STATUTORY INSTRUMENTS

1972 No. 1338 (S.100)

CROFTERS, COTTARS AND SMALL LANDHOLDERS, SCOTLAND

The Crofting Counties Agricultural Grants (Scotland) (No. 2) Scheme 1972

Made - - -	*17th August* 1972
Laid before Parliament	*4th September* 1972
Coming into Operation	*25th September* 1972

In exercise of the powers conferred on me by section 22(1) of the Crofters (Scotland) Act 1955(a) and section 14(1) of the Crofters (Scotland) Act 1961(b), and of all other powers enabling me in that behalf and after consultation with the Crofters Commission and with the approval of the Treasury, I hereby make the following scheme:—

Citation and commencement

1. This scheme may be cited as the Crofting Counties Agricultural Grants (Scotland) (No. 2) Scheme 1972 and shall come into operation on 25th September 1972.

Interpretation

2.—(1) In this scheme, unless the context otherwise requires, the expressions "breeding cow", "eligible occupier" and "qualifying day" have the same meanings as in the Hill Cattle (Scotland) Scheme 1968(c) as amended, (d) (hereinafter referred to as "the Hill Cattle Scheme").

(2) The Interpretation Act 1889(e) shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

Grants to be made

3. (1) Subject to the provisions of this scheme, the Secretary of State may in respect of the year 1972 make a grant under this scheme in relation to any breeding cow, being a breeding cow to which this scheme applies, in respect of which a subsidy payment at the reduced rate has been or falls to be made under the Hill Cattle Scheme in respect of that year as being a breeding cow on the qualifying day in that year (which payment is hereinafter referred to as "the subsidy payment").

(2) In this paragraph the expression "subsidy payment at the reduced rate" means a subsidy payment reduced in accordance with the provisions of paragraph 4(2) of the Hill Cattle Scheme.

(a) 3 & 4 Eliz. 2. c. 21. (b) 1961 c. 58. (c) S.I. 1968/981 (1968 II, p. 2590).
(d) The relevant amending instruments are S.I. 1970/1648, S.I. 1972/725 (1970 III, p. 5423, 1972 II, p. 2288). (e) 1889 c. 63.

Breeding cow to which this scheme applies

4.—(1) This scheme applies to any breeding cow—

(*a*) which is grazed and maintained on land comprising or forming part of a qualified croft or holding, being a croft or holding occupied by a person as a crofter or as an eligible occupier, or

(*b*) which is grazed and maintained on common grazings or common pasture to which the Crofters (Scotland) Acts 1955 and 1961 apply by a crofter or eligible occupier in exercise of a right to share in the common grazings or common pasture deemed to form part of a qualified croft or holding of which he is the occupier,

being in either case a cow in respect of which the subsidy payment has been or falls to be made to that crofter or eligible occupier as the person maintaining the cow or to such a person as is mentioned in paragraph 6(2) of the Hill Cattle Scheme.

(2) In this paragraph, the expression "qualified croft or holding", in relation to the year 1972, means a croft or holding in respect of which no grant under the Crofting Counties Agricultural Grants (Scotland) Scheme 1972(a) for the cropping of marginal land in that year has been paid and in respect of which, in the opinion of the Secretary of State, no such grant is payable.

Person to whom grant is to be made

5.—(1) Subject to the following provisions of this paragraph a grant under this scheme in respect of any breeding cow shall be payable to the person to whom the subsidy payment has been or falls to be made in respect of that cow.

(2) Where payment of grant under this scheme is made to such a person as is mentioned in paragraph 6(2) of the Hill Cattle Scheme, paragraph 5(2) of that scheme shall apply to the payment of such grant as it applies to the subsidy payment.

Application for grant

6. Any person who desires to obtain a grant under this scheme shall make an application for a grant in such form and at such time as the Secretary of State may direct and shall furnish such information as the Secretary of State may require and such application may, if the Secretary of State thinks fit, be combined with an application for a subsidy payment under the Hill Cattle Scheme.

Amount of grant

7. The amount of any grant which may be made under this scheme in respect of any breeding cow to which this scheme applies as being a breeding cow on the qualifying day in the year 1972 shall be £5·75.

Prohibition against assignation of grant

8. Paragraph 14 of the Hill Cattle Scheme shall apply to any grant falling to be paid under this scheme as it applies to a subsidy payment falling to be paid under that scheme.

(a) S.I. 1972/407 (1972 I, p. 1499).

Gordon Campbell,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

11th August 1972.

We approve.

V. H. Goodhew,
Oscar Murton,
Two of the Lords Commissioners of Her Majesty's Treasury.

17th August 1972.

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

This Scheme enables the Secretary of State to make grants to crofters and certain other occupiers of land in the seven crofting counties of Scotland for the year 1972 in supplement of the subsidy payment made in respect of that year under the Hill Cattle (Scotland) Scheme 1968. This supplement, at the increased rate of £5·75 announced in the Annual Review and Determination of Guarantees 1972, is payable only where no grant under the Crofting Counties Agricultural Grants (Scotland) Scheme 1972 for the cropping of marginal land in 1972 has been paid in respect of the croft, holding or grazings on which the cow is maintained and in the opinion of the Secretary of State no such grant is payable. The provisions of this scheme under which persons may qualify for a payment are the same as the provisions of the Crofting Counties Agricultural Grants (Scotland) (No. 2) Scheme 1968 (S.I. 1968/1496) in terms of which a supplement at the rate of £5 was payable.