STATUTORY INSTRUMENTS

1980 No. 1578

AGRICULTURE

The Sheep Variable Premium (Recovery Powers) Regulations 1980

Made - - - -	20*th October* 1980
Laid before Parliament	20*th October* 1980
Coming into Operation	21*st October* 1980

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated **(a)** for the purposes of section 2(2) of the European Communities Act 1972 **(b)** in relation to the common agricultural policy of the European Economic Community, acting jointly in exercise of the powers conferred upon them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Sheep Variable Premium (Recovery Powers) Regulations 1980 and shall come into operation on 21st October 1980.

(2) In these regulations—

"animal" means an animal of the ovine species;
"the Board" means the Intervention Board for Agricultural Produce;
"contravention" includes failure to comply;
"premium payment" has the same meaning as in the Protection Order;
"the Protection Order" means the Sheep Variable Premium (Protection of Payments) Order 1980**(c)**.

Recovery of premium payments

2. Where a person, in contravention of Article 7 of the Protection Order, permits an animal in respect of which a premium payment has been made to be used for breeding, he shall be liable to pay the Board on demand an amount equal to the premium payment, and in the event of any default in any payment it shall be recoverable by the Board as a civil debt.

Evidence

3. For the purpose of any proceedings under these regulations, an animal which is proved to have been marked as prescribed for any animal in Schedule 1 to the Protection Order shall be deemed to be an animal in respect of which a premium payment has been made unless the contrary is proved.

(a) S.I. 1972/1811. (b) 1972 c. 68. (c) S.I. 1980/1563

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 20th October 1980.

(L.S.)

Peter Walker,
Minister of Agriculture,
Fisheries and Food.

20th October 1980.

George Younger,
Secretary of State.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations enable the Intervention Board for Agricultural Produce to recover a sheep variable premium payment made under Community arrangements if, contrary to Article 7 of the Sheep Variable Premiums (Protection of Payments) Order 1980, the animal in respect of which it was paid has been used for breeding. The obligation to recover payments is contained in Article 5(2) of Commission Regulation (EEC) No. 2661/80 dated 17th October 1980 (O. J No. L276, 20.10.80, p.19.).

SI 1980/1578
ISBN 0-11-007578-1

