

SCOTTISH STATUTORY INSTRUMENTS

2005 No. 64

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

PROSPECTIVE

Amendment of regulation 4 **S**

4. In regulation 4 (eligibility for payment of less favoured area support)–
- (a) in paragraph (1), in each of sub paragraphs (b), (c) and (d) for “eligible land” substitute “holding”;
 - (b) for paragraph (2) substitute–
 - “(2) An applicant may be released from the undertaking referred to in paragraph (1)
 - (a)–
 - (a) if the applicant has, during the period for which the undertaking was given, transferred all or part of the holding to another person and that person agrees to take over the undertaking;
 - (b) if, where the applicant has ceased farming during the period for which the undertaking was given, the applicant’s successor agrees to take over the undertaking; or
 - (c) if, in the opinion of the Scottish Ministers, the applicant is prevented from continuing to discharge that undertaking by reason of any material circumstances beyond the control of that person.”; and
 - (c) for paragraph (3) substitute–
 - “(3) In the event that the applicant has ceased farming and the applicant’s successor does not agree to be bound by the undertaking referred to in paragraph (1), the Scottish Ministers may, if satisfied that the applicant has, at the time of the cessation of farming, honoured a significant proportion of the undertaking, release the applicant from that undertaking.”.

Commencement Information

- II** Reg. 4 in force at 12.3.2005, see [reg. 1\(1\)](#)

Status:

This version of this provision is prospective.

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) Amendment 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 :

- Instrument rev by [S.S.I. 2005/569 reg 26\(1\)](#)
- Regulations revoked by [S.S.I. 2007/439 reg. 26\(1\)](#)
- reg. 4 coming into force by [S.S.I. 2005/64 reg. 1\(1\)](#)