
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 18

**The Direct Payments to Farmers (Legislative Continuity)
(Scotland) (Miscellaneous Amendments) Regulations 2020**

**Amendments to the Common Agricultural Policy (Direct Payments etc.) (Scotland)
Regulations 2015**

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

(2) In regulation 2 (interpretation)—

(a) in paragraph (1), after the definition of “Bank Holiday” insert—

““claim year” has the meaning given in section 1(7) of the Direct Payments to Farmers (Legislative Continuity) Act 2020(2),”

(b) after paragraph (1), insert—

“(1A) References in these Regulations to the Horizontal Delegated Regulation, the Horizontal Implementing Regulation and the Horizontal Regulation are, to the extent that they relate to direct payments for claim year 2020, references to those Regulations as they exist in domestic law.”.

(3) In regulation 4 (minimum eligible area of holding), omit “(b) and (2)”.

(4) In regulation 7 (short rotation coppice), omit “and (2)(c)”.

(5) In regulation 14(1) (windfall profit), after “Delegated Regulation” insert “, as those Regulations had effect immediately before exit day”.

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

(7) In regulation 19 (powers of authorised persons), at the beginning of paragraph (5)(b) insert “except for matters relating to direct payments for claim year 2020, ”.

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

(a) in paragraph (2)(b), for “or the coordinating body” substitute “, the coordinating body, or, in respect of claim year 2020, the relevant authority”,

(b) for paragraph (3) substitute—

“(3) In this regulation—

“the relevant 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(3).”.

(1) S.S.I. 2015/58, as amended by S.S.I. 2015/194, S.S.I. 2015/215, S.S.I. 2016/104, S.S.I. 2016/178, S.S.I. 2017/98, S.S.I. 2017/317 and S.S.I. 2018/122. S.S.I. 2019/60 made prospective amendments which have not yet come into force.

(2) 2020 c.2.

(3) S.I. 2014/3260.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
