

SCHEDULE 2

Regulation 2(1)

USUAL GOOD FARMING PRACTICES

PART I

ENVIRONMENTAL LEGISLATION

Water pollution

1. The Control of Pollution Act 1974 ^{M1}.

Marginal Citations

M1 1974 c. 40.

2. The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 2001 ^{M2}.

Marginal Citations

M2 S.S.I. 2001/206, amended by S.S.I. 2001/248.

3. The Groundwater Regulations 1998 ^{M3}.

Marginal Citations

M3 S.I. 1998/2746, amended by S.S.I. 2000/323.

Air pollution

4. The Clean Air Act 1993 ^{M4}.

Marginal Citations

M4 1993 c. 11.

5. The Hill Farming Act 1946 ^{M5}.

Marginal Citations

M5 1946 c. 73.

Fertilisers and pesticides

6. The Action Programme for Nitrate Vulnerable Zones (Scotland) Regulations 2003 ^{M6}.

Changes to legislation: *The Less Favoured Area Support Scheme (Scotland) Regulations 2004, SCHEDULE 2 is up to date with all changes known to be in force on or before 30 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Marginal Citations

M6 [S.S.I. 2003/51](#).

7. Part III of the Food and Environment Protection Act 1985 ^{M7} and the Control of Pesticides Regulations 1986 ^{M8}.

Marginal Citations

M7 [1985 c. 48](#).

M8 [S.I. 1986/1510](#), amended by [S.I. 1990/2487](#), 1994/3142 and 1997/188.

8. The Plant Protection Products Regulations 1995 ^{M9}.

Marginal Citations

M9 [S.I. 1995/887](#), amended by [S.I. 1996/1940](#), 1997/7 and 2499, 1998/2760, 1999/1228, [S.S.I. 2001/161](#), 202 and 454 and 2002/279.

Designated sites

9. The Ancient Monuments and Archaeological Areas Act 1979 ^{M10}.

Marginal Citations

M10 [1979 c. 46](#).

10. The Wildlife and Countryside Act 1981 ^{M11}.

Marginal Citations

M11 [1981 c. 69](#).

11. The Conservation (Natural Habitats etc.) Regulations 1994 ^{M12}.

Marginal Citations

M12 [S.I. 1994/2716](#), amended by [S.I. 1997/3055](#) and [S.S.I. 2000/323](#).

12. The Ancient Monuments (Class Consents) (Scotland) Order 1996 ^{M13}.

Marginal Citations

M13 [S.I. 1996/1507](#).

Forestry Management

13. The Forestry Act 1967 ^{M14}.

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Marginal Citations

M14 1967 c. 10.

PART II

VERIFIABLE STANDARDS

1. Any farmer who constructs a new silage or storage facility must give notification to the Scottish Environmental Protection Agency prior to starting to use it. The farmer must keep records showing that this notification has been given.

2. Where it is proposed to dispose of sheep dip on a holding, prior authorisation to do this must be obtained from the Scottish Environmental Protection Agency. The farmer must keep documents and records showing that this authorisation has been obtained. The farmer must keep records detailing the manner of disposal of the sheep dip.

3. Trimming of hedgerows must not be carried out between 1st March and 31st July.

4. Removal or destruction of any hedges, stone walls or other boundary features shall not be allowed except with the prior written agreement of the Scottish Ministers.

5. Any farmer who intends to undertake any operation which is likely to damage a Site of Special Scientific Interest designated pursuant to section 28 of the Wildlife and Countryside Act 1981 must obtain the prior approval of Scottish Natural Heritage to the carrying out of that operation. The farmer shall maintain records showing that this authorisation has been obtained.

6. Livestock shall be managed in such a way as to avoid overgrazing and undergrazing. Where the Scottish Ministers form the opinion that land was being overgrazed, a management regime including a maximum (and, where appropriate, a minimum) stocking rate to be observed on that site will be prescribed. Overgrazing is defined as grazing land with livestock in such numbers as to adversely affect the growth, quality or species composition of vegetation (other than vegetation normally grazed to destruction) on that land to a significant degree; and to ensure that livestock is managed in such a way as to prevent damage to sensitive habitats^{M15} that are important for biodiversity reasons. Undergrazing means not using land fully, or scrub or coarse becoming evident, where it is detrimental to the environmental interest of the land.

Marginal Citations

M15 Sensitive habitats, important for biodiversity reasons, may include juniper and montone scrub, herb-rich swards, already coded areas and wetland habitats as well as other natural and semi-natural habitats.

7. Unsuitable supplementary feeding methods shall be avoided.

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Changes and effects yet to be applied to :

- Instrument rev by [S.S.I. 2005/569 reg 26](#)
- Sch 2 Pt II paras 8–10 added by [S.S.I. 2005/64 regs 215\(b\)\(ii\)17](#)
- Sch 2 Pt II para 6 am by [S.S.I. 2005/64 regs 215\(b\)\(i\)17](#)
- Sch 2 Pt I para 8 subst by [S.S.I. 2004/128 reg 2\(1\)\(4\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch 2 Pt I para 1A added by [S.S.I. 2005/64 regs 215\(a\)\(i\)17](#)
- Sch 2 Pt I para 14 added by [S.S.I. 2005/64 regs 215\(a\)\(ii\)17](#)