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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 143**

**The Organic Aid (Scotland) Regulations 2004**

**Amounts of payments and claims**

- 14.—(1) Subject to regulations 15(3) and (6), 16(7) and 20(1)–
- (a) payments of conversion, capital and maintenance grant, except the first payment of capital grant, shall be made annually in arrears–
    - (i) the first payment of conversion grant being made on the first anniversary of the date of entry into the conversion part of the scheme;
    - (ii) the second payment of capital grant being made on the first anniversary of the date of entry into the conversion part of the scheme; and
    - (iii) the first payment of maintenance grant being made on the first anniversary of the date of entry into the maintenance part of the scheme; and
  - (b) payment of the first payment of capital grant shall be made on the later of–
    - (i) the date of entry into the conversion part of the scheme; and
    - (ii) seven days after the Scottish Ministers receive the first certificate of registration for the relevant farm or part of a farm.
- (2) Subject to paragraphs (3) to (5) and regulation 15(3) and (6), the amount of each payment–
- (a) of conversion grant shall be calculated in accordance with Schedule 3;
  - (b) of capital grant shall be calculated in accordance with Schedule 6; and
  - (c) of maintenance grant shall be calculated in accordance with Schedule 7.
- (3) Payments of conversion grant shall be made in respect of a maximum of 1000 hectares per holding or common grazing and within this maximum, payments in relation to eligible arable land, improved grassland and vegetable and fruit land shall not be made in respect of more than 300 hectares of any such land, taken together or separately.
- (4) Payments of maintenance grant shall be made in respect of a maximum of 1000 hectares per holding or common grazing and within this maximum, payments in relation to eligible arable land, improved grassland and vegetable and fruit land shall not be made in respect of more than 300 hectares of any such land, taken together or separately.
- (5) The cumulative total amount of capital grant payable in respect of any holding or common grazing shall not exceed £2,800.
- (6) A claim for each payment under paragraph (1) shall be made at such time and in such form and shall contain such information as the Scottish Ministers reasonably may require.
- (7) Subject to regulation 15(3) and (6), payment as provided in paragraph (1) shall be made only where the Scottish Ministers are satisfied that the relevant undertaking has been complied with.
- (8) The amount payable under regulation 4(4) in respect of a conversion plan–
- (a) to convert a farm or part of a farm of 10 hectares or less to organic farming methods shall be the lesser of–
    - (i) the greater of–

- (aa) 75 per cent of the cost of preparing the conversion plan; and
  - (bb) £150; and
  - (ii) £225; and
- (b) to convert a farm or part of a farm or more than 10 hectares to organic farming methods shall be the lesser of–
  - (i) 50 per cent of the cost of preparing the conversion plan; and
  - (ii) £300.
- (9) Only one payment under regulation 4(4) shall be made for any holding.
- (10) A claim for a payment under regulation 4(4) shall be made at such time and in such form as the Scottish Ministers reasonably may require and shall contain–
  - (a) a receipted invoice disclosing the cost of the conversion plan; and
  - (b) such other information as the Scottish Ministers reasonably may require.
- (11) The provisions of this regulation are subject to Article 37 (compatibility and consistency of aid) of Regulation 1257/99 and Articles 35 and 36 (combination of aids) of the Commission Regulation.