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## 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 Scottish based fishing boats over 12 metres in length but no more than 15 metres in length of satellite-tracking devices.

Satellite-tracking devices are required on board all fishing boats over 12 metres overall length but no more than 15 metres in length by virtue of the Control Regulation establishing a community control system for ensuring compliance with the rules of the common fisheries policy.

Applications for grant will be considered in respect of Scottish based fishing boats meeting the requirements set out in paragraph 3 of the Scheme. These include requirements that the Scottish based fishing boats must be more than 12 metres in length, but no more than 15 metres in length, and must be a “Scottish based fishing boat” 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 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 directly to the authorised provider (defined in paragraph 2(1)) on the applicant’s behalf.

Paragraph 9 provides a mechanism for a review of a decision of the Scottish Ministers to reject an application made under this Scheme.

Paragraph 10 sets out the powers of authorised officers (defined in paragraph 2(1)) and paragraph 8 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 currently no known outstanding effects for the The Fishing Boats (Satellite-tracking Devices) (Scotland) Scheme 2012.