

## EXPLANATORY NOTE

*(This note is not part of the Scheme)*

This Scheme makes provision for the making of grants by the Scottish Ministers in respect of the provision and installation on board fishing boats over 15 metres in length of satellite-tracking devices and the purchase of three year warranties in respect of those satellite-tracking devices.

Satellite-tracking devices are required on board all fishing boats over 15 metres long as from 1st January 2005 by virtue of Commission Regulation (EC) No. 2244/2003 laying down detailed provisions regarding satellite-based Vessel Monitoring Systems.

Applications for grant will be considered in respect of vessels meeting the requirements set out in paragraph 3 of the Scheme. These include requirements that the vessels must be more than 15 metres in length and must be a “Scottish based vessel” as defined in paragraph 3(4).

Paragraphs 4 to 6 of the Scheme lay down a procedure for the making, consideration and approval of applications

Paragraph 7 provides that applicants who have had their application approved under paragraph 6 are eligible for payment of grant and sets out the circumstances in which the Scottish Ministers shall not make payment of grant to an applicant whose application has been approved.

Paragraph 8 provides that the Scottish Ministers may make payment of grant by instalment at intervals and times determined by them, and that they may make payment of grant direct to the authorised provider (defined in paragraph 2) on the applicant’s behalf.

Paragraph 10 sets out the powers of authorised officers (defined in paragraph 2) and paragraph 9 requires any applicant or any employee or agent of an applicant to give such assistance to an authorised officer as may reasonably be requested.

Paragraph 11 gives the Scottish Ministers power, in certain circumstances, to revoke the approval of an application or to withhold grant, or any part of it and, where any payment of grant has already been made, to recover from the applicant a sum equal to grant paid, irrespective of whether the payment of grant was made to the applicant direct or to the authorised provider on the applicant’s behalf.

Paragraph 12 makes provision as to the recovery of interest on sums recovered under paragraph 11.

Section 17 of the Fisheries Act 1981 creates offences in respect of the production of false statements or documents in purported compliance with any requirement imposed by the Scheme and wilful refusal to supply information, make returns or produce documents when required to do so by or under the Scheme.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Fishing Vessels (Satellite-tracking Devices) (Scotland) Scheme 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Scheme modified by [2020 c. 22 Sch. 6 para. 5\(2\)\(d\)\(4\)](#)