
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations establish a scheme for the payment of grants and the making of loans by the Scottish Ministers under paragraph 1 of schedule 6 of the Fisheries Act 2020.

Part 1 of these Regulations contains general introductory provisions. Part 2 provides for the establishment of the scheme. Part 3 constitutes the scheme and makes provision for the payment of grants and the making of loans by the Scottish Ministers.

Regulations 5 and 6 provide that the Scottish Ministers may specify the procedure for making an application for a grant or loan under the scheme and may make decisions concerning the approval, rejection or refusal of an application and any conditions which may apply to an approval.

Regulation 7 provides that the Scottish Ministers may, at any time before a grant has been paid in full, suspend or revoke the approval in whole or in part, or vary the conditions of the approval.

Regulations 6(2) and 7(2) provide that the Scottish Ministers must notify the applicant of decisions under regulations 6(1) and 7(1), respectively. Regulation 8 provides that the applicant may make representations in relation to those decisions, in accordance with any requirements specified by the Scottish Ministers. The Scottish Ministers must notify the applicant of their decision following such representations.

Regulation 9 provides that a grant can be paid in instalments.

Regulation 10 provides that the Scottish Ministers may specify when they may require a grant (or any part of a grant) or a loan to be repaid, and any interest which may be due thereon to be paid.

Regulation 11 confers an enforcement function on specific categories of British sea-fishery officers appointed or employed in Scotland. This allows for the enforcement of any offence or suspected offence committed in relation to an application for a grant or a loan made under the scheme (for example, an offence of fraud).

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.