

EXECUTIVE NOTE

THE EUROPEAN FISHERIES FUND (GRANTS) (SCOTLAND) REGULATIONS 2007 (S.S.I. 2007/307)

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

Policy Objectives

The instrument supplements Council Regulation 1198/2006 which establishes the European Fisheries Fund and Commission Regulation 498/2007 which lays down the detailed rules for the implementation of the European Fisheries Fund (EFF). The EFF is a fund of European Community aid which is intended to implement the sustainable development component of the Common Fisheries Policy by providing funding at a Community level to certain projects in the fisheries and aquaculture sector e.g. modernisation of vessels, capital grants to aquaculture, processing and marketing enterprises.

The EFF came into effect on 1st January 2007 and is due to run for seven years until the end of 2012. The EFF takes over from the Financial Instruments for Fisheries Guidance (FIFG) which was a similar community aid programme which ran from 2000 to 2006. The FIFG was supplemented by the Fisheries and Aquaculture Structures (Grants) (Scotland) Regulations 2001 (SSI 2001/140) which gave Scottish Ministers power to make payments of Community aid from the fund and also grants by way of national contribution. This instrument is required to give Scottish Ministers such powers in relation to EFF.

The purpose of this instrument is to allow Scottish Ministers to release public aid as part of the statutory national contribution required when assistance from the 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 application 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.

Consultation

The Operational Programme of the European Fisheries Fund will be the subject of a formal public consultation. No consultation is required on the terms of this SSI the content of which closely follows those of the instrument put in place for the predecessor fund, the Financial Instruments for Fisheries Guidance which operated over the period 2000-2006.

Financial Effects

The instrument has financial impacts on the Scottish Executive and local government. In order to utilise the EFF Member States are obliged to make a contribution from national resources (e.g. from the Executive, local government or other public body). Where no other source of public funding is available the Scottish Executive will provide the minimum contribution required in order to allow the investment to qualify for European assistance. No payments under the EFF programme can be made until this SSI comes into force.