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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 70**

**AGRICULTURE**

**The Less Favoured Area Support  
Scheme (Scotland) Regulations 2004**

*Made - - - - 25th February 2004*  
*Laid before the Scottish*  
*Parliament - - 26th February 2004*  
*Coming into force 18th March 2004*

**THE LESS FAVOURED AREA SUPPORT  
SCHEME (SCOTLAND) REGULATIONS 2004**

1. Citation, commencement and application
2. Interpretation
3. Applications for payment of less favoured area support
4. Eligibility for payment of less favoured area support
5. Payment of less favoured area support
6. Eligible land
7. Transfer of a holding
8. Amount of less favoured area support
9. Determination of Payable Area
10. Stocking density outwith maximum and minimum parameters
11. Enterprise mix
12. Rate of Payment of Less Favoured Area Support
13. Minimum Payment
14. Powers of authorised persons
15. Assistance to authorised persons
16. Withholding or recovery of less favoured area support
17. Rate of interest
18. Cross-border holdings
19. Offences
20. Penalties
21. Time limit for prosecutions
22. Offences by bodies corporate
23. Appeal against decision to withhold or recover payment of less favoured area support
24. Appeal against decision as to eligibility of holding

*Status: This is the original version (as it was originally made).*

25. Review
26. Amendment of the Agricultural Subsidies (Appeals) (Scotland) Regulations 2000
27. Revocation and savings provisions  
Signature

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SCHEDULE 1	LIVESTOCK UNITS AND STOCKING DENSITY
	PART I CALCULATION OF LIVESTOCK UNITS (“LU”)
	PART II CALCULATION OF STOCKING DENSITY
SCHEDULE 2	USUAL GOOD FARMING PRACTICES
	PART I ENVIRONMENTAL LEGISLATION

1. Water pollution
2. The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil)...
3. The Groundwater Regulations 1998.
4. Air pollution
5. The Hill Farming Act 1946.
6. Fertilisers and pesticides
7. Part III of the Food and Environment Protection Act 1985...
8. The Plant Protection Products Regulations 1995.
9. Designated sites
10. The Wildlife and Countryside Act 1981.
11. The Conservation (Natural Habitats etc.) Regulations 1994.
12. The Ancient Monuments (Class Consents) (Scotland) Order 1996.
13. Forestry Management

PART II VERIFIABLE STANDARDS

1. Any farmer who constructs a new silage or storage facility...
2. Where it is proposed to dispose of sheep dip on...
3. Trimming of hedgerows must not be carried out between 1st...
4. Removal or destruction of any hedges, stone walls or other...
5. Any farmer who intends to undertake any operation which is...
6. Livestock shall be managed in such a way as to...
7. Unsuitable supplementary feeding methods shall be avoided.

SCHEDULE 3 ENVIRONMENTAL CONTROLS

1. To ensure the protection of rough grazings and other semi-natural...
2. To ensure the protection of rough grazings and other semi-natural...
3. Muirburn may only be carried out in accordance with guidance...
4. The damage to features of any historic or archaeological interest...
5. Guidance on the prevention of environmental pollution from agricultural activity...
6. Notwithstanding the provisions of paragraphs 1 to 5 above, any...

SCHEDULE 4	GRAZING CATEGORY: HECTARE VALUES
SCHEDULE 5	ENTERPRISE MIX
SCHEDULE 6	RATES OF PAYMENT FOR LESS FAVOURED AREA SUPPORT
	Part I MORE DISADVANTAGED LAND
	Part II LESS DISADVANTAGED LAND
SCHEDULE 7	FRAGILITY CATEGORIES FRAGILITY MARKERS FOR PARISH CODE NUMBERS
SCHEDULE 8	AGENCY AND CROSS BORDER HOLDINGS

1. Agency arrangements
2. The Scottish Ministers may also agree to exercise functions on...
3. Any such arrangement shall be in writing and be signed...
4. Set off
5. Calculation of payments in respect of cross border holdings
6. Whether the eligible agricultural activity undertaken on the eligible land...
7. For cross-border holdings where the applicant has submitted a declaration...
8. Applicants in respect of cross border holdings are required to...
9. All conditions applying to applicants in respect of holdings lying...

SCHEDULE 9 COWAL PENINSULA

Explanatory Note