



Council of the
European Union

Brussels, 24 May 2019
(OR. en)

9476/19

LIMITE

PECHE 248
CADREFIN 252
CODEC 1149

Interinstitutional File:
2018/0210 (COD)

NOTE

From:	Presidency
To:	Permanent Representatives Committee
Subject:	Proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund and repealing Regulation (EU) No 508/2014 of the European Parliament and of the Council (EMFF)

I. INTRODUCTION

1. On 13 June 2018, the Commission submitted the above proposal to the European Parliament and to the Council.
2. The European Parliament adopted its position in first reading on 4 April 2019.
3. The Working Party on Internal Fisheries Policy examined the proposal at its meetings between 27 June 2018 and 6 May 2019. On 6 May, the Presidency presented to the Working Party a compromise¹. The Presidency compromise was discussed at the meetings on 6 May, 10 May and 16 May and on the basis of these discussions, the Presidency presented on the 23 May a revised compromise².

¹ doc. WK 5543/2019

² doc. WK 6253/2019

4. Following the discussions in the Working Party, a large support by delegations could be found for most of the provisions of the Presidency compromise. Nevertheless, for a number of outstanding issues the Presidency would like to ask COREPER for guidance. These issues are presented in part II below. More details regarding delegations' positions on these issues can be found in the written comments.

II. MAIN OUTSTANDING ISSUES

1. Construction, acquisition and importation of fishing vessels and engine replacement and modernisation (Articles 13 b) and 1), 16 and 16 new, and Annex III, row 1 of the Presidency compromise)

As in the Commission proposal, the Presidency compromise provides that the construction and acquisition of fishing vessels or the importation of fishing vessels, as well as the engines replacement or modernisation are not eligible operations for EMFF support (Article 13 (b) and 13 (l)) with some derogations.

Nevertheless, in its proposal, the Commission limited the derogations only to small-scale fishing vessels.

During the examination by the Working Party, a large majority of Member States consider that the derogations should be extended beyond the small-scale coastal fleets.

To take into account this large majority, the Presidency compromise has extended the derogations to vessels up to 24 meters.

A. First acquisition of a fishing vessel (Articles 13 b) and 16)

On the basis of the Presidency compromise and in accordance with the initial intention of the Commission proposal of generational renewal, acquisition of a fishing vessel is supported by EMFF under the following conditions :

- support only to young fishers (no more than 40 years of age)
- for the acquisition of a second-hand vessel
- first acquisition
- up to 24 meters

This Presidency compromise has received a broad support in the Working Party. Nevertheless, some delegations would like to extend the parameters of one or more conditions, in order to broaden the scope of support further. Other delegations have asked the deletion of Article 13 b).

The Presidency considers that the current compromise represents a proper balance among the views of the Member States and benefits from the support of a large majority of delegations. Therefore, the Presidency suggests to maintain all the elements of the current compromise text on this point.

B. Replacement or modernisation of engines (Article 16 new)

According to the Presidency compromise, replacement or modernisation of engines can be supported by EMFF, under the condition that the new engine does not have more power in Kw. For vessels between 12 up to 24 meters, the new/modernised engine should emit at least 15% CO2 less than the current engine.

The Presidency compromise reflects the wish of most Member States to extend support beyond the small-scale fleet, without a compulsory reduction of the power in kW, as in the current EMFF.

Nevertheless, some delegations are favourable to more flexible provisions that will allow an increase in engine power, while other delegations proposed that engines under 120 kW benefit of a derogation from the 15% emission reduction condition. Some delegations have asked for clarification on the method to be used for measuring the reduction of CO2 emissions in paragraph 1 c).

Regarding the length of the vessel (24 meters), the Presidency considers that the compromise represents a fair balance among the positions expressed by Member States. As for the establishment of optimum methodology to reach the proposed goal of 15% emission reduction in paragraph 1 c), a way forward could be an empowerment to the Commission to adopt an implementing act that would give Member States control over the process, while ensuring a level playing field in the implementation. The Presidency proposes the following paragraph 4 to be added to Article 16 new:

" The Commission shall adopt implementing acts, to establish the method for calculating the reduction of CO2 emissions referred to in paragraph 1 (c). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2)."

C. Annex III row 1

The Commission proposed a maximum aid intensity of 30% for investments in small-scale coastal fishing vessels, *i.e.* for both first acquisition of a fishing vessel and engine replacement or modernisation.

