Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Common Agricultural Policy Single Farm Payment and Support Schemes (Scotland) Amendment Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCOTTISH STATUTORY INSTRUMENTS

2005 No. 257

AGRICULTURE

The Common Agricultural Policy Single Farm Payment and Support Schemes (Scotland) Amendment Regulations 2005

Made - - - -	*12th May 2005*
Laid before the Scottish Parliament - - - -	*13th May 2005*
Coming into force - -	*16th May 2005*

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**1**), and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Common Agricultural Policy Single Farm Payment and Support Schemes (Scotland) Amendment Regulations 2005 and shall come into force on 16th May 2005.

Commencement Information

I1 Reg. 1 in force at 16.5.2005, see **reg. 1**

Amendment of the Common Agricultural Policy Single Farm Payment and Support Schemes (Scotland) Regulations 2005

2.—(1) The Common Agricultural Policy Single Farm Payment and Support Schemes (Scotland) Regulations 2005(**2**) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2 (interpretation)–

(**1**) 1972 c. 68. Section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3). The function conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998. For the purposes of implementing Council Regulation (EC) No. 1782/2003 establishing common rules for direct support under the common agricultural policy and establishing certain support schemes for farmers (O.J. No. L 270, 21.20.2003, p.1) that competence was modified by the Scotland Act 1998 (Modification of Functions) Order 2004 (S.I.2004/2980) and the Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 2004 (S.I. 2004/3324).

(**2**) S.S.I. 2005/143.

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(a) in paragraph (1)–

(i) omit the definition of "farmer";

(ii) at the end of the definition of "Commission Regulation 795/2004" insert ", Commission Regulation (EC) No 394/2005(**3**) and Commission Regulation (EC) No. 606/2005(**4**); and

(iii) in the definition of "Council Regulation 1782/2003", for "and Council Regulation 864/2004" substitute ", Council Regulation 864/2004 and Commission Regulation (EC) No. 118/2005(**5**)"; and

(b) omit regulation 2(5).

(3) For regulation 6 (10 month period) substitute–

"**10 month period**

6.—(1) For the purposes of Article 24(2), first subparagraph, of Commission Regulation 795/2004, the period in which the beginning of the 10 month period referred to in Article 44(3) of Council Regulation 1782/2003 shall be fixed, shall be the period beginning on 1st October of the calendar year preceding the year of lodging an application under the single farm payment scheme and ending on 30th April of the year of application.

(2) For the purposes of Article 24(2), second subparagraph, of Commission Regulation 795/2004, farmers are authorised to fix two different dates for the beginning of the 10 month period.".

(4) In column 1 of Schedule 5 (revocations), for "Extensification Payment (Scotland) Regulations 2001" substitute "Extensification Payment (Scotland) Regulations 2002".

Commencement Information

I2 Reg. 2 in force at 16.5.2005, see **reg. 1**

St Andrew's House, Edinburgh
12th May 2005

ROSS FINNIE
A member of the Scottish Executive

(**3**) O.J. No. L 63, 10.3.2005, p.17.
(**4**) O.J. No. L 100, 20.4.2005, p.15.
(**5**) O.J. No. L 24, 27.1.2005, p.15.