
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 569

AGRICULTURE

**The Less Favoured Area Support
Scheme (Scotland) Regulations 2005**

Made - - - - 10th November 2005
Laid before the Scottish
Parliament - - 11th November 2005
Coming into force 2nd December 2005

**THE LESS FAVOURED AREA SUPPORT
SCHEME (SCOTLAND) REGULATIONS 2005**

1. Citation, commencement and application
2. Interpretation
3. Applications for payment of less favoured area support
4. Eligibility for payment of less favoured area support
5. Payment of less favoured area support
6. Eligible land
7. Transfer of a holding
8. Amount of less favoured area support
9. Determination of Payable Area
10. Stocking density outwith maximum and minimum parameters
11. Enterprise mix
12. Rate of Payment of less favoured area support
13. Minimum payment
14. Powers of authorised persons
15. Assistance to authorised persons
16. Withholding or recovery of less favoured area support
17. Rate of interest
18. Cross-border holdings
19. Offences
20. Penalties
21. Time limit for prosecutions
22. Offences by bodies corporate
23. Appeal against decision as to eligibility of holding
24. Review

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Less Favoured Area Support Scheme (Scotland) 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

25. Amendment of the Agricultural Subsidies (Appeals) (Scotland) Regulations 2004
26. Revocation and savings provisions
Signature

SCHEDULE 1	LIVESTOCK UNITS AND STOCKING DENSITY PART I CALCULATION OF LIVESTOCK UNITS ("LU") PART II CALCULATION OF STOCKING DENSITY
SCHEDULE 2	USUAL GOOD FARMING PRACTICES PART I ENVIRONMENTAL LEGISLATION

1. Water pollution
2. The Code of Good Practice for the Prevention of Environmental...
3. The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil)...
4. The Groundwater Regulations 1998.
5. Air pollution
6. The Hill Farming Act 1946.
7. Fertilisers and pesticides
8. Part III of the Food and Environment Protection Act 1985...
9. The Plant Protection Products (Scotland) Regulations 2005.
10. Designated sites
11. The Wildlife and Countryside Act 1981.
12. The Conservation (Natural Habitats etc.) Regulations 1994.
PART II VERIFIABLE STANDARDS
 1. Any farmer who constructs a new silage or storage facility...
 2. Where it is proposed to dispose of sheep dip on...
 3. Trimming of hedgerows must not be carried out between 1st...
 4. Removal or destruction of any hedges, stone walls or other...
 5. Any farmer who intends to undertake any operation which is...
 6. Livestock shall be managed in such a way as to...
 7. Unsuitable supplementary feeding methods shall be avoided.
 8. Animals must not be caused any unnecessary pain or suffering...
 9. Only those persons who have the appropriate ability, knowledge and...

SCHEDULE 3 ENVIRONMENTAL CONTROLS

1. To ensure the protection of rough grazings and other semi-natural...
2. To ensure the protection of rough grazings and other semi-natural...
3. Muirburn may only be carried out in accordance with guidance...
4. The damage to features of any historic or archaeological interest...
5. Guidance on the prevention of environmental pollution from agricultural activity...
6. Notwithstanding the provisions of paragraphs 1 to 5 above, any...

SCHEDULE 4	CEREALS LINSEED OILS AND PROTEINS (CLOPS) TYPES AND USE CODES
SCHEDULE 5	GRAZING CATEGORY: HECTARE VALUES
SCHEDULE 6	ENTERPRISE MIX
SCHEDULE 7	RATES OF PAYMENT FOR LESS FAVOURED AREA SUPPORT PART I MORE DISADVANTAGED LAND
SCHEDULE 8	FRAGILITY CATEGORIES

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FRAGILITY MARKERS FOR PARISH CODE NUMBERS

SCHEDULE 9 AGENCY AND CROSS BORDER HOLDINGS

1. Agency arrangements
2. The Scottish Ministers may also agree to exercise functions on...
3. Any such arrangement shall be in writing and be signed...
4. Set off
5. Calculation of payments in respect of cross border holdings
6. Whether the eligible agricultural activity undertaken on the eligible land...
7. For cross-border holdings where the applicant has submitted a declaration...
8. Applicants in respect of cross border holdings are required to...
9. All conditions applying to applicants in respect of holdings lying...

SCHEDULE 10 COWAL PENINSULA

Explanatory Note

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Less Favoured Area Support Scheme (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Sch 1 Pt II Table subst (12.1.2006) by [S.S.I. 2005/624 regs 23](#)
- Regulations revoked by [S.S.I. 2007/439 reg. 26\(1\)](#)
- reg 2 am by [S.S.I. 2006/601 reg 3](#)

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 paras 13–15 added (12.1.2006) by [S.S.I. 2005/624 regs 24](#)
- Sch 7 Pt II added (12.1.2006) by [S.S.I. 2005/624 regs 25](#)
- sch 7(a) added by [S.S.I. 2006/601 reg 7](#)
- reg 8(a) added by [S.S.I. 2006/601 reg 4](#)
- reg 12(a) added by [S.S.I. 2006/601 reg 5](#)
- reg 13(a) added by [S.S.I. 2006/601 reg 6](#)