During the examination by the Working Party, a significant number of delegations requested to increase the aid intensity to 50%, while some Members States and the Commission are opposed to such a change.

The Presidency is seeking COREPER's guidance on whether a 50% of aid intensity could represent an acceptable compromise.

2. Derogation to improve on-board conditions and safety (Article 13 a)

According to article 13(a) of the Presidency compromise and as proposed by the Commission, operations that increase the fishing capacity of a fishing vessel or support the acquisition of equipment that increases the ability of a fishing vessel to find fish are not eligible under EMFF.

Nevertheless, some delegations have asked for a derogation to this provision, in order to allow operations that improve on board conditions and safety, provided that the segment of the corresponding fleet is in balance and the national capacity ceiling is respected.

The Presidency is seeking COREPER's guidance on whether this derogation should be included in the regulation.

III. CONCLUSIONS

The Permanent Representatives Committee is invited to examine the outstanding issues mentioned above and to give guidance on the best possible way forward on these issues, to allow the Working Party to continue the examination on the basis of a Presidency revised compromise in view of a partial General Approach at the Council session of 18 June 2019.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the European Maritime, ~~and Fisheries~~ and Aquaculture Fund and repealing Regulation (EU) No 508/2014 of the European Parliament and of the Council

TITLE I: GENERAL FRAMEWORK

CHAPTER I

General provisions

Article 1

Subject-matter

This Regulation establishes the European Maritime ~~and~~, Fisheries and Aquaculture Fund (EMFAF). It lays down the priorities of the EMFAF, the budget for the period 2021-2027, ~~the forms of Union funding~~ and the specific rules for providing ~~such~~ Union funding, complementing the general rules applying to the EMFAF under Regulation (EU) No [Regulation laying down Common Provisions].

Article 2

Geographical scope

~~This Regulation shall apply to operations carried out in the territory of the Union, unless otherwise provided for in this Regulation.~~

Article 3

Definitions

1. For the purpose of this Regulation and without prejudice to paragraph 2, the definitions referred to in Article 4 of Regulation (EU) No 1380/2013, Article 5 of Regulation (EU) No 1379/2013, Article 4 of Regulation (EC) No 1224/2009, **Article 2 of Regulation (EU) No [Regulation establishing the InvestEU Programme]** and Article 2 of Regulation (EU) No [Regulation laying down Common Provisions] shall apply.
2. For the purpose of this Regulation, the following definitions apply:
 - (1) ~~'blending operation' means actions supported by the Union budget, including within blending facilities pursuant to Article 2(6) of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union], combining non-repayable forms of support and/or financial instruments from the Union budget with repayable forms of support from development or other public finance institutions, as well as from commercial finance institutions and investors;~~
 - (2) 'Common Information Sharing Environment' (CISE) means an environment of systems developed to support the exchange of information between authorities involved in maritime surveillance, across sectors and borders, in order to improve their awareness of activities at sea;
 - (3) 'coastguard' means national authorities performing coastguard functions, which encompass maritime safety, maritime security, maritime customs, prevention and suppression of trafficking and smuggling, connected maritime law enforcement, maritime border control, maritime surveillance, protection of the marine environment, search and rescue, accident and disaster response, fisheries control and other activities related to those functions;
 - (4) 'European marine observation and data network' (EMODnet) means a partnership assembling marine data and metadata in order to make these fragmented resources more available and usable by public and private users by offering quality-assured, interoperable and harmonised marine data;
 - (5) 'exploratory fishing' means **any fishing operation for stocks, carried out for commercial purposes in a given area with a view to assessing the profitability of regular, long-term exploitation of the fishery resources in that area for stocks** that have not been subject to **fishing commercial fishing or have not been subject to fishing by a particular gear type or technique in the previous ten years;**
 - (6) 'fisher' means any ~~natural~~ person engaging in commercial fishing activities, as recognised by the relevant Member State;
 - (7) 'inland fishing' means fishing activities carried out for commercial purposes in inland waters by vessels or other devices, including those used for ice fishing;

