

SCHEDULE 2

Regulation 2(1)

USUAL GOOD FARMING PRACTICES

PART I

ENVIRONMENTAL LEGISLATION

Water pollution

1. The Control of Pollution Act 1974⁽¹⁾.

Commencement Information

I1 Sch. 2 Pt. I para. 1 in force at 2.12.2005, see [reg. 1\(1\)](#)

2. The Code of Good Practice for the Prevention of Environmental Pollution from Agricultural Activity⁽²⁾.

Commencement Information

I2 Sch. 2 Pt. I para. 2 in force at 2.12.2005, see [reg. 1\(1\)](#)

3. The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 2003⁽³⁾.

Commencement Information

I3 Sch. 2 Pt. I para. 3 in force at 2.12.2005, see [reg. 1\(1\)](#)

4. The Groundwater Regulations 1998⁽⁴⁾.

Commencement Information

I4 Sch. 2 Pt. I para. 4 in force at 2.12.2005, see [reg. 1\(1\)](#)

Commencement Information

I1 Sch. 2 Pt. I para. 1 in force at 2.12.2005, see [reg. 1\(1\)](#)

I2 Sch. 2 Pt. I para. 2 in force at 2.12.2005, see [reg. 1\(1\)](#)

I3 Sch. 2 Pt. I para. 3 in force at 2.12.2005, see [reg. 1\(1\)](#)

I4 Sch. 2 Pt. I para. 4 in force at 2.12.2005, see [reg. 1\(1\)](#)

⁽¹⁾ 1974 c. 40 as amended.

⁽²⁾ Issued by the Scottish Ministers on 11th March 2005, and approved by them by the Water (Prevention of Pollution) (Code of Practice) (Scotland) Order 2005 (S.S.I. 2005/63).

⁽³⁾ S.S.I. 2003/531.

⁽⁴⁾ S.I.1998/2746, amended by S.S.I. 2003/323 and S.S.I. 2005/22.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Less Favoured Area Support Scheme (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

Air pollution

5. The Clean Air Act 1993(5).

Commencement Information

I5 Sch. 2 Pt. I para. 5 in force at 2.12.2005, see [reg. 1\(1\)](#)

6. The Hill Farming Act 1946(6).

Commencement Information

I6 Sch. 2 Pt. I para. 6 in force at 2.12.2005, see [reg. 1\(1\)](#)

Commencement Information

I5 Sch. 2 Pt. I para. 5 in force at 2.12.2005, see [reg. 1\(1\)](#)

I6 Sch. 2 Pt. I para. 6 in force at 2.12.2005, see [reg. 1\(1\)](#)

Fertilisers and pesticides

7. The Action Programme for Nitrate Vulnerable Zones (Scotland) Regulations 2003(7).

Commencement Information

I7 Sch. 2 Pt. I para. 7 in force at 2.12.2005, see [reg. 1\(1\)](#)

8. Part III of the Food and Environment Protection Act 1985(8) and the Control of Pesticides Regulations 1986(9).

Commencement Information

I8 Sch. 2 Pt. I para. 8 in force at 2.12.2005, see [reg. 1\(1\)](#)

9. The Plant Protection Products (Scotland) Regulations 2005(10).

Commencement Information

I9 Sch. 2 Pt. I para. 9 in force at 2.12.2005, see [reg. 1\(1\)](#)

Commencement Information

I7 Sch. 2 Pt. I para. 7 in force at 2.12.2005, see [reg. 1\(1\)](#)

I8 Sch. 2 Pt. I para. 8 in force at 2.12.2005, see [reg. 1\(1\)](#)

- (5) 1993 c. 11 as amended.
(6) 1946 c. 73 as amended.
(7) S.S.I. 2003/51, amended by S.S.I. 2003/169.
(8) 1985 c. 48 as amended.
(9) S.I. 1986/1510, amended by S.I. 1990/2487, 1994/3142 and 1997/188.
(10) S.S.I. 2005/331.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Less Favoured Area Support Scheme (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

I9 Sch. 2 Pt. I para. 9 in force at 2.12.2005, see [reg. 1\(1\)](#)

Designated sites

10. The Ancient Monuments and Archaeological Areas Act 1979(**11**).

Commencement Information

I10 Sch. 2 Pt. I para. 10 in force at 2.12.2005, see [reg. 1\(1\)](#)

11. The Wildlife and Countryside Act 1981(**12**).

Commencement Information

I11 Sch. 2 para. 11 in force at 2.12.2005, see [reg. 1\(1\)](#)

12. The Conservation (Natural Habitats etc.) Regulations 1994(**13**).

Commencement Information

I12 Sch. 2 para. 12 in force at 2.12.2005, see [reg. 1\(1\)](#)

Commencement Information

I10 Sch. 2 Pt. I para. 10 in force at 2.12.2005, see [reg. 1\(1\)](#)

I11 Sch. 2 para. 11 in force at 2.12.2005, see [reg. 1\(1\)](#)

I12 Sch. 2 para. 12 in force at 2.12.2005, see [reg. 1\(1\)](#)

PART II

VERIFIABLE STANDARDS

1. Any farmer who constructs a new silage or storage facility must give notification to the Scottish Environmental Protection Agency prior to starting to use it. The farmer must keep records showing that this notification has been given.

