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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 122**

**The Common Agricultural Policy (Miscellaneous Amendments) (Scotland) Regulations 2018**

**Amendments to the Common Agricultural Policy (Direct Payments etc.) (Scotland) Regulations 2015**

11. In schedule 2 (ecological focus areas: further criteria)—
- (a) in Part 1 (crop species that may be used in a mixture of crop species for the purposes of Article 45(9) of the Direct Payments Delegated Regulation in relation to areas under green cover)(1) for “Clover (*Trifolium*)” substitute—
    - “Red clover (*Trifolium pratense*)
    - White clover (*Trifolium repens*)”;
  - (b) in Part 2 (nitrogen-fixing crops for the purposes of Article 45(10) of the Direct Payments Delegated Regulation) for “Clover (*Trifolium*)” substitute—
    - “Red clover (*Trifolium pratense*)
    - White clover (*Trifolium repens*)”; and
  - (c) in Part 3 (additional conditions for the purposes of Article 45(10) of the Direct Payments Delegated Regulation)—
    - (i) for paragraph 2 substitute—
      - “2. Areas with nitrogen-fixing crops must be surrounded by a buffer strip or field margin, which is an ecological focus area as referred to in point (d) of the first sub-paragraph of Article 46(2) of the Direct Payments Regulation as construed with Article 45(5) of the Direct Payments Delegated Regulation, with a minimum width of 1 metre and a maximum width of 20 metres.”; and
    - (ii) for paragraph 3(3)(2), substitute—
      - “(3) In sub-paragraphs (1) and (2), “crop species” includes a mixture of any of the crop species listed in Part 2 of this schedule.
      - (4) Despite sub-paragraphs (1) and (2), areas with nitrogen fixing crops may also be established by sowing at least 1 of the crop species listed in Part 2 of this schedule with any other crop species, provided that the crop species listed in Part 2 of this schedule is predominant by weight of seed.
      - (5) In sub-paragraph (4)—
        - “crop species listed in Part 2 of this schedule” includes a mixture of any of the crop species listed in Part 2 of this schedule; and
        - “other crop species” includes—
          - (a) a mixture of any of the crop species listed in Part 2 of this schedule and any other crop species; and

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(1) Part 1 of schedule 2 was substituted by [S.S.I. 2016/104](#).

(2) Paragraph 3 of Part 3 of schedule 2 was inserted by [S.S.I. 2016/104](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(b) a mixture of any crop species not listed in Part 2 of this schedule.”.