- (8) 'international ocean governance' means a Union initiative to improve the overarching framework encompassing international and regional processes, agreements, arrangements, rules and institutions through a coherent cross-sectoral and rules-based approach to ensure that oceans are healthy, safe, secure, clean and sustainably managed;
- (9) 'maritime policy' means the Union policy that aims to foster integrated and coherent decision-making to maximise the sustainable development, economic growth and social cohesion of the Union, notably of the coastal and insular areas and of the outermost regions, and of the sustainable blue economy sectors, through coherent maritime-related policies and relevant international cooperation;
- (10) 'maritime security and surveillance' means the activities to understand, prevent wherever applicable and manage in a comprehensive way all the events and actions related to the maritime domain which would impact the areas of maritime safety and security, law enforcement, defence, border control, protection of the marine environment, fisheries control, trade and economic interest of the Union;
- (11) 'maritime spatial planning' means a process by which the relevant Member State's authorities analyse and organise human activities in marine areas to achieve ecological, economic and social objectives;

(11 new) 'public body' means the State, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law;

- (12) ~~'productive aquaculture investments' means investments in the construction, extension, modernisation or in the equipment of facilities for aquaculture production;~~
- (13) 'sea basin strategy' means an integrated framework to address common marine and maritime challenges faced by Member States, and where appropriate third countries, in a sea basin or in one or more sub-sea basins, and promote cooperation and coordination in order to achieve economic, social and territorial cohesion; it is developed by the Commission in cooperation with the countries concerned, their regions and other stakeholders as appropriate;
- (14) 'small-scale coastal fishing' means fishing carried out by fishing vessels of an overall length of less than 12 metres and not using towed gear as listed in Article 2(1) of Council Regulation (EC) No 1967/2006³;
- (15) 'sustainable blue economy' means all sectoral and cross-sectoral economic activities throughout the single market related to oceans, seas, coasts and inland waters, covering the Union's outermost regions and landlocked countries, including

³ Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 (OJ L 409, 30.12.2006, p. 11).

emerging sectors and non-market goods and services and being consistent with Union environmental legislation.

Article 4

Priorities

The EMFA shall contribute to the implementation of the CFP and of the maritime policy. It shall pursue the following priorities:

- 1) Fostering sustainable fisheries and the conservation of ~~marine~~ **aquatic** biological resources;
- 2) ~~Fostering Contributing to food security in the Union through competitive and~~ sustainable aquaculture activities and processing and marketing of fisheries and aquaculture products;
- 3) Enabling the growth of a sustainable blue economy and fostering ~~prosperous the~~ development of fishing and aquaculture ~~coastal~~-communities in coastal and inland areas;
- 4) Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans.

Support under the EMFA shall contribute to the achievement of the environmental and climate change mitigation and adaptation objectives of the Union. That contribution shall be tracked in accordance with the methodology set out in Annex IV.

CHAPTER II

Financial framework

Article 5

Budget

1. The financial envelope for the implementation of the EMFAF for the period 2021-2027 shall be [EUR 6 140 000 000] in [current prices].
2. The part of the financial envelope allocated to the EMFAF under Title II shall be implemented in shared management in accordance with Regulation (EU) No [Regulation laying down Common Provisions] and Article 63 of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].
3. The part of the financial envelope allocated to the EMFAF under Title III shall be implemented either directly by the Commission in accordance with Article 62(1)(a) of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union] or within the framework of indirect management in accordance with Article 62(1)(c) of that Regulation.

Article 6

Budgetary resources under shared management

1. The part of the financial envelope under shared management as specified in Title II shall be [EUR 5 311 000 000] in [current prices] in accordance with the annual breakdown set out in [Annex V].
2. For operations located in the outermost regions, each Member State concerned shall allocate, within its Union financial support set out in Annex V, at least:
 - a) EUR [102 000 000] for the Azores and Madeira;
 - b) EUR [82 000 000] for the Canary Islands;
 - c) EUR [131 000 000] for Guadeloupe, French Guiana, Martinique, Mayotte, Réunion and Saint-Martin.

3. The compensation referred to in Article 21 ~~shall not~~ may exceed ~~{50%}~~ of each of the allocations referred to in points (a), (b) and (c) of paragraph 2 only in duly justified circumstances.
4. At least 15% of the Union financial support allocated per Member State shall be allocated in the programme prepared and submitted according to Article 16 (1) and (2) of the Regulation (EU) No [Regulation laying down Common Provisions] to the ~~areas of support~~ specific objectives referred to in Articles ~~19 and 20~~ 14 1(d). Member States with no access to Union waters may apply a lower percentage with regard to the extent of their control and data collection tasks.
5. The Union financial support from the EMFAF allocated per Member State to the ~~areas of support~~ specific objectives referred to in Articles 16 new, ~~17(2)~~ and 18 shall not exceed the higher of the following two thresholds:
 - a) EUR 6 000 000; or
 - b) ~~10~~5% of the Union financial support allocated per Member State.
6. In accordance with Articles 30 to 32 of Regulation (EU) No [Regulation laying down Common Provisions], the EMFAF may support technical assistance for the effective administration and use of this Fund at the initiative of a Member State.