Commencement Information

I13 Sch. 2 Pt. II para. 1 in force at 2.12.2005, see [reg. 1\(1\)](#)

2. Where it is proposed to dispose of sheep dip on a holding, prior authorisation to do this must be obtained from the Scottish Environmental Protection Agency. The farmer must keep documents and records showing that this authorisation has been obtained. The farmer must keep records detailing the manner of disposal of the sheep dip.

(11) 1979 c. 46 as amended.

(12) 1981 c. 69 as amended.

(13) S.I. 1994/2716. Relevant amendments are the Land Reform (Scotland) Act 2003, asp 2, S.I. 1996/973, 1997/3055, 1999/1820, S.S.I. 2000/323 and S.S.I. 2004/475.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Less Favoured Area Support Scheme (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

I14 Sch. 2 Pt. II para. 2 in force at 2.12.2005, see [reg. 1\(1\)](#)

3. Trimming of hedgerows must not be carried out between 1st March and 31st July.

Commencement Information

I15 Sch. 2 Pt. II para. 3 in force at 2.12.2005, see [reg. 1\(1\)](#)

4. Removal or destruction of any hedges, stone walls or other boundary features shall not be allowed except with the prior written agreement of the Scottish Ministers.

Commencement Information

I16 Sch. 2 Pt. II para. 4 in force at 2.12.2005, see [reg. 1\(1\)](#)

5. Any farmer who intends to undertake any operation which is likely to damage a Site of Special Scientific Interest designated pursuant to section 28 of the Wildlife and Countryside Act 1981 must obtain the prior approval of Scottish Natural Heritage to the carrying out of that operation. The farmer shall maintain records showing that this authorisation has been obtained.

Commencement Information

I17 Sch. 2 Pt. II para. 5 in force at 2.12.2005, see [reg. 1\(1\)](#)

6. Livestock shall be managed in such a way as to avoid overgrazing and undergrazing. Where the Scottish Ministers form the opinion that land was being overgrazed or undergrazed, a management regime including a maximum (and, where appropriate, a minimum) stocking rate to be observed on that site will be prescribed. Overgrazing is defined as grazing land with livestock in such numbers as to adversely affect the growth, quality or species composition of vegetation (other than vegetation normally grazed to destruction) on that land to a significant degree; and to ensure that livestock is managed in such a way as to prevent damage to sensitive habitats⁽¹⁴⁾ that are important for biodiversity reasons. Undergrazing means not using land fully, or scrub or coarse becoming evident, where it is detrimental to the environmental interest of the land.

Commencement Information

I18 Sch. 2 Pt. II para. 6 in force at 2.12.2005, see [reg. 1\(1\)](#)

7. Unsuitable supplementary feeding methods shall be avoided.

Commencement Information

I19 Sch. 2 Pt. II para. 7 in force at 2.12.2005, see [reg. 1\(1\)](#)

8. Animals must not be caused any unnecessary pain or suffering and must be inspected at regular intervals. Animals kept in buildings must have access to a well maintained drying area. Animal

⁽¹⁴⁾ Sensitive habitats, important for biodiversity reasons, may include juniper and montone scrub, herb-rich swards, already coded areas and wetland habitats as well as other natural and semi-natural habitats.

buildings must be constructed in such a way that will not be harmful to animals. Where necessary artificial light must be provided and animals must not be kept without an appropriate rest from artificial light. Animals must be fed a diet of sufficient quality and quantity to maintain them in good health and to satisfy their nutritional needs. All animals must have access to feed at appropriate intervals (at least once a day) and a suitable water supply or be able to satisfy their fluid intake needs by other means. Animals must not have their movement restricted in such a way as to cause them unnecessary suffering or injury.

Commencement Information

I20 Sch. 2 Pt. II para. 8 in force at 2.12.2005, see [reg. 1\(1\)](#)

9. Only those persons who have the appropriate ability, knowledge and professional competence may attend to animals.

Commencement Information

I21 Sch. 2 Pt. II para. 9 in force at 2.12.2005, see [reg. 1\(1\)](#)

10. Ill or injured animals must be cared for appropriately and without delay and, where necessary, veterinary advice must be obtained as soon as possible. Records must be kept and retained for 3 years of all medicinal treatment given to animals and of all mortalities.

Commencement Information

I22 Sch. 2 Pt. II para. 10 in force at 2.12.2005, see [reg. 1\(1\)](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Less Favoured Area Support Scheme (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations revoked by [S.S.I. 2007/439 reg. 26\(1\)](#)

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 2 Pt I paras 13–15 added (12.1.2006) by [S.S.I. 2005/624 regs 24](#)
- Sch 7 Pt II added (12.1.2006) by [S.S.I. 2005/624 regs 25](#)
- sch 7(a) added by [S.S.I. 2006/601 reg 7](#)
- reg 8(a) added by [S.S.I. 2006/601 reg 4](#)
- reg 12(a) added by [S.S.I. 2006/601 reg 5](#)
- reg 13(a) added by [S.S.I. 2006/601 reg 6](#)