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## SCOTTISH STATUTORY INSTRUMENTS

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### 2006 No. 24

## The Crofting Counties Agricultural Grants (Scotland) Scheme 2006

### PART 1

#### INTRODUCTORY

#### Citation and commencement

1. This Scheme may be cited as the Crofting Counties Agricultural Grants (Scotland) Scheme 2006 and shall come into force on 25th January 2006.

#### Commencement Information

II Para. 1 in force at 25.1.2006, see [para. 1](#)

#### Interpretation

2. In this Scheme—

“the Act of 1993” means the Crofters (Scotland) Act 1993;

“approved” means approved by the Scottish Ministers in writing and “approve” and “approval” shall be construed accordingly;

“crofter” includes any grazings committee or grazings constable appointed under section 47 of the Act of 1993 and in the application of this Scheme to a grazings committee or a grazings constable any reference to a croft shall be construed as a reference to the common grazings for the management of which the committee or, as the case may be, the grazings constable is responsible;

“eligible occupier” means—

- (a) the occupier of a croft who is also the owner thereof and who in the opinion of the Scottish Ministers is of substantially the same economic status as a crofter;
- (b) the occupier of a holding, other than a croft, situated in the crofting counties which is either a holding of which the area does not exceed 30 hectares (exclusive of any common pasture or grazing held therewith) or a holding the annual rent of which, if it were a croft let to a crofter under the Act of 1993, would not, in the opinion of the Scottish Ministers, exceed £100, being an occupier who in the opinion of the Scottish Ministers is of substantially the same economic status as a crofter; or
- (c) the occupier of a holding, other than a croft, situated in the crofting counties which exceeds 30 hectares (exclusive of any common pasture or grazing held therewith) and of which the annual rent, if it were a croft so let, would in the opinion of the Scottish Ministers not be substantially larger than 30 hectares (exclusive of any common pasture or grazing held therewith) or is capable of being so let at an annual rent not substantially

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in excess of £100, being an occupier who in the opinion of the Scottish Ministers is of substantially the same economic status as a crofter; or

- (d) the sub tenant of a croft or part of a croft occupying under a sub lease granted by a crofter with the written consent of the Crofters Commission under section 27(2) of the Act of 1993 and in accordance with any conditions imposed by it under section 27(5) of that Act;

“Less Favoured Area” means the land shown coloured in blue or in pink on the designated maps—

- (a) which is situated in an area included in the list of less favoured farming areas adopted by Council Directive 84/169/EEC concerning the Community list of less favoured farming areas<sup>(1)</sup> within the meaning of Directive 75/268/EEC<sup>(2)</sup> (United Kingdom) [11]; and
- (b) which is, in the opinion of the Scottish Ministers, inherently suitable for extensive livestock production but not for the production of crops in quantity materially greater than that necessary to feed such livestock as are capable of being maintained on such land, and whose agricultural production is, in the opinion of the Scottish Ministers, restricted in its range by, or any combination of, soil, relief, aspect or climate;

“livestock” includes any creature kept for the production of food, wool, skins, or fur or for the purpose of its use in the farming of land; and

“operation” means any of the operations specified in the Schedule to this Scheme.

#### Commencement Information

**I2** Para. 2 in force at 25.1.2006, see [para. 1](#)

(1) O.J. L 82, 26.3.84, p.67.

(2) O.J. L 128, 19.5.75, p.8.

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