

Executive Note

The Processing, Marketing & Co-operation Grant (Scotland) Regulations 2008 SSI 2008/64

The above instrument was made in exercise of powers conferred by section 2(2) of and paragraph 1A of Schedule 2 to, the European Communities Act 1972. The instrument is subject to negative resolution procedure.

Policy Objectives

The purpose of the instrument is to enact the food processing marketing and co operation measures within the Scottish Rural Development Programme financed by the European Agricultural Fund for Rural Development established by Council Regulation (EC) 1290/2005.

Background

The Scottish Rural Development Programme 2007-13 provides the platform to support a range of measures to achieve economic, social and environmental goals. Two measures under that programme are being combined within the Food Processing, Marketing & Co operation Grant Scheme (“the FPMC grant scheme”) to deliver a comprehensive range of support to the food industry in Scotland. The 2008 Regulations provide the framework to operate the grants scheme

The new FPMC grant scheme will also assist the delivery of activity coherent with the development of a National Food policy for Scotland. The scheme objectives will meet the overall strategic objectives for food in Scotland and will develop in line with the National Food Policy.

The 2008 Regulations will make provision for

- Guidance material, identifying eligible projects costs to be included in applications and determination of applications
- Payment of grant assistance the information and records required to be held by applicants.
- Powers of authorised persons, revocation or variation of approval and withholding or recovery of grant and offences applicable.

Regulations - enforcement

The 2008 Regulations instrument will:

- Require the applicant to retain all invoices accounts and other relevant documents in relation to an application.

- Provide such additional information in relation to the project or the grant monies paid in pursuance of that project as Ministers may require.
- Permit an authorised person to verify the accuracy of any information contained in an application or a claim for payment under the Regulations or any other information provided by the applicant relating to the project.
- Permit an authorised person to ascertain whether any grant is payable or recoverable under the Regulations, or the amount that is payable or recoverable.
- Permit an authorised person to ascertain whether an offence under these Regulations has been or is being committed.
- Permit the revocation or variation of approval and withholding or recovery of grant.
- Set out what constitutes an offence and the level of penalty.

Consultation

The Scottish Rural Development Programme consultation was launch on 4th April 2007. The consultation ran for 12 weeks until 30th June and nine public meetings were held around Scotland during this period with over 1400 copies of the consultation document distributed. Additionally the Consultation document was available on-line.

A total of 259 written responses were submitted from a range of organisations and individuals. The responses comprise answers to closed questions ("yes/no/don't know"), as well as extensive textual answers to each of the 21 questions set out in the consultation document.

Financial Effects

The effect of the Regulations are to permit financial assistance to businesses and individuals involved within the food chain and we therefore foresee no increase in costs on the Scottish Government, local government or on business. We have therefore not carried out a Regulatory Impact Assessment.

Scottish Government Marine Directorate
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