

[^{F1}SCHEDULE 3

Voluntary coupled support

Textual Amendments

- F1** schs. 3, 4 inserted (27.6.2015) by [The Common Agricultural Policy \(Direct Payments etc.\) \(Scotland\) Amendment Regulations 2015 \(S.S.I. 2015/215\)](#), reg. 1(3), **sch.**

PART 2

Voluntary coupled support – ovine animals

Interpretation

5. In this Part—

“applicable requirements” means the requirements in relation to—

- (a) means of identification;
- (b) replacement means of identification; and
- (c) holding register and movement requirements;

“applicant” means a farmer—

- (a) whose holding is wholly or partly situated in Scotland and who, at the time of submitting an application, is producing sheepmeat on any agricultural areas of any part of the holding situated in Scotland comprising parcels of land in region 3; and
- (b) in respect of any part of whose holding is situated in Scotland—
 - (i) at least 80 per cent of the total agricultural area declared for the purposes of a payment under Chapter 1 of Title III (basic payment scheme) of the Direct Payments Regulation on that farmer’s single application in the Scheme year comprises parcels of land in region 3; and
 - (ii) no more than 200 hectares of that area declared comprises parcels of land in region 1;

“application” means an application for a Scheme payment under paragraph 6;

“eligible ovine animal” has the meaning given in paragraph 7;

“holding”, for the purposes of paragraph 7, means a holding defined in Article 2 of Regulation 21/2004;

“holding register and movement requirements” means the requirements under—

- (a) Articles 5(1), (3) and (5), 6(1) and (3) and 8(2) of Regulation 21/2004; and
- (b) articles 22, 23 and 25 of the Sheep and Goats Order;

“means of identification” means the requirements on the first and second means of identification under—

- (a) Articles 4(1) and (2)(a) and (b) and 9 of, and Sections A.1 to A.4 and A.6 of the Annex to, Regulation 21/2004; and
- (b) articles 5, 30 and 37 of the Sheep and Goats Order, as read with Article 30(5) of the Horizontal Delegated Regulation;

“ovine animal” means an animal of the ovine species;

“region 1” means the region applied by the Scottish Ministers under and in accordance with Article 23(1) of the Direct Payments Regulation as region 1 of Scotland and comprising parcels of land that are arable land, permanent grassland or temporary grassland other than rough grazing land;

“Regulation 21/2004” means Council Regulation (EC) No 21/2004 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC;

“replacement means of identification” means the requirements on removal and replacement of the means of identification under Article 4(6) of Regulation 21/2004 and articles 14, 15, 18 and 19 of the Sheep and Goats Order;

“Scheme payment” means a payment by way of coupled support under and in accordance with Chapter 1 of Title IV (voluntary coupled support) of the Direct Payments Regulation;

“Scheme year” means the calendar year in which a particular application is made under paragraph 6; and

“Sheep and Goats Order” means the Sheep and Goats (Records, Identification and Movement) (Scotland) Order 2009.

Application for a Scheme payment

6.—(1) [^{F2}Subject to [^{F3}sub-paragraphs (1A) and (1B)], an applicant] may, during the period beginning 1st September and ending on 16th October in any calendar year, submit an application to the Scottish Ministers for a Scheme payment in respect of any eligible ovine animal.

[
^{F4}(1A) In respect of calendar year 2017, the final date for submitting an application to the Scottish Ministers for a scheme payment in respect of any eligible ovine animal is 30th November 2017.]

[
^{F5}(1B) In respect of calendar year 2018 and any subsequent calendar year, the final date for submitting an application to the Scottish Ministers for a scheme payment in respect of any eligible ovine animal is 30th November.]

(2) A Scheme payment for a particular Scheme year is to be made in respect of an application for a Scheme payment made during that Scheme year.

(3) An application is to be made in such form and include such information as may be specified by the Scottish Ministers.

(4) In accordance with Article 3 of the Horizontal Implementing Regulation, an application may be withdrawn in writing in respect of any ovine animal included in that application.

(5) In respect of any ovine animal for which an application is made, that application must include—

- (a) details concerning the means of identification in respect of that animal; and
- (b) such other information as the Scottish Ministers may require.

(6) For the purposes of this paragraph, an applicant must have submitted a single application in accordance with these Regulations in the Scheme year.

Textual Amendments

F2 Words in sch. 3 para. 6(1) substituted (9.10.2017) by [The Common Agricultural Policy \(Direct Payments etc.\) \(Scotland\) Amendment \(No. 2\) Regulations 2017 \(S.S.I. 2017/317\)](#), regs. 1, 2(a)

- F3** Words in sch. 3 para. 6(1) substituted (15.5.2018) by [The Common Agricultural Policy \(Miscellaneous Amendments\) \(Scotland\) Regulations 2018 \(S.S.I. 2018/122\)](#), regs. 1, **12(a)(i)**
- F4** sch. 3 para. 6(1A) inserted (9.10.2017) by [The Common Agricultural Policy \(Direct Payments etc.\) \(Scotland\) Amendment \(No. 2\) Regulations 2017 \(S.S.I. 2017/317\)](#), regs. 1, **2(b)**
- F5** sch. 3 para. 6(1B) inserted (15.5.2018) by [The Common Agricultural Policy \(Miscellaneous Amendments\) \(Scotland\) Regulations 2018 \(S.S.I. 2018/122\)](#), regs. 1, **12(a)(ii)**

Eligible ovine animal

7. For the purposes of Article 53 of the Direct Payments Delegated Regulation and this Schedule, an eligible ovine animal means an ovine animal—

- (a) which was born on the applicant's holding;
- (b) which has been kept on that holding from birth and will be kept on that holding during the period beginning on [^{F6}1st December] of the Scheme year and ending on 31st March of the following calendar year;
- (c) which is less than 12 months old on [^{F7}1st December] of the Scheme year; and
- (d) in respect of which the applicable requirements have been complied with.

Textual Amendments

- F6** Words in sch. 3 para. 7(b) substituted (15.5.2018) by [The Common Agricultural Policy \(Miscellaneous Amendments\) \(Scotland\) Regulations 2018 \(S.S.I. 2018/122\)](#), regs. 1, **12(b)(i)**
- F7** Words in sch. 3 para. 7(c) substituted (15.5.2018) by [The Common Agricultural Policy \(Miscellaneous Amendments\) \(Scotland\) Regulations 2018 \(S.S.I. 2018/122\)](#), regs. 1, **12(b)(ii)**

Scheme payments

8.—(1) Subject to sub-paragraph (2), a Scheme payment to be made in respect of an eligible ovine animal must be determined by the Scottish Ministers in accordance with—

- (a) Article 52(3) of the Direct Payments Regulation;
- (b) Article 52(6) of the Direct Payments Regulation; and
- (c) Article 53(2) of the Direct Payments Delegated Regulation.

(2) A Scheme payment may be made in respect of an eligible ovine animal up to a maximum of one animal for every 4 hectares of agricultural area declared by the applicant for the purposes of a payment under Chapter 1 of Title III (basic payment scheme) of the Direct Payments Regulation on a single application in the relevant Scheme year and comprising parcels of land in region 3.]

Changes to legislation:

There are currently no known outstanding effects for the The Common Agricultural Policy (Direct Payments etc.) (Scotland) Regulations 2015, PART 2.