy payments in respect of flocks of ewes of mountain breeds kept on hill land in Northern Ireland in accordance with the recognised practices of hill sheep farming. It defines "hill land" and the description of sheep and flocks to which the Scheme applies. The Scheme also sets out the conditions under which the sheep must be kept and contains consequential provisions against overstocking, and provides for the making of applications for subsidy payments, the counting of the number of sheep qualifying for

(a) S.R. & O. 1947/837 (Rev. I, p. 668: 1947 I, p. 54).
(b) S.I. 1948/730 (Rev. I, p. 673: 1948 I, p. 115).
(c) S.I. 1951/2132 (1951 I, p. 54).

subsidy payments, and other matters. The Scheme does not fix the amount to be paid by way of subsidy payment which the Hill Farming Act, 1946, requires the Minister to prescribe in a separate Order; the amount for 1955 is fixed by the Hill Sheep Subsidy Payment (Northern Ireland) Order, 1955.

1955 No. 686 (S. 84)

The Hill Sheep (Scotland) No. 2 (Amendment) Scheme, 1955

Made - - - -	*3rd May*, 1955
Laid before Parliament	*6th May*, 1955
Coming into Operation	*7th May*, 1955

In exercise of the powers conferred upon me by sections 13 and 17 of the Hill Farming Act, 1946(**a**), and section 6 of the Livestock Rearing Act, 1951(**b**) and of all other powers enabling me in that behalf and with the approval of the Treasury, I hereby make the following Scheme:—

1. This Scheme may be cited as the Hill Sheep (Scotland) No. 2 (Amendment) Scheme, 1955 and shall come into operation on the 7th day of May, 1955.

2. The Hill Sheep (Scotland) No. 2 Scheme(**c**) (hereinafter referred to as the principal Scheme) as amended by the Hill Sheep (Scotland) No. 2 (Extension) Scheme, 1951(**d**), is hereby varied by—

(*a*) substituting for the meaning assigned to "relevant day" in paragraph (2) of Article 2 of the principal Scheme, as amended as aforesaid, the following:—

> "relevant day" means in relation to the years 1946, 1947, 1948, 1950, 1951, 1952 and 1953 the 4th day of December and in relation to the years 1949, 1954 and 1955 the 3rd day of December,

and

(*b*) inserting after the words "not later than" where they first occur in paragraph (*a*) of Article 13 of the principal Scheme the words "the thirty-first day of May next following the relevant day in the year 1954 and not later than" and adding at the end of the first sentence in said paragraph (*a*) of said Article 13 the words "in any other year".

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

3rd May, 1955.

We approve,

Edward Heath,
R. H. M. Thompson,
Two of the Lords Commissioners of Her Majesty's Treasury.

3rd May, 1955.

(a) 9 & 10 Geo. 6. c. 73. (b) 14 & 15 Geo. 6. c. 18.
(c) S.R. & O. 1947/2905 (Rev. I, p. 660: 1947 I, p. 46).
(d) S.I. 1951/1764 (1951 I, p. 53).