



Subsidy Control Act 2022

2022 CHAPTER 23

PART 1

OVERVIEW AND KEY INTERPRETATION

Other key terms

9 The subsidy control principles and the energy and environment principles

- (1) Schedule 1 sets out the subsidy control principles.
- (2) Schedule 2 sets out further principles for subsidies in relation to energy and environment.

Commencement Information

- II** S. 9 in force at Royal Assent, see [s. 91\(1\)\(a\)](#)

10 Subsidy schemes and streamlined subsidy schemes

- (1) In this Act, “subsidy scheme” means a scheme made by a public authority providing for the giving of subsidies under the scheme.
- (2) A subsidy scheme may be made—
 - (a) by a public authority that is not a primary public authority only for the giving of subsidies by that public authority;
 - (b) by a public authority that is a primary public authority for the giving of subsidies by other public authorities (in addition to the primary public authority so far as the scheme may provide).
- (3) In subsection (2), “primary public authority” means a public authority of any of the following descriptions—
 - (a) a Minister of the Crown;

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- (b) the Scottish Ministers;
 - (c) the Welsh Ministers;
 - (d) a Northern Ireland department;
 - (e) any other public authority which, in the exercise of its functions, makes a scheme for the giving of subsidies by other public authorities.
- (4) In this Act, “streamlined subsidy scheme” means a subsidy scheme which—
- (a) is made by a Minister of the Crown, and
 - (b) specifies it is made for the purposes of this Act as a streamlined subsidy scheme.
- (5) A streamlined subsidy scheme must be laid before Parliament after it is made.
- (6) If a streamlined subsidy scheme is modified after it is laid, the scheme as modified must also be laid before Parliament.
- (7) If, within the 40-day period, either House of Parliament resolves not to approve the scheme, or the scheme as modified, then, with effect from the end of the day on which the resolution is passed, the scheme, or the scheme as modified, is to be treated as not having been made.
- (8) Nothing in subsection (7)—
- (a) affects any subsidies given under the scheme before the end of the day on which the resolution is passed, or
 - (b) prevents a further scheme being laid before Parliament.
- (9) In this section, “the 40-day period” means—
- (a) if the scheme is laid before both Houses of Parliament on the same day, the period of 40 days beginning with that day, or
 - (b) if the scheme is laid before the Houses of Parliament on different days, the period of 40 days beginning with the later of those days.
- (10) In calculating the 40-day period, no account is to be taken of any period during which Parliament is dissolved or prorogued or during which both Houses of Parliament are adjourned for more than 4 days.
- (11) A subsidy scheme or streamlined subsidy scheme may provide for the value of a subsidy to be determined by reference to its gross cash amount or the gross cash equivalent.

Commencement Information

12 S. 10 in force at Royal Assent, see [s. 91\(1\)\(a\)](#)

11 Subsidies and schemes of interest or particular interest

- (1) In this Act—
- (a) “subsidy, or subsidy scheme, of interest”, and
 - (b) “subsidy, or subsidy scheme, of particular interest”,
- have the meanings given in regulations made by the Secretary of State.

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- (2) Regulations under this section defining “subsidy, or subsidy scheme, of interest” or “subsidy, or subsidy scheme, of particular interest” may make provision by reference (among other things) to—
- (a) the value of the subsidy or the value of the subsidies given under the subsidy scheme, and
 - (b) the sector in which the expected beneficiaries of the subsidy or subsidy scheme operate, and any characteristics of that sector.
- (3) Provision under subsection (2)(a) may provide for the value of a subsidy to be determined by reference to its gross cash amount or the gross cash equivalent.
- (4) Regulations under this section are subject to the affirmative procedure.

Commencement Information

I3 S. 11 in force at Royal Assent, see [s. 91\(1\)\(a\)](#)

Changes to legislation:

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Heading: Other key terms.