
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 150

**The Public Intervention and Private Storage Aid
(Amendment and Suspension) (Scotland) Regulations 2023**

Amendment of Commission Delegated Regulation (EU) 2016/1238

8.—(1) Commission Delegated Regulation (EU) 2016/1238 of 18 May 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to public intervention and aid for private storage⁽¹⁾ is amended in accordance with paragraphs (2) to (14).

(2) In Article 2⁽²⁾ (eligibility of operators), after paragraph 4, insert—

“**5.** This Article ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.”

(3) In Article 3⁽³⁾ (eligibility of products), after paragraph 4, insert—

“**5.** This Article ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.”

(4) In Article 4⁽⁴⁾ (security), at the end, insert—

“This Article ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.

This Article ceases to apply in relation to private storage aid schemes in Scotland.”

(5) In Article 5⁽⁵⁾ (release and forfeiture of security), after paragraph 9, insert—

“**10.** This Article ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.

11. This Article ceases to apply in relation to private storage aid schemes in Scotland”.

(6) In Article 6⁽⁶⁾ (intervention storage places), after paragraph 3, insert—

“**4.** This Article ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate

(1) EUR 2016/1238, relevantly amended by [S.I. 2019/823](#).

(2) Article 2 is relevantly amended by [S.I. 2019/823](#). Paragraph 4 is inserted by [S.I. 2023/124](#), which extends to England and Wales.

(3) Paragraph 4 is inserted by [S.I. 2023/124](#), which extends to England and Wales.

(4) Article 4 is relevantly amended by [S.I. 2019/823](#). Additional text is inserted by [S.I. 2023/124](#), which extends to England and Wales.

(5) Article 5 is relevantly amended by [S.I. 2019/823](#). Paragraph 9 is inserted by [S.I. 2023/124](#), which extends to England and Wales.

(6) Paragraph 3 is inserted into Article 6 by [S.I. 2023/124](#), which extends to England and Wales.

authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.”.

(7) In Article 7(7) (requirements for storage places), after paragraph 4, insert—

“**5.** This Article ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.”.

(8) In Article 8(8) (payment of aid for private storage)—

(a) after paragraph 2A, insert—

“**2B.** In relation to Scotland, paragraph 2 is to be read as if “or the forfeiture of the security” were omitted.”,

(b) after paragraph 4A, insert—

“**4B.** In relation to Scotland, the first subparagraph of paragraph 4 is to be read as if “during storage or” were omitted.”.

(9) In Annex 1(9) (buying-in of cereals), after point A1, insert—

“**A2.** This Annex ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.”.

(10) In Annex 2(10) (buying-in of rice), after point A1, insert—

“**A2.** This Annex ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.”.

(11) In Annex 3(11) (buying-in of beef), after point A1, insert—

“**A2.** This Annex ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.”.

(12) In Annex 4(12) (buying-in of butter), after point A1, insert—

“**A2.** This Annex ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.”.

(13) In Annex 5(13) (buying-in of skimmed milk powder), after point A1, insert—

“**A2.** This Annex ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate

(7) Article 7 is relevantly amended by [S.I. 2019/823](#). Paragraph 4 is inserted by [S.I. 2023/124](#), which extends to England and Wales.

(8) Article 8 is relevantly amended by [S.I. 2019/823](#). Paragraphs 2A and 4A are inserted by [S.I. 2023/124](#), which extends to England and Wales.

(9) Annex 1 is relevantly amended by [S.I. 2019/823](#). Point A1 is inserted by [S.I. 2023/124](#), which extends to England and Wales.

(10) Annex 2 is relevantly amended by [S.I. 2019/823](#). Point A1 is inserted by [S.I. 2023/124](#), which extends to England and Wales.

(11) Annex 3 is relevantly amended by [S.I. 2019/823](#). Point A1 is inserted by [S.I. 2023/124](#), which extends to England and Wales.

(12) Annex 4 is relevantly amended by [S.I. 2019/823](#). Point A1 is inserted by [S.I. 2023/124](#), which extends to England and Wales.

(13) Annex 5 is relevantly amended by [S.I. 2019/823](#). Point A1 is inserted by [S.I. 2023/124](#), which extends to England and Wales.

authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.”.

(14) In Annex 6(14) (quality requirements for aid for private storage), at the end of heading 5, insert—

“In relation to Scotland, the text under this heading is to be read as if—

- (a) the first and second paragraphs were omitted;
- (b) in the third paragraph, for “Furthermore, the cheese” there were substituted “Cheese”.”.

(14) Annex 6 is relevantly amended by [S.I. 2019/823](#). Additional text is inserted by [S.I. 2023/124](#), which extends to England and Wales.