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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 569**

**The Less Favoured Area Support  
Scheme (Scotland) Regulations 2005**

**Transfer of a holding**

7.—(1) In determining eligible land under regulation 6(1), the decision of the Scottish Ministers shall be in accordance with Article 74 of Commission Regulation 796/2004 as appropriate.

(2) For the purpose of paragraph 6 of Article 74 of Commission Regulation 796/2004, the Scottish Ministers shall grant less favoured area support to the transferor of a holding, if the transferor—

- (a) fulfils the conditions laid down by paragraphs 2 to 5 of Article 74 of Commission Regulation 796/2004; and
- (b) has been in continuous occupation of the holding for a period of not less than 183 calendar days in the Scheme Year concerned.