
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 24

**The Crofting Counties Agricultural
Grants (Scotland) Scheme 2006**

PART 2

GRANTS IN RESPECT OF OPERATIONS

Grants to be made

3.—(1) Subject to the provisions of this Scheme, the Scottish Ministers may make a grant under this Part of this Scheme to a crofter or eligible occupier towards the approved cost of any project or part of a project of a kind specified in the Schedule to this Scheme (except where the purpose of a project is to replace an existing asset) carried out for the purpose of aiding and developing agricultural production for one of the following purposes:—

- (a) to reduce production costs;
- (b) to improve and redeploy production;
- (c) to increase quality;
- (d) to preserve and improve the natural environment, hygiene conditions and animal welfare standards;
- (e) to promote the diversification of agricultural activities

in the case of a crofter or on behalf of a crofter, on the croft and, in the case of an eligible occupier, on the croft or holding or part of a croft, as the case may be, occupied by that eligible occupier.

(2) The Scottish Ministers may determine in each financial year the amount of grant payable—

- (a) nationally;
- (b) for specific areas as determined by the Scottish Ministers; or
- (c) for specific activities as defined by the Scottish Ministers.

(3) The Scottish Ministers may refuse an application for grant solely on the grounds that to approve that application would result in the amount determined under paragraph (2) nationally, for the specific area or for the specific activity being exceeded.

(4) For the purpose of this paragraph, “approved cost” shall mean the cost approved for the purposes of a grant under this Part of this Scheme and comprising the aggregate of—

- (a) the expenditure reasonably incurred by the crofter or eligible occupier in respect of materials required for the purpose of carrying out the relevant operation; and
- (b) such other sum as the Scottish Ministers may deem reasonable.

Application for and conditions of grant

4.—(1) Any application by a crofter or eligible occupier for approval of the cost of any such operation for the purpose of obtaining a grant shall be submitted by the crofter or eligible occupier,

and approved by the Scottish Ministers prior to incurring costs, or to the commencement of any work, on the operation.

(2) The Scottish Ministers may, as they think fit, either refuse to approve the cost of any operation or approve it in whole or in part for the purposes of a grant under this Part of this Scheme, and any such approval may be given and any such grant may be made, subject to such conditions as the Scottish Ministers think fit.

(3) Any approval of approved cost as specified in paragraph 3(4) of this Scheme for the purposes of a grant under this Part of this Scheme may be varied or withdrawn by the Scottish Ministers with the written consent of the applicant.

(4) The Scottish Ministers may specify in approvals for applications referred to in paragraph 4(1) the date on which work may start on the operation, the date on which the first payment of grant shall be paid and the date on which the final payment shall be made.

Claims

5. The applicant shall make a claim for the grant in such form as the Scottish Ministers may direct and shall afford to the Scottish Ministers or their duly authorised officer all such facilities as are reasonably necessary to enable the Scottish Ministers to satisfy themselves that any conditions subject to which approval was given have been complied with.

Restrictions on payment of grant

6.—(1) Subject to the provisions of sub-paragraph (3) the amount of grant paid, payable or approved by the Scottish Ministers under paragraph 4(1) of this Scheme whether for an operation or part of an operation in any two year period to—

- (a) an eligible occupier, or a crofter shall not exceed £25,000; or
- (b) to grazing committees or to groups approved by the Scottish Ministers consisting of crofters and eligible occupiers or any of these shall not exceed £125,000.

(2) The two year period referred to in sub-paragraph (1) shall run from a date two years before the date on which the current application for grant was received by the Scottish Ministers.

(3) Where the grant referred to in sub-paragraph (1) is for part of a project and the maximum amount of grant has been paid, no further grant will be payable for the same project.

Amount of grant

7.—(1) The amount of grant payable under this Part of this Scheme towards the approved cost of any operation specified in paragraph 1 of the Schedule in a Less Favoured Area shall be 50% of the approved cost of that operation up to the total amount of grant specified in paragraph 6(1) and in all other areas shall be 40% of the approved cost of that operation up to the total amount of grant specified in paragraph 6(1).

(2) If the Scottish Ministers are satisfied that any condition subject to which a grant under this Part of this Scheme may be made has not been complied with in carrying out the relevant operation, they may, notwithstanding paragraph 7(1), either withhold payment of the grant or make payment of a grant of such amount as they may in all the circumstances in the case consider reasonable.