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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 278**

**The Common Agricultural Policy Non-IACS Support  
Schemes (Appeals) (Scotland) Regulations 2004**

**Procedure in the Scottish Land Court**

**11.**—(1) The Scottish Land Court may hear evidence or submissions on matters of fact or law not specified in accordance with regulation 10 above on such terms and conditions as to expenses or otherwise as it considers appropriate but shall not do so in respect of any matter referred to in regulation 10(4)(a) to (c) above unless it is satisfied that there are special circumstances to justify doing so.

(2) The Chairman of the Scottish Land Court may make appropriate arrangements for the hearing of appeals under these Regulations.

(3) The arrangements referred to in paragraph (2) above shall include the delegation, to the Chairman or any member of the Court, of the power to determine the whole or any part of an appeal.

(4) In determining an appeal, the Scottish Land Court may—

- (a) confirm the decision of the Scottish Ministers under regulation 8 above;
- (b) amend or alter that decision in any respect which it considers appropriate; or
- (c) substitute for that decision any decision which it considers appropriate, and any such determination of the Scottish Land Court is, subject to any case stated in accordance with section 1(7) of the Scottish Land Court Act 1993<sup>(1)</sup>, binding upon the Scottish Ministers and the applicant.