
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 398

**The Common Agricultural Policy Support Schemes
(Modulation) (Scotland) Amendment Regulations 2004**

Amendment of the Common Agricultural Policy Support Schemes (Modulation) (Scotland) Regulations 2000

2.—(1) The Common Agricultural Policy Support Schemes (Modulation) (Scotland) Regulations 2000⁽¹⁾ are amended in accordance with this regulation.

(2) In regulation 3—

(a) before the definition of “the Agrimonetary Regulation”, insert—

““the Act of Accession” means the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded⁽²⁾”;

(b) at the end of the definition of “the Council Regulation”⁽³⁾ insert “, as amended by Commission Regulation (EC) 41/2004⁽⁴⁾ and the Act of Accession⁽⁵⁾”;

(c) in each of the definitions of “farmer” and “holding”, for “Article 10(a) of the Council Regulation” and “Article 10(b) of the Council Regulation” respectively substitute “Article 1(3) of Council Regulation (EEC) 3508/92 establishing common rules for direct support schemes under the common agricultural policy of the European Community, as amended⁽⁶⁾”; and

(d) at the end of the definition of “the Rural Development Regulation” insert “, as amended by Commission Regulation (EC) 1783/2003⁽⁷⁾, the Act of Accession⁽⁸⁾ and Council Regulation (EC) 583/2004⁽⁹⁾”.

(3) In regulation 5(b), for “Articles 13 to 21” substitute “Articles 13 to 20”.

(1) S.S.I. 2000/429, amended by S.S.I. 2001/390.

(2) O.J. L 236, 30.09.2003, p.33.

(3) Council Regulation (EC) 1259/1999 was repealed by Article 153(4) of Council Regulation (EC) 1782/2003 (O.J. No. L 270, 21.10.2003, p.1) establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending certain Regulations, but by virtue of Article 153(4), Articles 4 and 5 of Regulation (EC) 1259/1999, and the Annex to that Regulation for the purposes of applying those Articles, continue to apply until 31st December 2004.

(4) O.J. No. L 6, 10.01.2004, p.19, which replaced the text of the original Annex to Council Regulation (EC) 1259/1999.

(5) Annex II, part 6, paragraph 27 of the Act of Accession renamed the Annex to the Council Regulation (EC) 1259/1999 “Annex I”.

(6) O.J. No. L 355, 5.12.92, p.1. Article 1(3) was renumbered as such by Council Regulation 1593/2000 (O.J. L 182, 21.7.2000, p.4). There are other amendments to Council Regulation (EEC) 3508/92 not relevant to these Regulations; that Regulation was repealed by Article 153(1) of Council Regulation (EC) No. 1782/2003 (O.J. No. L270, 21.10.2003, p.1), but continues to apply to applications for direct payments in respect of the calendar years preceding 2005 by virtue of that Article.

(7) O.J. No. L 270, 21.10.2003, p.70.

(8) See Annex II of the Act of Accession, part 6, paragraph 26.

(9) O.J. No. L 91, 30.3.2004, p.1.