
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 99

The Common Agricultural Policy Schemes (Cross-Compliance) (Scotland) Amendment Regulations 2007

Citation and commencement

1. These Regulations may be cited as the Common Agricultural Policy Schemes (Cross-Compliance) (Scotland) Amendment Regulations 2007 and shall come into force on 19th March 2007.

Amendment of the Common Agricultural Policy Schemes (Cross-Compliance) (Scotland) Regulations 2004

2. The Common Agricultural Policy Schemes (Cross-Compliance) (Scotland) Regulations 2004(1) are amended in accordance with regulations 3 to 6.

Amendment to regulation 2

3. In regulation 2 (interpretation)–

(a) after the definition of “the Council Regulation” insert–

“the EIA Agriculture Regulations” means the Environmental Impact Assessment (Agriculture) (Scotland) Regulations 2006(2);” and

(b) omit the definition of “the Uncultivated Land and Semi-Natural Areas Regulations”.

Amendment to regulation 5

4. In regulation 5 (competent control authority)–

(a) in paragraph (1), at the beginning insert “Subject to paragraph (1A),”; and

(b) after paragraph (1) insert–

“(1A) The Secretary of State is designated as the Competent Control Authority for the purposes of the controls referred to in Article 42(1) of the Commission Regulation in respect of statutory management requirements 10, 13, 14, 15, 16, 17 and 18 of Annex III to the Council Regulation.”.

Amendment to regulation 6

5. In regulation 6(3) (powers of authorised persons)–

(a) in sub-paragraph (a), after “examinations” insert “, measurements”;

(b) in sub-paragraph (d) for “kept on it” substitute “any livestock or any other thing kept on it”;

(1) [S.S.I. 2004/518](#) as amended by [S.S.I. 2005/143](#).
(2) [S.S.I. 2006/582](#) as amended by [S.S.I. 2006/614](#).

- (c) in sub-paragraphs (f) and (g) for “records” (each time it appears) substitute “documents or records”;
- (d) in sub-paragraph (g) for “record” substitute “document or record”;
- (e) omit “and” at the end of sub-paragraph (f); and
- (f) after “away” in sub-paragraph (g) insert–
 - “;
 - (h) remove a carcass found on the land for the purpose of carrying out a post-mortem examination on it;
 - (i) take a photograph of anything on the land; and
 - (j) remove anything which the authorised person reasonably believes to be evidence of any non compliance”.

Amendment to the Schedule

- 6. In the Schedule (good agricultural and environmental condition)–
 - (a) in paragraphs 12(2)(b) (pasture land of environmental or archaeological value), 13(1) (works on rough grazings and other semi-natural areas) and 14(a) (pesticides, lime and fertiliser on rough grazings and other semi-natural areas), for “Uncultivated Land and Semi-Natural Areas Regulations” substitute “EIA Agriculture Regulations”; and
 - (b) in paragraph 17 (protected historic environment)–
 - (i) after “following” insert “monuments,”; and
 - (ii) in sub-paragraph (a) for “building” substitute “monument”.

St. Andrew’s House Edinburgh
19th February 2007

ROSS FINNIE
A member of the Scottish Executive