## (3) HILL SHEEP SCHEMES

# The Hill Sheep (Northern Ireland) Emergency Payments Scheme, 1948

## 1948 No. 730

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| *Made* - - - - | *7th April*, 1948 |
| *Laid before Parliament* | *13th April*, 1948 |
| *Coming into Operation* | *19th April*, 1948 |

The Minister of Agriculture and Fisheries in exercise of the powers conferred on him by Section 13 of the Hill Farming Act, 1946(a), Sections 2 and 3 of the Agriculture (Emergency Payments) Act, 1947(b), and of all other powers enabling him in that behalf and with the approval of the Treasury, hereby makes the following Scheme:—

**1.** This Scheme may be cited as the Hill Sheep (Northern Ireland) Emergency Payments Scheme, 1948, and applies to Northern Ireland.

**2.** This Scheme shall come into operation on the 19th day of April, 1948.

**3.** The Hill Sheep (Northern Ireland) Scheme, 1947(c), is hereby varied as follows:—

(1) By the addition thereto of the two following paragraphs:—

*Reckoning of subsidy payments by reference to circumstances on 1st January, 1947*

22.—(1) Where sheep of a description and flock to which this Scheme applies were being kept on a hill farm as defined in Section 2, subsection (4), of the Agriculture (Emergency Payments) Act, 1947(b), on the first day of January, 1947, and it is shown to the satisfaction of the Minister that by reason of the losses of shearling or older ewes in that flock suffered on account of weather conditions between the first day of January and the first day of June, 1947, it is equitable that the provisions of this paragraph should apply, subsidy payments falling to be made under this Scheme in respect of shearling and older ewes kept on any subsequent relevant day in 1948, 1949 or 1950 on that farm or on any hill land treated by the Minister as a hill farm in accordance with subsection (5) of the aforesaid Section 2 shall, if the person maintaining a flock at the beginning of that relevant day on the farm or land so elects, be calculated as if the flock there maintained on that relevant day were a flock of the like description, kept and managed in the like manner, and comprising the like number and description of shearling and older ewes as on the first day of January, 1947:

Provided that

(*a*) where between the first day of January, 1947, and the subsequent relevant day changes have been made in the system of management of the flock maintained on the hill farm or on the hill land treated as a hill farm, and the changes were of such a nature as to reduce the amounts of subsidy payments which would otherwise have been payable by virtue of this paragraph, then, in so far as it appears to the Minister that the changes are not justifiable by circumstances occurring since the first day of January, 1947, a corresponding reduction may be made in the subsidy payments payable in accordance with the provisions of this paragraph;

(a) 9 & 10 Geo. 6. c. 73. (b) 10 & 11 Geo. 6. c. 32.
(c) S.R. & O. 1947 (No. 837) I, p. 54.

(*b*) where in accordance with Section 2, subsection (5) of the Agriculture (Emergency Payments) Act, 1947, the Minister treats any hill land as a hill farm, subsidy payments shall be calculated in accordance with any direction as to the number and description of shearling and older ewes which the Minister may give by virtue of the subsection.

(2) Where subsidy payments were made in respect of shearling or older ewes maintained on a hill farm on the first day of January, 1947, the Minister may at his discretion and on being requested by the applicant so to do calculate subsidy payments in respect of shearling or older ewes maintained on that hill farm, or on hill land treated as a hill farm, on the first day of January, 1951, on the same basis as is provided in the preceding sub-paragraph.

*Advances on subsidy payments payable in* 1948 *and* 1949

23. The Minister may in the case of subsidy payments relating to the relevant days in the years 1948 and 1949, which are to be calculated in accordance with the provisions of paragraph 22 of this Scheme, make advances in respect of such payments subject to the following provisions of this paragraph, that is to say—

(*a*) application for advances shall be made in such form as the Minister may require and in respect of subsidy payments relating to the first day of January, 1949, shall be made not later than the thirty-first day of July, 1948;

(*b*) advances may be made to any person who is for the purposes of this Scheme a person maintaining a flock of sheep at the time of his application, being a flock containing shearling or older ewes in respect of which in the opinion of the Minister the provisions of paragraph 22 of this Scheme may apply, and who gives to the Minister an assurance that he intends until the relevant day to which the subsidy payments relate to continue in occupation of the hill farm or of the hill land treated as a hill farm on which the flock is maintained;

(*c*) where the rate of loss in any flock by weather conditions between the first day of January and the first day of June, 1947, of shearling and older ewes qualifying for subsidy payments on the first day of January, 1947, amounted to a rate set out in column I hereof, an advance may be made in respect of any such shearling or older ewe of the appropriate amount, according to the description of flock, set out opposite that rate in column II or column III, as the case may be;

| I | II | | III | |
|---|---|---|---|---|
| | Appropriate amount of advance in the case of subsidy payments relating to | | | |
| Rate of loss of shearling and older ewes in any flock | 1st January, 1948 in respect of a shearling or older ewe comprised on 1st January, 1947 in a | | 1st January, 1949 in respect of a shearling or older ewe comprised on 1st January, 1947 in a | |
| | Standard Rate Flock | Reduced Rate Flock | Standard Rate Flock | Reduced Rate Flock |
| 60% or over ... ... ... ... | 10/– | 5/– | 7/6d. | 3/9d. |
| Not less than 45% but less than 60% | 7/6d. | 3/9d. | 5/6d. | 2/9d. |
| Not less than 30% but less than 45% | 5/– | 2/6d. | 3/6d. | 1/9d. |
| Not less than 15% but less than 30% | 2/6d. | 1/3d. | 1/6d. | 9d. |

