

This Scottish Statutory Instrument has been made to correct errors in S.S.I. 2008/298 and is being issued free of charge to all known recipients of that instrument.

SCOTTISH STATUTORY INSTRUMENTS

2008 No. 394

**ENVIRONMENTAL PROTECTION
AGRICULTURE
WATER**

**The Action Programme for Nitrate Vulnerable
Zones (Scotland) Amendment Regulations 2008**

Made - - - - 26th November 2008
*Laid before the Scottish
Parliament* - - - - 27th November 2008
Coming into force - - 1st January 2009

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972⁽¹⁾ and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Action Programme for Nitrate Vulnerable Zones (Scotland) Amendment Regulations 2008 and come into force on 1st January 2009.

(2) In these Regulations “the principal Regulations” means the Action Programme for Nitrate Vulnerable Zones (Scotland) Regulations 2008⁽²⁾.

Amendment of regulation 9

2.—(1) Regulation 9 of the principal Regulations is amended as follows.

(2) In the heading of regulation 9 and in that regulation, the words “livestock manure (other than slurry)” are substituted for the words “solid manure”.

(1) 1972 c. 68. Section 2(2) was amended by Schedule 8, paragraph 15(3) of the Scotland Act 1998 (c. 46), and the Legislative and Regulatory Reform Act 2006 (c. 51) (“the 2006 Act”), section 27(1). The function conferred on the Minister of the Crown under section 2(2) was, so far as within devolved competence, transferred to the Scottish Ministers by section 53 of the Scotland Act 1998.

(2) S.S.I. 2008/298.

Amendment of Schedule 3

3.—(1) Schedule 3 to the principal Regulations is amended as follows.

(2) In table 1, previous crop: N residue group 3, the words “Thin permanent grass, low N, no clover” are inserted immediately below the words “1–2 year high N leys², not grazed within 2 months of ploughing out or during September or October”.

(3) In table 1, previous crop: N residue group 3, an opening bracket is inserted immediately before the words “²high N means average N use in last 2 years was more than 150 kg/ha/year, or high clover”.

(4) In table 1, previous crop: N residue group 4, the words “Thick permanent grass, low N” are inserted immediately below the words “3–5 year low N leys, not grazed within 2 months of ploughing out or during September or October”.

(5) In table 1, previous crop: N residue group 6, the word “not” is omitted immediately after the words “3–5 year high N leys,”.

(6) In table 4, part C—

- (a) in the 3rd row of “Cattle slurry – Surface applied” which relates to 10% dry matter, in the 10th column “25” is substituted for “20”.
- (b) in the 1st row of “Cattle slurry – ploughed in” which relates to 2% dry matter, in the 8th column “30” is substituted for “25”.
- (c) in the 2nd row of “Cattle slurry – ploughed in” which relates to 6% dry matter, in the 8th column “25” is substituted for “20”.
- (d) in the row “Separated – Weeping wall”, in the 5th column “2” is substituted for “3”.
- (e) in the row “Separated – Mechanical”, in the 5th column “3” is substituted for “4”.
- (f) in the 1st row of “Pig slurry – ploughed in” which relates to 2% dry matter, in the 8th column “35” is substituted for “30”.
- (g) in the 2nd row of “Pig Slurry – ploughed in” which relates to 4% dry matter, in the 8th column “30” is substituted for “25”.
- (h) in the 3rd row of “Pig slurry – ploughed in” which relates to 6% dry matter, in the 8th column “30” is substituted for “25”.
- (i) in the 3rd row of “Pig slurry – shallow injected” which relates to 6% dry matter, in the 9th column “40” is substituted for “34”.

St Andrew’s House,
Edinburgh
26th November 2008

RICHARD LOCHHEAD
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations correct minor errors in regulation 9 of the Action Programme for Nitrate Vulnerable Zones (Scotland) Regulations 2008 so that that regulation applies to the storage of livestock manure other than slurry (rather than “solid” manure). They also correct minor errors in the text and figures in some of the tables in Schedule 3.