
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 66

The Leader Grants (Scotland) Regulations 2008

Interpretation

2.—(1) In these Regulations—

- “applicant” means either a local action group or where the context requires an eligible body;
- “application” means an application for local action group grant made under regulation 3 or, where the context requires, LEADER grant made under regulation 8;
- “approved expenditure” means the costs of a project approved by a local action group for the purpose of calculating LEADER grant under these Regulations;
- “authorised person” means a person who is authorised by Ministers, either generally or specifically, to act in matters arising under these Regulations and includes any official of the Commission who accompanies such an authorised person;
- “beneficiary” means a local action group which has made a claim for payment and has received local action group grant or where the context requires an applicant who made a claim for payment and has received LEADER grant;
- “claim for payment” means a written request for payment of sums of grant due to an applicant in respect of a project and “claimant” shall be construed accordingly;
- “cooperation” means either trans-regional or, where the context requires, trans-national cooperation and shall have the same meaning as in Article 65 of the Council Regulation;
- “LEADER” means the Leader approach as defined in Article 61 of the Council Regulation;
- “LEADER grant” means a payment under these Regulations made by a local action group to an eligible person;
- “LEADER funding” means a sum of money paid to a local action group by Ministers from which the local action group may pay LEADER grant;
- “local action group” means the public/private partnership selected by Ministers to deliver LEADER in a particular geographical area of Scotland;
- “local action group area” means the geographical area within which a local action group operates;
- “local action group grant” means a payment under these Regulations made by Ministers to a local action group;
- “local development strategy” means a strategy formed by a local action group and approved by Ministers which is—
- (a) based upon—
- (i) the 4 axes of the Council Regulation being—
- axis 1 – improving the competitiveness of the agriculture and forestry sector;
 - axis 2 – improving the environment and countryside;
 - axis 3 – quality of life in rural areas and diversification of the rural economy;
 - axis 4 – leader; and

- (ii) the 5 main outcomes for rural development in Scotland—
 - business viability;
 - enhanced biodiversity and landscape;
 - improved water quality;
 - climate change; and
 - enhanced development of rural communities; and
- (b) which has selected one or two of the following LEADER themes:—
 - revitalising communities;
 - rural community capacity;
 - new markets and products;
 - progressive rural economy;
 - conservation of the rural environment;

“Ministers” means the Scottish Ministers;

“project” means a project or investment proposed by a local action group in an application for local action group grant or, where the context requires, an eligible body in an application for LEADER grant;

“project costs” means the costs of a project as specified in an application;

“the Community legislation” means—

- (a) the Control Regulation;
- (b) the Council Regulation; and
- (c) Commission Regulation (EC) No. 1974/2006(1), as amended by Commission Regulations (EC) No. 434/2007(2) and (EC) 1236/2007(3), laying down detailed rules for the application of the Council Regulation.

“the Control Regulation” means Commission Regulation (EC) No. 1975/2006(4), as corrected by Commission Regulation (EC) No. 1396/2007(5) laying down detailed rules for the implementation of the Council Regulation;

“the Council Regulation” means Council Regulation (EC) No 1698/2005 of 20 September 2005(6), as amended by Council Regulations (EC) No. 1944/2006(7) and (EC) No. 2012/2006(8), laying down general rules governing Community support for rural development, financed by the European Agricultural Fund for Rural Development established by Council Regulation (EC) No. 1290/2005(9); and

“the Scotland rural development programme” means the 2007 to 2013 Rural Development Programme for Scotland approved by the European Commission describing the measures arising out of the Council Regulation which will apply in Scotland over the period 2007 to 2013.

(2) Unless the context otherwise requires, any reference in these Regulations to a numbered regulation shall be construed as a reference to the regulation so numbered in these Regulations.

(1) O.J. No. L 368, 23.12.2006, p.15.
 (2) O.J. No. L 104, 21.4.2007, p.8.
 (3) O.J. No. L 280, 24.10.2007, p.3.
 (4) O.J. No. L 368, 23.12.2006, p.74.
 (5) O.J. No. L 311, 29.11.2007, p.3.
 (6) O.J. No. L 277, 21.10.2005, p.1.
 (7) O.J. No. L 367, 22.12.2006, p.23.
 (8) O.J. No. L 384, 29.12.2006, p.8.
 (9) O.J. No. L 209, 11.8.2005, p.1.

(3) Any reference in these Regulations to a numbered paragraph shall be construed as a reference to the paragraph so numbered in the regulation in which the reference occurs.

(4) A reference in these Regulations to anything done in writing or produced in written form includes a reference to an electronic communication, as defined in the Electronic Communications Act 2000⁽¹⁰⁾, which has been recorded and is consequently capable of being reproduced.

⁽¹⁰⁾ 2000 (c. 7); as amended by paragraph 158 of Schedule 17 to the Communications Act 2003 (c. 21).