Article 7

Financial distribution for shared management

The resources available for commitments by Member States referred to in Article 6(1) for the period from 2021 to 2027 are set out in the table in [Annex V].

Article 8

Budgetary resources under direct and indirect management

1. The part of the financial envelope under direct and indirect management as specified in Title III shall be EUR [829 000 000] in [current prices].
2. {The amount referred to in paragraph 1 may be used for technical and administrative assistance for the implementation of the EMFAF, such as preparatory, monitoring, control, audit and evaluation activities including corporate information technology systems.

In particular, the EMFAF may support, at the initiative of the Commission and subject to the ceiling of 1.7% of the financial envelope referred to in Article 5 (1)}:

- (a) technical assistance for the implementation of this Regulation as referred to in Article 29 of Regulation (EU) No [Regulation laying down Common Provisions];

- (b) the preparation, monitoring and evaluation of sustainable fisheries partnership agreements and the Union participation in regional fisheries management organisations;
- (c) the setting-up of a European network of local action groups.

3. The EMFAF shall support the costs of information and communication activities linked to the implementation of this Regulation.

CHAPTER III

Programming

Article 9

Programming for support under shared management

1. In accordance with Article 16 of Regulation (EU) No [Regulation laying down Common Provisions], each Member State shall prepare a single programme⁴ to implement the priorities referred to in Article 4.
2. Support under Title II **in pursuit of the policy objectives of Article 4 of Regulation (EU) No [Regulation laying down Common Provisions]** shall be organised along the ~~areas of support~~ **priorities and specific objectives as** set out in Annex II.
3. In addition to the elements referred to in Article 17 of Regulation (EU) No [Regulation laying down Common Provisions], the programme shall include:
 - a) an analysis of the situation in terms of strengths, weaknesses, opportunities and threats and the identification of the needs that require to be addressed in the relevant geographical area, including, where appropriate, sea basins ~~covered by~~ **relevant for** the programme;
 - ~~(b) the action plan for small-scale coastal fishing referred to in Article 15;~~
 - ~~(e)~~ **(b)** where applicable, the action plans for the outermost regions referred to in paragraph 4.
4. **In the elaboration of the programme, Member States shall take into account for small-scale coastal fishing, where applicable:**
 - b) **adjustment and management of fishing capacity;**
 - c) **promotion of low-impact, climate resilient and low-carbon fishing practices that minimise damage to the marine environment;**
 - d) **reinforcement of the value chain of the sector and promotion of marketing strategies;**
 - e) **promotion of skills, knowledge, innovation and capacity building;**

⁴ Germany shall explain in its Operational Programme how the conditions of Article 16 of the Common Provisions Regulation are met. The Commission should make a statement to confirm this view.

- f) improvement of health, safety and working conditions on board fishing vessels;
- g) increased compliance with data collection, traceability, monitoring, control and surveillance requirements;
- h) involvement in the participatory management of the maritime space, including Marine Protected Areas and Natura 2000 areas;
- i) diversification of activities in the broader sustainable blue economy;
- j) collective organisation and participation in the decision-making and advisory processes;
- k) the FAO voluntary guidelines for securing sustainable small-scale fisheries;
- l) the regional plan of action for small-scale fisheries from the General Fisheries Commission for the Mediterranean.

5. 4. Member States concerned shall prepare as part of their programme an action plan for each of their outermost regions referred to in Article 6(2), which shall set out:

- m) a strategy for the sustainable exploitation of fisheries and the development of sustainable blue economy sectors;
- n) a description of the main actions envisaged and the corresponding financial means, including:
 - i) the structural support to the fishery and aquaculture sector under Title II;
 - ii) the compensation for additional costs referred to in Article 21;
 - iii) any other investment in the sustainable blue economy necessary to achieve a sustainable coastal development.

