

2005 No. 624

AGRICULTURE

**The Less Favoured Area Support Scheme (Scotland)
Amendment (No. 2) Regulations 2005**

<i>Made</i> - - - -	<i>1st December 2005</i>
<i>Laid before the Scottish Parliament</i>	<i>5th December 2005</i>
<i>Coming into force</i> - -	<i>12th January 2006</i>

The Scottish Ministers in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Less Favoured Area Support Scheme (Scotland) Amendment (No. 2) Regulations 2005 and shall come into force on 12th January 2006.

(2) These Regulations apply to holdings in respect of which the Scottish Ministers are the competent authority, in accordance with the Common Agricultural Policy Single Payment and Support Schemes (Integrated Administration and Control System) Regulations 2005(b).

Amendment of the Less Favoured Area Support Scheme (Scotland) Regulations 2005

2. The Less Favoured Area Support Scheme (Scotland) Regulations 2005(c) are amended in accordance with the following regulations.

Amendment to Schedule 1

3. In Schedule 1 (livestock units and stocking density), for the table in Part II (calculation of stocking density) substitute—

“	Total LFASS Livestock Units (A + B + C + D + E + F + G + H + I)	=	_J_LU	
	Eligible Land		K Ha	
	Stocking Density (to two decimal places)		J divided by K	”.

(a) 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46), Schedule 8, paragraph 15(3). The function conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(b) S.I. 2005/218.

(c) S.S.I. 2005/569.

Amendment to Schedule 2

4. In Part I (environmental legislation) of Schedule 2 (usual good farming practices), after paragraph 12 insert–

“13. The Ancient Monuments (Class Consents) (Scotland) Order 1996(a).

Forestry Management

14. The Forestry Act 1967(b).

Animal Welfare

15. The Welfare of Farmed Animals (Scotland) Regulations 2000(c).”.

Amendment to Schedule 7

5. In Schedule 7 (rates of payment for less favoured area support), after Part I (more disadvantaged land) insert:

“PART II

LESS DISADVANTAGED LAND

<i>FRAGILITY CATEGORY</i>	<i>RATE</i>
Very Fragile (Islands)	£41.50
Fragile (Mainland)	£39.50
Standard	£33.50

”.

ROSS FINNIE

A member of the Scottish Executive

St Andrew’s House,
Edinburgh
1st December 2005

(a) S.I. 1996/1507.

(b) 1967 c.10 as amended.

(c) S.S.I. 2000/442, amended by S.S.I. 2002/334 and S.S.I. 2003/448.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Less Favoured Area Support Scheme (Scotland) Regulations 2005 (“the 2005 Regulations”).

The amendment to Schedule 1 corrects an error in the table relating to the calculation of stocking density.

The amendment to Schedule 2 corrects omissions from the 2005 Regulations in respect of the environmental legislation with which applicants to the Less Favoured Area Support Scheme must comply.

The amendment to Schedule 7 corrects the omission of a table of payment rates for less disadvantaged land.

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