
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 143

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

PART 3

Modulation

Additional modulation

10.—(1) For the purposes of calculating the total amount of direct payments to be paid to a farmer for any year, under Article 1 of Commission Regulation (EC) No 1655/2004⁽¹⁾ the Scottish Ministers shall deduct a sum equal to the specified proportion of the relevant amount and shall apply the sum so deducted by way of funds for one or more of the relevant purposes.

(2) In this regulation—

“the relevant amount” means the amount which would have been granted to the farmer in respect of the year concerned before the application of Article 10(1) of Council Regulation 1782/2003;

“the relevant purposes” means the purposes of any payment made pursuant to any measure which implements any provisions of Articles 10 to 12 inclusive (early retirement), 13 to 21 inclusive (less-favoured areas and areas with environmental restrictions), Articles 21a to 21d inclusive (meeting standards), 22 to 24 (agri-environment and animal welfare), 24a to 24d inclusive (food quality) and 31 (afforestation) of Council Regulation 1257/1999; and

“the specified proportion” means—

- (a) in respect of 2005, 3.5%; and
- (b) in respect of 2006, 4.5%.

(1) O.J. No. L 298, 23.9.2004, p.3, which permits additional modulation in member States which applied reductions to direct payments under Article 4 of Council Regulation 1259/1999 (O.J. No. L 160, 26.6.1999, p.113). Such reductions were applied in Scotland from 2001 to 2004 under the Common Agricultural Policy Support Schemes (Modulation) (Scotland) Regulations 2000 (S.S.I. 2000/429, amended by S.S.I. 2001/390 and 2004/398).