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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 398**

**The Private Storage Aid Scheme  
(Pigmeat) (Scotland) Regulations 2021**

**Decisions on applications**

**6.**—(1) Article 45 of Regulation (EU) No. 2016/1240 (decisions on applications for aid for private storage aid fixed in advance) has effect in connection with decisions on applications for private storage aid referred to in regulation 3(1) with the modifications specified in paragraph (2).

(2) The modifications mentioned in paragraph (1) are—

- (a) paragraph 1 is omitted,
- (b) in paragraph 2, for the words from “appropriate authority” to “paragraph 3” there is substituted “PSA threshold has not been met”,
- (c) after paragraph 2 there is inserted—

“**2A.** For the avoidance of doubt, PSA applications submitted after the PSA threshold is met must not be accepted.

“**2B.** The appropriate authority must reject PSA applications made before the PSA threshold is met the acceptance of which would have been decided after that threshold is met.”, and

(d) for paragraph 3 there is substituted—

“**3.** Paragraph 4 applies where a PSA application is submitted which, if accepted by the appropriate authority in the form in which it is submitted, would mean that the PSA threshold was exceeded.

**4.** Where this paragraph applies, the appropriate authority—

- (a) may reduce the quantity in the PSA application to not less than 15 tonnes, if—
  - (i) the quantity in the application as submitted is more than 15 tonnes, and
  - (ii) making the reduction would mean that the PSA threshold is not exceeded;
- (b) otherwise, must reject the application.

By way of derogation from Article 2(6), the person who made the relevant PSA application may, if the appropriate authority reduces the quantity in the application, withdraw the application by the end of the relevant day.

For the purposes of this paragraph “the relevant day” is the next working day after the day on which the appropriate authority notifies the applicant that the appropriate authority has decided to make the reduction.

**5.** In this Article—

- (a) “PSA application” has the meaning given in the Private Storage Aid Scheme (Pigmeat) (Scotland) Regulations 2021;
- (b) “the PSA threshold” means the threshold specified in regulation 3(6) of those Regulations.”.

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**Changes to legislation:** There are currently no known outstanding effects for the The Private Storage Aid Scheme (Pigmeat) (Scotland) Regulations 2021, Section 6. (See end of Document for details)

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**Commencement Information**

**II** Reg. 6 in force at 8.11.2021, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Private Storage Aid Scheme (Pigmeat) (Scotland) Regulations 2021, Section 6.