
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 226

**The Agricultural Subsidies (Appeals)
(Scotland) Amendment Regulations 2001**

Amendment of the ESA Orders

- 4.**—(1) Each of the ESA Orders shall be amended as follows.
- (2) Article 5(b) shall be omitted.
- (3) There shall be inserted after article 5C—

“**5D.**—(1) Where the Scottish Ministers consider that there has been a breach of any of the requirements referred to in articles 4 or 4A, they may make a decision to that effect.

- (2) Before making a decision under paragraph (1) above, the Scottish Ministers shall—
- (a) give the crofter, farmer or common grazing committee (as the case may be) a written explanation of the reasons for considering that there has been a breach of any of the requirements referred to in articles 4 or 4A;
- (b) afford that person an opportunity of making representations in that regard within such time and in such form as they think fit; and
- (c) consider any such representations.”.