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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 66**

**The Leader Grants (Scotland) Regulations 2008 (revoked)**

**Interpretation**

**2.—(1)** In these Regulations—

“applicant” means either a local action group or where the context requires an eligible body;

“application” means an application for local action group grant made under regulation 3 or, where the context requires, LEADER grant made under regulation 8;

“approved expenditure” means the costs of a project approved by a local action group for the purpose of calculating LEADER grant under these Regulations;

“authorised person” means a person who is authorised by Ministers, either generally or specifically, to act in matters arising under these Regulations and includes any official of the Commission who accompanies such an authorised person;

“beneficiary” means a local action group which has made a claim for payment and has received local action group grant or where the context requires an applicant who made a claim for payment and has received LEADER grant;

“claim for payment” means a written request for payment of sums of grant due to an applicant in respect of a project and “claimant” shall be construed accordingly;

[<sup>F1</sup>“Commission Regulation 885/2006” means Commission Regulation (EC) No 885/2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD, as amended from time to time;

“Commission Regulation 1974/2006” means Commission Regulation (EC) No 1974/2006 laying down detailed rules for the application of Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), as amended from time to time;]

“cooperation” means either trans-regional or, where the context requires, trans-national cooperation and shall have the same meaning as in Article 65 of the Council Regulation;

[<sup>F2</sup>“Council Regulation 1290/2005” means Council Regulation (EC) No 1290/2005 on the financing of the common agricultural policy, as amended from time to time;]

“LEADER” means the Leader approach as defined in Article 61 of the Council Regulation;

“LEADER grant” means a payment under these Regulations made by a local action group to an eligible person;

“LEADER funding” means a sum of money [<sup>F3</sup>paid to a lead partner of a local action group] by Ministers from which the local action group may pay LEADER grant;

[<sup>F4</sup>“lead partner” means the body selected by a local action group as the administrative and financial lead actor in accordance with Article 62(2) of the Council Regulation;]

“local action group” means the public/private partnership selected by Ministers to deliver LEADER in a particular geographical area of Scotland;

“local action group area” means the geographical area within which a local action group operates;

“local action group grant” means a payment under these Regulations made by Ministers to a local action group;

“local development strategy” means a strategy formed by a local action group and approved by Ministers which is—

(a) based upon—

(i) the 4 axes of the Council Regulation being—

axis 1 – improving the competitiveness of the agriculture and forestry sector;

axis 2 – improving the environment and countryside;

axis 3 – quality of life in rural areas and diversification of the rural economy;

axis 4 – leader; and

(ii) the 5 main outcomes for rural development in Scotland—

business viability;

enhanced biodiversity and landscape;

improved water quality;

climate change; and

enhanced development of rural communities; and

(b) which has selected one or two of the following LEADER themes:—

revitalising communities;

rural community capacity;

new markets and products;

progressive rural economy;

conservation of the rural environment;

“Ministers” means the Scottish Ministers;

“project” means a project or investment proposed by a local action group in an application for local action group grant or, where the context requires, an eligible body in an application for LEADER grant;

“project costs” means the costs of a project as specified in an application;

[<sup>F5</sup>“the EU legislation” means—

(a) the Control Regulation;

(b) the Council Regulation; and

(c) Commission Regulation 1974/2006;]

[<sup>F6</sup>“the Control Regulation” means Commission Regulation (EU) No 65/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1698/2005, as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures, as amended from time to time;]

[<sup>F7</sup>“the Council Regulation” means Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), as amended from time to time;]

“the Scotland rural development programme” means the 2007 to 2013 Rural Development Programme for Scotland approved by the European Commission describing the measures

arising out of the Council Regulation which will apply in Scotland over the period 2007 to 2013 <sup>F8</sup>;

“service level agreement” means an agreement between the Scottish Ministers and a lead partner for the purposes of Article 6(1) of Council Regulation 1290/2005 and Annex I(1)(C) of Commission Regulation 885/2006.]

(2) Unless the context otherwise requires, any reference in these Regulations to a numbered regulation shall be construed as a reference to the regulation so numbered in these Regulations.

(3) Any reference in these Regulations to a numbered paragraph shall be construed as a reference to the paragraph so numbered in the regulation in which the reference occurs.

(4) A reference in these Regulations to anything done in writing or produced in written form includes a reference to an electronic communication, as defined in <sup>F9</sup>section 15 of the Electronic Communications Act 2000<sup>M1</sup>, which has been recorded and is consequently capable of being reproduced.

#### Textual Amendments

- F1** Words in reg. 2(1) inserted (2.7.2012) by [The Leader Grants \(Scotland\) Amendment Regulations 2012 \(S.S.I. 2012/182\)](#), regs. 1, **2(2)(a)**
- F2** Words in reg. 2(1) inserted (2.7.2012) by [The Leader Grants \(Scotland\) Amendment Regulations 2012 \(S.S.I. 2012/182\)](#), regs. 1, **2(2)(b)**
- F3** Words in reg. 2(1) substituted (2.7.2012) by [The Leader Grants \(Scotland\) Amendment Regulations 2012 \(S.S.I. 2012/182\)](#), regs. 1, **2(2)(c)**
- F4** Words in reg. 2(1) inserted (2.7.2012) by [The Leader Grants \(Scotland\) Amendment Regulations 2012 \(S.S.I. 2012/182\)](#), regs. 1, **2(2)(d)**
- F5** Words in reg. 2(1) substituted (2.7.2012) by [The Leader Grants \(Scotland\) Amendment Regulations 2012 \(S.S.I. 2012/182\)](#), regs. 1, **2(2)(e)**
- F6** Words in reg. 2(1) substituted (2.7.2011) by [The Rural Development Support Measures \(Control Procedures and Miscellaneous Amendments\) \(Scotland\) Regulations 2011 \(S.S.I. 2011/260\)](#), regs. 1, **3(2)(a)**
- F7** Words in reg. 2(1) substituted (2.7.2012) by [The Leader Grants \(Scotland\) Amendment Regulations 2012 \(S.S.I. 2012/182\)](#), regs. 1, **2(2)(f)**
- F8** Words in reg. 2(1) inserted (2.7.2012) by [The Leader Grants \(Scotland\) Amendment Regulations 2012 \(S.S.I. 2012/182\)](#), regs. 1, **2(2)(g)**
- F9** Words in reg. 2(4) substituted (2.7.2011) by [The Rural Development Support Measures \(Control Procedures and Miscellaneous Amendments\) \(Scotland\) Regulations 2011 \(S.S.I. 2011/260\)](#), regs. 1, **3(2)(b)**

#### Marginal Citations

- M1** 2000 (c. 7); as amended by paragraph 158 of Schedule 17 to the [Communications Act 2003 \(c. 21\)](#).

**Status:**

Point in time view as at 02/07/2012. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Leader Grants (Scotland) Regulations 2008 (revoked), Section 2.