
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 60

**The Common Agricultural Policy (EU Exit)
(Scotland) (Amendment) Regulations 2019**

PART 3

Amendment of secondary legislation relating to withdrawal from the European Union

The Common Agricultural Policy (Direct Payments etc.) (Scotland) Regulations 2015

6.—(1) The Common Agricultural Policy (Direct Payments etc.) (Scotland) Regulations 2015⁽¹⁾ are amended as follows.

(2) In regulation 4 (minimum eligible area of holding), after “Regulation” insert “as it had effect immediately before exit day”.

(3) In regulation 7 (short rotation coppice), for “and (2)(c)” substitute “and, as it had effect immediately before exit day, (2)(c)”.

(4) In regulation 14(1) (windfall profit), for “Article 28” to “Delegated Regulation” substitute—
“Article 28 of the Direct Payments Regulation and as determined in accordance with Article 27 of the Direct Payments Delegated Regulation, as those Regulations had effect immediately before exit day.”.

(5) In regulation 17(1) (permanent grassland), after “Direct Payments Regulation” insert “as it had effect immediately before exit day”.

(6) In regulation 19 (powers of authorised persons), for paragraph (5) substitute—

“(5) An authorised person entering any premises by virtue of this regulation may be accompanied by such other person as the authorised person considers necessary.”.

(7) In regulation 23 (recovery of undue payments)—

(a) in paragraph (2)(b), for “or the coordinating body” substitute “, the coordinating body or, on or after exit day, the appropriate authority”,

(b) for paragraph (3) substitute—

“(3) In this regulation—

“the appropriate authority” means the Secretary of State, the Department of Agriculture, Environment and Rural Affairs, the Scottish Ministers and the Welsh Ministers acting jointly; and

“the coordinating body” means the coordinating body referred to in regulation 3 of the Common Agricultural Policy (Competent Authority and Coordinating Body) Regulations 2014⁽²⁾ as those Regulations had effect immediately before exit day.”.

(1) S.S.I. 2015/58; relevant amending instrument is S.S.I. 2017/98.

(2) S.I. 2014/3260. This instrument is being revoked on exit day by S.I. 2019/XXX.

Status: *This is the original version (as it was originally made).*
