

EXECUTIVE NOTE TO
THE CROFTING COUNTIES AGRICULTURAL GRANTS (SCOTLAND)
AMENDMENT SCHEME 2008
SSI/2008/58

The above instrument is made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972. The instrument is subject to negative resolution procedure.

Policy objectives

The purpose of the above instrument is to amend the current Crofting Counties Agricultural Grants Scheme 2006 (CCAGS) to enable it to operate within the Scottish Rural Development Programme (SRDP). SRDP is co-financed by the European Commission and in order to benefit fully from European Union (EU) funds, CCAGS has to be amended to contain provisions on:

- The circumstances in which Scottish Ministers shall not pay a grant;
- Authorised persons, who are given powers in relation to the operation of the Scheme;
- The consequences of non-compliance with conditions imposed on applicants; and
- Record keeping by beneficiaries of the Scheme for a stipulated period.

These provisions require to be transposed in line with Commission Regulation 1975/2006/EC (laying down rules for the implementation of Council Regulation (EC) No 1698/2005, as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures”) and Council Regulation 1968/2005/EC (on support for rural development by the European Agricultural Fund for Rural Development (EAFRD)).

The above instrument also amends the Agricultural Subsidies (Appeals) (Scotland) Regulations 2004 to provide for a right of appeal against specified decisions of the Scottish Ministers. This new right may be used to appeal decisions made to withhold any grant payable, to recover any grant paid, or to require payment of any sum in connection with an application made under either CCAGS or its predecessor Scheme.

Purpose of the Scheme

The purpose of CCAGS is to provide financial assistance to crofters and certain occupiers of land in the Crofting Counties to assist the improvement of crofting agriculture, as part of the general policy of compensating crofters for disadvantages of climate, scale, terrain and remoteness and to preserve an agricultural base in the Highlands and Islands. Crofters, crofting groups and others of a similar status are eligible for grant assistance.

Consultation

The amending instrument has been fully discussed with the Crofters Commission, the agent that administers the Scheme on behalf of Scottish Ministers. The Scottish Crofting Foundation has been given sight of the proposed amendments for information purposes. As there is no change to the purpose of CCAGS, its measures or level of support, it is anticipated that the amending instrument should receive the support of the crofting community.

Financial Effects

CCAGS is estimated to cost £3 million per annum and the Scottish Government has provided for that amount in its future allocations. There is no change to the level of support provided by the CCAGS.

Scottish Government Rural Directorate
18 February 2008