
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 100

**The Rural Development Contracts (Rural
Priorities) (Scotland) Regulations 2008**

Application for aid

3.—(1) Subject to paragraph (5), an application for aid must be submitted in writing for approval to such authority and in such form and manner as the Scottish Ministers may reasonably require.

(2) An application for aid by a grazings committee must include—

- (a) the written consent of a majority of the crofters ordinarily resident in the township and sharing in the common grazing which is the subject of the proposal;
- (b) evidence that notice has been given in accordance with regulation 6(4); and
- (c) confirmation from the Crofters Commission that it has approved the proposal or, as the case may be, has received no representation under regulation 6(5).

(3) The Scottish Ministers may at any time suspend the operation of the programme provided for by these Regulations and, while so suspended, no application for aid under paragraph (1) may be submitted to them.

(4) An applicant may submit more than one application under this regulation.

(5) The application for aid must include an undertaking.

(6) Where such undertaking specifies activities under area related options, the applicant must be either—

- (a) the owner of the eligible land; and
 - (i) in lawful actual occupation of that land; or
 - (ii) have undertaken jointly with any tenant to assume the obligations under their activities or an undertaking (regulation 13 applying in the case where the tenant's tenancy has ended); or
- (b) the tenant of the eligible land who is in lawful actual occupation of that land—
 - (i) under a lease which will run until the end of the relevant period of the undertaking;
 - (ii) under a lease with security of tenure by virtue of any statutory provision until the end of that period; or
 - (iii) in the case where neither (i) nor (ii) applies where the tenant has jointly with the landlord given the undertaking until the end of that period (in which case regulation 13 shall apply);

(7) Where there is more than one relevant period in relation to an undertaking or undertakings the longer of the relevant periods is deemed to be the relevant period for the purposes of paragraph (6).

(8) An applicant must provide any information and evidence the Scottish Ministers reasonably require in order to consider the application.