Provided that

(i) where the number of such shearling and older ewes comprised in a standard rate or reduced rate flock on a hill farm on 1st January, 1947, did not exceed one hundred, the Minister may increase the amount of the advance to any amount not exceeding the amount appropriate at the date to which the subsidy payments relate to a rate of loss of 60 per cent. or over in such flock;

(ii) where the number of such shearling and older ewes kept on a hill farm on 1st January, 1947, exceeded one hundred, but did not exceed one hundred and fifty the Minister may increase the amount of the advance to the appropriate amount otherwise applicable to the next highest rate of loss;

(iii) where in accordance with the provisions of proviso (*b*) to paragraph 22 (1) hereof, subsidy payments are to be calculated in accordance with the directions of the Minister as to the number and description of shearling and older ewes, such direction shall also apply to the calculation of any advance to be made under this paragraph;

(*d*) Any advance made by virtue of this paragraph shall be treated as a satisfaction *pro tanto* of the subsidy payment in question notwithstanding that the person receiving the advance and the person receiving the balance of the payment are not the same.

(2) By the deletion in paragraph 19 of the words " on a form issued by the Ministry, as set out in the Schedule hereto, or to the like effect ", and the substitution therefor of the words " on such form as the Ministry may supply ".

(3) By the revocation of the Schedule.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this 7th day of April, 1948.

(L.S.) *T. Williams.*

We approve,

*Wm. Hannan,*
*J. W. Snow,*
Two of the Lords Commissioners of His Majesty's Treasury.

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## EXPLANATORY NOTE

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

The Agriculture (Emergency Payments) Act, 1947, enables a hill sheep scheme made under the Hill Farming Act, 1946, to provide that subsidy payments instead of being made by reference to the number of sheep maintained on a hill farm on the relevant days in the years 1948 to 1951, when numbers will often be seriously affected by losses due to bad weather in 1947, may be made by reference to the numbers maintained on 1st January, 1947. It also enables a scheme to provide for advances to be made out of subsidy payments payable in 1948 and 1949. This scheme varies the Hill Sheep (Northern Ireland) Scheme, 1947, by making provision that subsidy payments

may be calculated accordingly, and it also provides that advances may be made out of subsidy payments payable in 1948 and 1949, and sets out the amounts which may be advanced, and the conditions under which advances may be made.

## The Hill Sheep Scheme Subsidy Payment (Northern Ireland) Order, 1948

### 1948 No. 731

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|---|---|
| *Made* - - - - | *7th April*, 1948 |
| *Laid before Parliament* | *13th April*, 1948 |
| *Coming into Operation* | *19th April*, 1948 |

In pursuance of Section 14 (3) of the Hill Farming Act, 1946(a), the Minister of Agriculture and Fisheries with the approval of the Treasury hereby makes the following Order:—

**1.** Subject to the provisions of the Hill Sheep (Northern Ireland) Scheme, 1947(b), as varied by the Hill Sheep (Northern Ireland) Emergency Payments Scheme, 1948(c), the amount which may be paid by way of subsidy payment under the Scheme in respect of any shearling or older ewe in relation to the first day of January in the year 1948 shall be, if the shearling or older ewe is comprised in a standard rate flock, sixteen shillings, or if the shearling or older ewe is comprised in a reduced rate flock, eight shillings.

**2.** The Interpretation Act, 1889(d), as applied to Northern Ireland by the Interpretation Act, 1921(e), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

**3.** This Order may be cited as the Hill Sheep Scheme Subsidy Payment (Northern Ireland) Order, 1948, and shall come into operation on the 19th day of April, 1948.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this 7th day of April, 1948.

(L.S.) *T. Williams.*

We approve

*Wm. Hannan,*
*J. W. Snow,*
Two of the Lords Commissioners of His Majesty's Treasury.

### EXPLANATORY NOTE

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

The Hill Sheep (Northern Ireland) Scheme, 1947, as varied by the Hill Sheep (Northern Ireland) Emergency Payments Scheme, 1948, made under the Hill Farming Act, 1946, sets out the conditions on which subsidy payment may be made to persons maintaining sheep of a hardy kind on hill farming land. This Order prescribes the amounts of such payments for the season 1947-48. The payments vary according to the method by which the number of sheep in a flock is maintained.

(a) 9 & 10 Geo. 6. c. 73. (b) S.R. & O. 1947 (No. 837) I, p. 54.
(c) S.I. 1948 No. 730, p. 115 above. (d) 52 & 53 Vict. c. 63.
(e) 12 Geo. 5. c. 4. (N.I.).