

SCHEDULES

SCHEDULE 6

FINANCIAL ASSISTANCE: POWERS OF DEVOLVED AUTHORITIES

Power of the Scottish Ministers

- 1 (1) The Scottish Ministers may give financial assistance, or arrange for financial assistance to be given, to any person for any of the following purposes—
 - (a) the conservation, enhancement or restoration of the marine and aquatic environment;
 - (b) the promotion or development of commercial fish or aquaculture activities;
 - (c) the reorganisation of businesses involved in commercial fish or aquaculture activities;
 - (d) contributing to the expenses of persons involved in commercial fish or aquaculture activities;
 - (e) maintaining or improving the health and safety of individuals who are involved in commercial fish or aquaculture activities;
 - (f) the training of individuals who are, were or intend to become involved in commercial fish or aquaculture activities, or are family members of such individuals;
 - (g) the economic development or social improvement of areas in which commercial fish or aquaculture activities are carried out;
 - (h) improving the arrangements for the use of catch quotas or effort quotas;
 - (i) the promotion or development of recreational fishing.
- (2) Financial assistance given under, or under arrangements made pursuant to, sub-paragraph (1) must be given in accordance with a scheme established by regulations made by the Scottish Ministers.
- (3) The scheme may only provide for financial assistance to be given—
 - (a) in relation to Scotland or the Scottish zone, or
 - (b) in relation to Scottish fishing boats.
- (4) The scheme may—
 - (a) confer functions (including functions involving the exercise of a discretion) on a person;
 - (b) require a person on whom functions are conferred to keep, and make available for inspection, accounts and other records;
 - (c) require the Scottish Ministers, or another person, to publish specified information about financial assistance given in accordance with the scheme.
- (5) In sub-paragraph (4)(c) “specified” means specified by the scheme; and information that may be specified under that provision includes information about—
 - (a) the recipient of the financial assistance;

Status: This is the original version (as it was originally enacted).

- (b) the amount of the financial assistance;
 - (c) the purpose for which the financial assistance was given.
- (6) The scheme may not impose a duty to publish information where its publication would (taking the duty into account) contravene the data protection legislation (within the meaning of the Data Protection Act 2018).
- (7) The scheme may include provision under which—
 - (a) financial assistance is given subject to conditions specified by, or in accordance with, the scheme;
 - (b) financial assistance is required to be repaid in circumstances specified by, or in accordance with, the scheme.
- (8) Regulations under this paragraph are subject to the affirmative resolution procedure.
- (9) In this paragraph—
 - “family member”, in relation to an individual (“P”), means—
 - (a) P’s spouse or civil partner,
 - (b) a child or grandchild of P or of P’s spouse or civil partner, or
 - (c) a parent or grandparent of P or of P’s spouse or civil partner;
 - “financial assistance” means grants or loans.