6. 5. In order to facilitate the preparation of Member States' programmes, ~~The~~ Commission shall develop an analysis for each sea basin indicating the common strengths and weaknesses of the sea basin with regard to the achievement of the objectives of the CFP, as referred to in Article 2 of Regulation (EU) No 1380/2013. Where applicable, this analysis shall take into account the existing sea basin and macro-regional strategies.

7.6. The Commission shall assess the programme in accordance with Article 18 of Regulation (EU) No [Regulation laying down Common Provisions]. In its assessment it shall take into account, in particular:

- o) the maximisation of the contribution of the programme to the priorities referred to in Article 4;

- p) the balance between the fishing capacity of the fleets and the available fishing opportunities, as reported annually by Member States according to Article 22(2) of Regulation (EU) No 1380/2013;
- q) where applicable, the multiannual management plans adopted under Articles 9 and 10 of Regulation (EU) No 1380/2013, the management plans adopted under Article 19 of Council Regulation (EC) No 1967/2006 and the recommendations from regional fisheries management organisations, where applicable to the Union;
- r) the implementation of the landing obligation referred to in Article 15 of Regulation (EU) No 1380/2013;
- s) the most recent evidence on the socio-economic performance of the sustainable blue economy, and in particular the fishery and aquaculture sector;
- t) where applicable, the analyses referred to in paragraph 5 6;
- u) the contribution of the programme to the conservation and restoration of marine ecosystems, while the support related to Natura 2000 areas shall be in accordance with the prioritised action frameworks established pursuant to Article 8(4) of Directive 92/43/EEC;
- v) the contribution of the programme to the reduction of marine litter, in accordance with Directive xx/xx of the European Parliament and of the Council [Directive on the reduction of the impact of certain plastic products on the environment];
- w) the contribution of the programme to climate change mitigation and adaptation.

~~7. Subject to Article 18 of Regulation (EU) No [Regulation laying down Common Provisions], the Commission shall adopt implementing acts approving the programme. The Commission shall approve the proposed programme provided the necessary information has been submitted.~~

~~8. Subject to Article 19 of Regulation (EU) No [Regulation laying down Common Provisions], the Commission shall adopt implementing acts approving amendments to a programme.~~

Article 10

Programming for support under direct and indirect management

In order to implement Titles III, **the Commission shall adopt implementing acts laying down** ~~shall be implemented through~~ work programmes ~~referred to in Article 110 of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union]~~⁵. Work programmes shall set out, where applicable, the overall amount reserved for the blending operations referred to in Article 47. **Except as regards technical assistance, these implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53 (2).**

⁵ It should be noted that by virtue of this reference there is no Comitology for adopting the work programmes which is a change compared to Article 23 of Regulation 508/2014.

TITLE II: SUPPORT UNDER SHARED MANAGEMENT

CHAPTER I

General principles of support

Article 11

State aid

1. Without prejudice to paragraph 2, Articles 107, 108 and 109 of the Treaty shall apply to aid granted by Member States to undertakings in the fishery and aquaculture sector.
2. However, Articles 107, 108 and 109 of the Treaty shall not apply to payments made by Member States pursuant to this Regulation and falling within the scope of Article 42 of the Treaty.
3. National provisions setting up public financing going beyond the provisions of this Regulation concerning payments referred to in paragraph 2 shall be treated as a whole on the basis of paragraph 1.

Article 12

Admissibility of applications

1. An application submitted by **an operator beneficiary for support from the EMFF** shall be inadmissible for an identified period of time laid down pursuant to paragraph 4, if it has been determined by the competent authority that the **beneficiary operator** concerned:
 - x) has committed serious infringements under Article 42 of Council Regulation (EC) No 1005/2008 or Article 90 of Council Regulation (EC) No 1224/2009 or under other legislation adopted by the European Parliament and by the Council **within the framework of the CFP**;
 - y) has been involved in the operation, management or ownership of fishing vessels included in the Union IUU vessel list as set out in Article 40(3) of Regulation (EC) No 1005/2008, or of a vessel flagged to countries identified as non-cooperating third countries as set out in Article 33 of that Regulation; or
 - z) has committed any of the environmental offences set out in Articles 3 and 4 of Directive 2008/99/EC of the European Parliament and of the Council, where the application is made for support under Article 23.

