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SCOTTISH STATUTORY INSTRUMENTS

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**2001 No. 225**

**The Suckler Cow Premium (Scotland) Regulations 2001**

**Withholding and recovery of premium**

**10.**—(1) Where at any time during a scheme year an applicant fails to—

- (a) comply with the requirements of regulation 7(1);
- (b) comply with the requirements of Article 7.4 of Council Regulation 1760/2000 and the Cattle Identification Regulations 1998; or
- (c) in the reasonable opinion of the Scottish Ministers, keep any specified record in a form which is accurate and up to date,

the Scottish Ministers may withhold or recover on demand as a debt the whole or any part of any premium payable or, as the case may be, paid to the producer in respect of that scheme year.

(2) Where an applicant intentionally obstructs an authorised person, or a person accompanying such authorised person and acting under the instructions of such person, from exercising a power under regulation 8, or fails without reasonable excuse to comply with a request made by an authorised person when carrying out a specified control measure, the Scottish Ministers shall be entitled to recover on demand as a debt from that applicant the whole or any part of any premium paid to that applicant.

(3) Where a person (other than an applicant) intentionally obstructs an authorised person, or a person accompanying such authorised person and acting under the instructions as a debt, from carrying out a specified control measure, or fails without reasonable excuse to comply with a request made by an authorised person for the purpose of carrying out a specified control measure, the Scottish Ministers shall be entitled where such person was at the time of such obstruction or failure an employee or agent of an applicant, to recover on demand as a debt from that applicant the whole or any part of any premium paid to that applicant.