

2011 No. 262

CROFTERS, COTTARS AND SMALL LANDHOLDERS

**The Crofting Counties Agricultural Grants (Scotland)
Amendment Scheme 2011**

<i>Made</i> - - - -	<i>31st May 2011</i>
<i>Laid before the Scottish Parliament</i>	<i>2nd June 2011</i>
<i>Coming into force</i> - -	<i>1st July 2011</i>

The Scottish Ministers make the following Scheme in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972(a) and all other powers enabling them to do so.

This Scheme makes provision for a purpose mentioned in section 2(2) of that Act, and it appears to the Scottish Ministers that it is expedient for references in this Scheme and the Scheme it is varying to the Commission Regulation (EU) No 65/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1698/2005, as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures(b) to be construed as references to that Regulation as amended from time to time.

Citation, commencement and interpretation

1. This Scheme may be cited as the Crofting Counties Agricultural Grants (Scotland) Amendment Scheme 2011 and comes into force on 1st July 2011.

2. In this Scheme, “the principal Scheme” means the Crofting Counties Agricultural Grants (Scotland) Scheme 2006(c).

Amendment of the principal Scheme

3.—(1) The principal Scheme is amended in accordance with sub-paragraphs (2) and (3).

(2) In paragraph 2(1) (interpretation), after the definition of “authorised person”, insert—

““Commission Regulation 65/2011” means Commission Regulation (EU) No 65/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1698/2005, as regards the implementation of control procedures as well as cross-

(a) 1972 c.68 (“the 1972 Act”). Section 2(2) was amended by the Scotland Act 1998 (c.46) (“the 1998 Act”), Schedule 8, paragraph 15(3) (which was amended by the Legislative and Regulatory Reform Act 2006 (c.51) (“the 2006 Act”), section 27(4)). Section 2(2) was also amended by the 2006 Act, section 27(1)(a) and by the European Union (Amendment) Act 2008 (c.7) (“the 2008 Act”), Schedule, Part 1. Paragraph 1A of Schedule 2 was inserted by the 2006 Act, section 28 and was amended by the 2008 Act, Schedule, Part 1. The functions conferred upon the Minister of the Crown under the 1972 Act, section 2(2), insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of the 1998 Act, section 53.

(b) O.J. L 25, 28.1.2011, p.8.

(c) S.S.I. 2006/24 as amended by S.S.I. 2008/58 and 2011/72.

compliance in respect of rural development support measures, as amended from time to time;”.

(3) In paragraph 6 (restrictions on payment of grant)—

- (a) in sub-paragraph (4)(c) for “Article 31(2) of Commission Regulation 1975/2006”, substitute “Article 30(2) of Commission Regulation 65/2011”; and
- (b) in sub-paragraph (5) for “Article 31(1) of Commission Regulation 1975/2006”, substitute “Article 30(1) of Commission Regulation 65/2011”.

STEWART STEVENSON

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
31st May 2011

EXPLANATORY NOTE

(This note is not part of the Scheme)

The Crofting Counties Agricultural Grants (Scotland) Scheme 2006 (S.S.I. 2006/24) (“the 2006 Scheme”) enables the Scottish Ministers to make grants to crofters and certain occupiers and tenants of land in the crofting counties—

- (a) in respect of specified operations carried out by them for the purpose of aiding and developing agricultural production on crofts or holdings (Part 2 of, and the Schedule to, the 2006 Scheme); and
- (b) in respect of contributions made by them under such agreements as are referred to in section 47 of the Roads (Scotland) Act 1984 towards the expenses of providing cattle grids (Part 3 of the 2006 Scheme).

This Scheme amends the 2006 Scheme by replacing the references to Article 31(1) and (2) of Commission Regulation (EC) No 1975/2006 in paragraph 6(4) and (5) with references to Article 30(1) and (2) of Commission Regulation (EU) No 65/2011 (O.J. No. L 25, 28.1.2011, p.8), laying down detailed rules for the implementation of Council Regulation (EC) No 1698/2005, as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures, which revoked and replaced Commission Regulation (EC) No 1975/2006 (O.J. L 368, 23.12.2006, p.74).

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