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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 143**

**The Common Agricultural Policy Single Farm Payment  
and Support Schemes (Scotland) Regulations 2005**

PROSPECTIVE

**PART 2**

**Single Farm Payment Scheme**

**Regional application**

3. Scotland shall be a region for the purposes of Article 58 of Council Regulation 1782/2003.

**Commencement Information**

- I1** Reg. 3 in force at 18.4.2005, see [reg. 1\(1\)](#)

**Applications**

4.—(1) The Scottish Ministers shall be the competent authority for the purposes of Article 34(1) of Council Regulation 1782/2003 (which requires the competent authority to send application forms to farmers).

(2) The deadline for the purposes of Article 40(3) of Council Regulation 1782/2003 (which requires the member State to fix a deadline for farmers notifying a case of force majeure or exceptional circumstances) shall be that notification is made to the relevant competent authority responsible for determining the particular single application in question before 16th May 2005.

(3) An application for a reference amount pursuant to Article 42 of Council Regulation 1782/2003 (which provides for the establishment of a national reserve) shall be made to the relevant competent authority responsible for determining the particular single application in question before 16th May in respect of the IACS year (within the meaning of the IACS Regulations) commencing on that date.

**Commencement Information**

- I2** Reg. 4 in force at 18.4.2005, see [reg. 1\(1\)](#)

**Minimum size of holding**

5. For the purposes of Article 12(6) of Commission Regulation 795/2004, the minimum size of a holding for which the establishment of payment entitlements may be requested shall be 0.3 hectare.

*Status: This version of this part contains provisions that are prospective.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Common Agricultural Policy Single Farm Payment and Support Schemes (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

#### Commencement Information

**I3** Reg. 5 in force at 18.4.2005, see [reg. 1\(1\)](#)

#### 10 month period

6. For the purposes of Article 24(2) of Commission Regulation 795/2004, the period in which the beginning of the 10 month period referred to in Article 44(3) of Council Regulation 1782/2003 shall be fixed, shall be the period beginning on 1st October of the calendar year of the year preceding the year of lodging an application under the single farm payment scheme and ending on 30th April of the year of application.

#### Commencement Information

**I4** Reg. 6 in force at 18.4.2005, see [reg. 1\(1\)](#)

#### Dairy premium and additional payments

7. In accordance with Article 62 of Council Regulation 1782/2003 the amounts resulting from dairy premium and additional payments, provided for in Articles 95 and 96 of that Regulation, shall be included, in full, in the single farm payment scheme starting from 2005.

#### Commencement Information

**I5** Reg. 7 in force at 18.4.2005, see [reg. 1\(1\)](#)

#### Horticulture

8.—(1) Subject to paragraph (2), in accordance with Article 51(b) second paragraph of Council Regulation 1782/2003, secondary crops may be cultivated on the eligible hectares during a period of not more than 3 months beginning each year on 15th August.

(2) Paragraph (1) shall not apply to the year beginning on 1st January 2005.

#### Commencement Information

**I6** Reg. 8 in force at 18.4.2005, see [reg. 1\(1\)](#)

#### Transfers

9. For the purposes of Article 25(3) of Commission Regulation 795/2004, a transferor of a payment entitlement shall communicate the transfer to the relevant competent authority responsible for determining the particular single application in question and shall do so—

- (a) no later than 6 weeks before the transfer is to take place; and
- (b) no later than 6 weeks before the last day for submission of the single application.

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*Status:* This version of this part contains provisions that are prospective.

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### Commencement Information

**I7** Reg. 9 in force at 18.4.2005, see [reg. 1\(1\)](#)

**Status:**

This version of this part contains provisions that are prospective.

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- Regulations revoked by [S.S.I. 2011/416 Sch. 3](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 6 inserted by [S.S.I. 2009/391 reg. 14](#)
- reg. 22(1A) inserted by [S.S.I. 2009/391 reg. 11\(2\)](#)