2. ~~**If The beneficiary, after submitting the application, shall continue to comply with the admissibility any of the situations conditions**~~ referred to in paragraph 1 **occurs throughout the period between submitting the application of implementation of the operation and for a period of five years after the final payment, to that the support paid from EMFAF related to that application shall be recovered from the operator, in accordance with Article 97 of Regulation (EU) No [Regulation laying down Common Provisions].**
3. Without prejudice to more far-reaching national rules as agreed on in the Partnership Agreement with the Member State concerned, an application submitted by an **operator beneficiary** shall be inadmissible for an identified period of time laid down pursuant to paragraph 4, if it has been determined **through a final decision** by the competent authority that the **operator beneficiary** has committed a fraud, as defined in Article 3 of Directive 2017/1371/EU of the European Parliament and of the Council⁶, **in the context of the EMFF or EMFAF.**
4. The Commission shall be empowered to adopt delegated acts in accordance with Article 52 concerning:
- aa) the identification of the threshold triggering and the length of period of time of inadmissibility referred to in paragraphs 1 and 3, which shall be proportionate to the nature, gravity, duration and repetition of the serious infringements, offences or fraud, and shall be of at least one year's duration;
- bb) the relevant starting or ending dates of the period of time referred to in paragraphs 1 and 3.

4new Member States may apply, in accordance with national rules, longer inadmissibility period than laid down pursuant to paragraph 4. Member States may apply an inadmissibility period also to applications submitted by the fishers in inland waters, who have committed serious infringements, as defined by national rules.

5. Member States shall require that ~~beneficiaries~~ **operators** submitting an application under the EMFAF provide to the managing authority a signed statement confirming that they ~~respect~~ **do not fall under any of the criteria-situations** listed in paragraphs 1 and 3. Member States shall verify the veracity of that statement before approving the operation, based on the information available in the national registers of infringements referred to in Article 93 of Regulation (EC) No 1224/2009, or any other available data.

For the purposes of the verification referred to in the first subparagraph, a Member State shall provide, on request from another Member State, the information contained in its national register of infringements referred to in Article 93 of Regulation (EC) No 1224/2009.

⁶ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.07.2017, p. 29).

Article 12 new

Eligibility for EMFAF support under shared management

Without prejudice to Article 9 (2) of this Regulation and to Article 57 of Regulation (EU) No [Regulation laying down Common Provisions], operations under Title II shall be deemed eligible for support under EMFAF, provided that they are in accordance with applicable law and are not excluded under Article 13.

Article 13

*Ineligible operations **or expenditure***

The following operations **or expenditure** shall not be eligible under the EMFAF:

- cc) operations that increase the fishing capacity of a fishing vessel or support the acquisition of equipment that increases the ability of a fishing vessel to find fish;
- dd) the construction and acquisition of fishing vessels or the importation of fishing vessels, unless otherwise provided for in this Regulation;
- ee) the transfer or reflagging of fishing vessels to third countries including through the creation of joint ventures with partners of those countries;
- ff) the temporary or permanent cessation of fishing activities, unless otherwise provided for in this Regulation;
- gg) exploratory fishing, **unless it is carried out by scientific institutions with a view to investigate possible management options for fishing stocks to ensure a sustainable fishery or exploratory fishing for invasive species as included in the EU list referred to in Regulation 1143/2014;**
- hh) the transfer of ownership of a business;
- ii) direct restocking, except explicitly provided for as a **reintroduction measure or other** conservation measures, by a Union legal act or in the case of experimental restocking;
- jj) the construction of new ports, ~~new landing sites~~ or new auction halls;
- kk) market intervention mechanisms aiming to temporarily or permanently withdraw fishery or aquaculture products from the market with a view to reducing supply in order to prevent price decline or drive up prices; by extension, storage operations in a logistics chain that would produce the same effects either intentionally or unintentionally;

- ll) investments on board fishing vessels necessary to comply with the requirements under Union or national law **in force at the time of the submission of the application**, including requirements under the Union's obligations in the context of regional fisheries management organisations, **unless otherwise provided for in this Regulation**;
- mm) investments on board fishing vessels that have carried out **fishing** activities at sea for less than 60 days in ~~each of~~ the two calendar years preceding the year of submission of the application for support;
- nn) **replacement or modernisation of a main or ancillary engine on a fishing vessel, unless otherwise provided for in this Regulation**.

