
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 159

The Rural Development Contracts (Land Managers Options) (Scotland) Regulations 2008

Undertakings

10.—(1) An applicant must give the Scottish Ministers an undertaking to carry out, or as the case may be, to carry out and maintain at least one of the activities set out in column 2 of Schedule 2 in accordance with the eligibility conditions and requirements set out in the paragraph which begins that Schedule and that column and, as the case may be, column 3 of that Schedule in relation to that activity.

(2) Each undertaking given must be for a period determined by the Scottish Ministers (“the relevant period”) and in the case of an undertaking to carry out activities under area related options the relevant period must be not less than 5 years.

(3) More than one relevant period may apply in relation to different undertakings or activities to be carried out or carried out and maintained in terms of an undertaking.

(4) The date of commencement of each undertaking and such activity shall be determined by the Scottish Ministers.

(5) Where an undertaking given under paragraph (1) specifies an activity or activities under any of the land managers options numbered 9 to 17 the applicant must also undertake, in relation to the whole of the applicant’s holding, to comply with the following compliance requirements—

- (a) the statutory management requirements established by Article 4 of, and Annex III to, Council Regulation 1782/2003 as amended from time to time;
- (b) the good agricultural and environmental conditions specified in regulation 4 of, and the Schedule to, the Common Agricultural Policy Schemes (Cross Compliance) (Scotland) Regulations 2004(1);
- (c) the historic environment condition specified in Part 1 of Schedule 3; and
- (d) the requirements applicable under the enactments specified in Part 2 of Schedule 3.

(6) Where an undertaking given under paragraph (1) specifies an activity or activities under either or both land managers options numbered 18 and 19 and no activity or activities under any of the land managers options numbered 9 to 17 are specified in such undertaking the applicant must also undertake, in relation to the whole of the applicant’s holding to comply with the compliance requirements in paragraph (5)(a) and (b).

(7) An applicant must give the Scottish Ministers any other undertaking as the Scottish Ministers consider appropriate for the purposes of these Regulations.