EXECUTIVE NOTE

THE EUROPEAN FISHERIES FUND (GRANTS) (SCOTLAND) AMENDMENT REGULATIONS 2012

S.S.I. 2012/166

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

Policy Objectives

The purpose of the original instrument is to allow Scottish Ministers to release public aid as part of the statutory national contribution required when assistance from the European Fisheries Fund (EFF) is granted. It gives Scottish Ministers powers to make payments of Community aid and national contribution to projects which have been approved in accordance with the Community legislation. The Instrument also sets out the procedure for applications for financial assistance and provisions which allow Scottish Ministers to meet their obligations under the EC legislation to monitor and properly manage the use of monies paid from EFF.

Axis 4 of the European Fisheries Fund provides support for the sustainable development of fisheries areas and is available to Fisheries Local Action Groups (FLAGs) who represent the fisheries area in which they are based, and who implement an Axis 4 local development strategy for their area. The aim of Axis 4 is to increase the capacity of local fishing communities and business networks to build knowledge and skills, innovate and co-operate in order to tackle local fisheries development objectives.

This amending instrument will extend the Scottish Ministers financial powers to local authorities (who will act as the lead partner in FLAGs) but only in respect of the disbursement of funds from the EFF Axis 4 programme. Local authorities will also be required to agree and sign off on individual Service Level Agreements (SLA) before EFF monies can be transferred to them for disbursement to EFF Axis 4 projects.

Consultation

No formal consultation is required on the terms of this amendment although informal views on the draft text were invited from participating local authorities.

Financial Effects

The amendment has financial impacts on the Scottish Government and local authorities. No payments under the EFF Axis 4 programme can be made until this SSI amendment comes into force and SLA's are signed. A Business Regulatory Impact Assessment is not considered necessary as this amendment is not anticipated to directly impact on costs to businesses.

Marine Scotland
May 2012