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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 159**

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

**Restrictions on acceptance of applications and payment of aid**

- 7.—(1) The Scottish Ministers must reject an application for aid—
- (a) which is received by them after any closing date for applications as provided for in regulation 3(1); or
  - (b) in relation to any eligible land which is occupied by a tenant unless they are satisfied that the tenant has notified the landlord, and in the case of a sub tenant, the owner of the eligible land and the head tenant, of the intention of that tenant to submit an application for aid.
- (2) The Scottish Ministers must not pay aid—
- (a) if they are satisfied that the use of the land in accordance with the proposals contained in the application would frustrate the purposes of any assistance previously given or to be given out of money provided by or under any statutory provision or by the European Community;
  - (b) if they are satisfied that any payment under these Regulations would duplicate any assistance previously given or to be given out of money provided by or under any statutory provision or by the European Community; or
  - (c) where the applicant is excluded from support under Council Regulation (EC) No. 1257/1999<sup>(1)</sup> or Council Regulation 1698/2005 by application of a penalty consequent upon Articles 18, 23 or 31 of Commission Regulation 1975/2006.
- (3) For the purposes of paragraph (2)(b), a sum duplicates such assistance if it is, or would be, paid for any of the same purposes.

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<sup>(1)</sup> O.J. No. L 160, 26.06.1999, p.80 as last amended by Council Regulation (EC) No. 1698/2005 (O.J. No. L 277, 21.10.2005, p.1).