
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations establish a scheme in relation to England for the giving of grants under section 33 of the Fisheries Act 2020 (c. 22).

Part 1 of these Regulations contains general introductory provisions. Part 2 provides for the establishment of the scheme. Part 3 makes provision for the payment of grants by the Marine Management Organisation for the purposes specified in section 33(1) of the Fisheries Act 2020.

These Regulations set out the basis on which the Marine Management Organisation may pay grants and lay down a procedure for applications for a grant. Payment of a grant is dependent on the Marine Management Organisation being satisfied as to the expenditure incurred, or to be incurred, and as to compliance with any conditions of approval of the grant.

These Regulations also provide that payment of a grant is conditional on the applicant retaining relevant records and notifying the Marine Management Organisation of any material change in circumstances. The Marine Management Organisation is provided with the ability to vary, suspend and revoke the approval of an application for a grant and may, by notice, require the repayment of a grant if certain conditions are not satisfied (with any sums outstanding ultimately recoverable as a civil debt).

These Regulations confer an enforcement function on marine enforcement officers appointed by the Marine Management Organisation under the Marine and Coastal Access Act 2009 (c. 23). The function is for the enforcement of any potential offences committed in relation to an application for a grant under the scheme (for example, an offence under the Fraud Act 2006 (c. 35)). Relevant enforcement powers for marine enforcement officers under Part 8 of the Marine and Coastal Access Act 2009 are also applied for the purposes of this function.

These Regulations place an obligation on the Marine Management Organisation to publish specified information relating to any grants paid out under the scheme.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary, or public sector is foreseen.