

---

STATUTORY INSTRUMENTS

---

**1994 No. 3099**

**The Habitat (Broadleaved Woodland) (Wales) Regulations 1994**

**Restrictions on acceptance of applications**

5.—(1) The Secretary of State shall not accept an application in relation to any land unless he is satisfied that the management of the land in accordance with the requirements set out in the Schedule will maintain, improve or protect a habitat for wildlife on that land.

(2) The Secretary of State shall not accept an application in relation to any land where the total area of eligible land in respect of which the application is made is less than 0.5 hectares.

(3) The Secretary of State shall not accept an application in relation to any land which is occupied by a tenant unless he is satisfied that the tenant has obtained the consent in writing of the landlord of that land to the making of the application.

(4) The Secretary of State may refuse to accept an application in relation to any land where he is satisfied that—

- (a) the management of the land in accordance with the requirements set out in the Schedule would frustrate the purposes of any assistance previously given or to be given out of money provided by Parliament or the European Community; or
- (b) the payment of aid under these Regulations in relation to that land would duplicate any assistance given or to be given out of money provided by Parliament or by the European Community.