
DRAFT STATUTORY INSTRUMENTS

2015 No.

**The Scotland Act 1998 (Functions Exercisable
in or as Regards Scotland) Order 2015**

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 2015 and comes into force on 28th February 2015.

(2) In this Order—

“the EU Regulation” means Regulation (EU) No 1306/2013 of the European Parliament and of the Council on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008⁽¹⁾;

“Scottish farmer” means a farmer (within the meaning of Article 2 of the EU Regulation) whose holding is situated wholly or partly in Scotland, and “holding” has the same meaning as in Articles 2 and 91 of the EU Regulation⁽²⁾; and

“specified function under EU law” means any function which—

- (a) relates to the implementation of any legislative instrument of the European Union adopted in pursuance of the common agricultural policy of the European Union established in accordance with Title III of Part Three of the Treaty on the Functioning of the European Union; and
- (b) applies in relation to an agricultural area or an agricultural activity by reference to a holding,

and “agricultural area” and “agricultural activity” have the same meaning as in Article 2 of the EU Regulation.

(1) OJ L 347, 20.12.2013, p.549.

(2) The definition of “holding” in article 2 of the EU Regulation includes (a) units used for agricultural activities and managed by a farmer and (b) in the case of article 93 of that Regulation (cross-compliance requirements), production units and areas managed by a farmer whether or not specifically used for agricultural activities.