
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 359

**The European Maritime and Fisheries
Fund (Grants) (Scotland) Regulations 2015**

Interpretation

2.—(1) In these Regulations—

“application” means an application for payment of a grant under regulation 3, and “applicant” is to be construed accordingly;

“approval” means approval of an application under regulation 5 and includes any conditions subject to which that approval has been given, and “approve” and “approved” are to be construed accordingly;

“approved operation” means a relevant operation which the Scottish Ministers have approved;

“authorised officer” means a person authorised in writing by the Scottish Ministers to act in matters arising under these Regulations or the EU Regulations;

“beneficiary” means a person whose application has been approved;

“Common Provisions Delegated Regulation” means Commission Delegated Regulation (EU) No 480/2014 supplementing Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund⁽¹⁾;

“Common Provisions Regulation” means Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006⁽²⁾;

“eligible expenditure” means expenditure which has been incurred in connection with an approved operation and which the Scottish Ministers have approved for the purpose of receiving a grant under regulation 5;

“EMFF Regulation” means Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council⁽³⁾;

“EMFF Implementing Regulation” means Commission Implementing Regulation (EU) No 771/2014 laying down rules pursuant to Regulation (EU) No 508/2014 of the European

⁽¹⁾ OJ L 138, 13.5.2014, p.5.

⁽²⁾ OJ L 347, 20.12.2013, p.320.

⁽³⁾ OJ L 149, 20.5.2014, p.1.

Parliament and of the Council on the European Maritime and Fisheries Fund with regard to the model for operational programmes, the structure of the plans for the compensation of additional costs incurred by operators in the fishing, farming, processing and marketing of certain fishery and aquaculture products from the outermost regions, the model for the transmission of financial data, the content of the *ex ante* evaluation reports and the minimum requirements for the evaluation plan to be submitted under the European Maritime and Fisheries Fund⁽⁴⁾;

“EU aid” means aid towards eligible expenditure from the European Maritime and Fisheries Fund and payable in accordance with the EU Regulations;

“EU Regulations” means the—

- (a) Common Provisions Delegated Regulation;
- (b) Common Provisions Regulation;
- (c) EMFF Regulation; and
- (d) EMFF Implementing Regulation;

“grant” means a payment of grant under these Regulations;

“relevant condition” means any condition relating to—

- (a) the approval of an application under regulation 5(1)(b); or
- (b) the making of a payment of any grant which has been notified to a beneficiary under regulation 5(3)(b) or 7;

“relevant document” means any invoice, account, drawing, plan, technical specification or other document relating to the approved operation; and

“relevant operation” means an investment, project or action which is eligible for EU aid.

(2) A reference in these Regulations to the EU Regulations, or to any of the instruments referred to in the definition of the EU Regulations, means a reference to the EU Regulations or that instrument [^{F1}as they or it had effect in EU law immediately before IP completion day].

(3) Except where the context otherwise requires, other expressions used in these Regulations have the meaning they bear in the EU Regulations.

(4) A reference in these Regulations to anything done in writing includes an electronic communication as defined in section 15(1) of the Electronic Communications Act 2000⁽⁵⁾ which has been recorded and is consequently capable of being reproduced.

F1 Words in reg. 2(2) substituted (31.12.2020) by S.S.I. 2019/24, regs. 1(2)(b), 14 (as substituted by The Aquaculture and Fisheries (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/393), regs. 1(2), 5(4))

Commencement Information

II Reg. 2 in force at 30.11.2015, see reg. 1(1)

(4) OJ L 209, 16.7.2014, p.20.

(5) 2000 c.7. Section 15(1) was amended by the Communications Act 2003 (c.21), Schedule 17, paragraph 158.

Changes to legislation:

There are currently no known outstanding effects for the The European Maritime and Fisheries Fund (Grants) (Scotland) Regulations 2015, Section 2.