CHAPTER II

Priority 1: Fostering sustainable fisheries and the conservation of ~~marine~~ aquatic biological resources

SECTION 1

~~GENERAL CONDITIONS~~

SCOPE OF SUPPORT

Article 14

~~General scope of support~~

Specific objectives

1. Support under this Chapter shall **cover interventions that** contribute to the achievement of the objectives of the CFP, as set out in Article 2 of Regulation (EU) No 1380/2013, **through of one or more of the environmental, economic, social and employment** ~~following specific objectives:~~

- (a) **Strengthening economically, socially and environmentally sustainable fishing activities;**
- (b) **Increasing energy efficiency and reducing CO2 emissions through replacement or modernisation of engines of fishing vessels;**
- (c) **Promoting the adjustment of fishing capacity to fishing opportunities and contributing to a fair standard of living in cases of temporary cessation of fishing activities;**
- (d) **Fostering efficient fisheries control and enforcement, as well as reliable data for knowledge-based decision-making;**
- (e) **Promoting a level-playing field for fishing and aquaculture products from the outermost regions; and**
- (f) **Contributing to the protection and restoration of aquatic biodiversity and ecosystems.**

~~2. Where support under this Chapter is granted for a vessel, that vessel shall not be transferred or reflagged outside the Union during at least the five years from the final payment for the supported operation.~~

2. Support as foreseen under this Chapter ~~shall~~ may also apply to inland fishing, with the exception of the provisions laid down in Articles 15 and, 16 (2) a) and b), 16 new (1) a), b) and (3), 17 and 18 (1) a), b), b a), c) and (3).

SECTION 2

SPECIFIC CONDITIONS

SMALL-SCALE COASTAL FISHING

Article 15

Action plan for small-scale coastal fishing

Transferring or reflagging of fishing vessels

Where support under this Chapter is granted for a vessel, that vessel shall not be transferred or reflagged outside the Union during at least the five years from the final payment for the supported operation.

1. ~~Member States shall prepare as part of their programme an action plan for small-scale coastal fishing which shall set out a strategy for the development of profitable and sustainable small-scale coastal fishing. This strategy shall be structured along the following sections, where applicable:~~
 - ~~oo) adjustment and management of fishing capacity;~~
 - ~~(b) promotion of low-impact, climate resilient and low-carbon fishing practices that minimize damage to the marine environment;~~
 - ~~(e) reinforcement of the value chain of the sector and promotion of marketing strategies;~~
 - ~~(d) promotion of skills, knowledge, innovation and capacity building;~~
 - ~~(e) improvement of health, safety and working conditions on board fishing vessels;~~

- ~~(f) increased compliance with data collection, traceability, monitoring, control and surveillance requirements;~~
 - ~~(g) involvement in the participatory management of the maritime space, including Marine Protected Areas and Natura 2000 areas;~~
 - ~~(h) diversification of activities in the broader sustainable blue economy;~~
 - ~~(i) collective organisation and participation in the decision-making and advisory processes.~~
- ~~2. The action plan shall take into account the FAO voluntary guidelines for securing sustainable small-scale fisheries and, where appropriate, the regional plan of action for small-scale fisheries from the General Fisheries Commission for the Mediterranean.~~
- ~~3. For the purpose of monitoring the implementation of the strategy referred to in paragraph 1, the action plan shall establish specific milestones and targets linked to relevant indicators established under the monitoring and evaluation framework referred to in Article 37.~~

Article 16

Investments in First acquisition of a small-scale coastal fishing vessel

1. ~~The EMFF may~~ By way of derogation to Article 13 (b), to achieve the specific objective in Article 14 (1) a), the following investments in respect of small-scale coastal fishing vessels which belong to a fleet segment for which the latest report on fishing capacity, referred to in Article 22(2) of Regulation (EU) No 1380/2013, has shown a balance with the fishing opportunities available to that segment : support may include the first acquisition of a fishing vessel, or the acquisition of partial ownership thereof, by a natural person who:
- ~~(a) the first acquisition of a fishing vessel by a young fisher who,~~ at the moment of submitting the application, is under no more than 40 years of age; and
 - ~~(b) has worked at least five years as fisher or has acquired adequate vocational qualification;~~
 - ~~(b) the replacement or modernisation of a main or ancillary engine.~~
- 1 new Support under this Article may also be granted to legal persons which are wholly owned by one or more natural persons who fulfil the conditions set out in paragraph 1.

2. Support under this Article may be granted only in respect of a fishing vessel which:

- a) belongs to a segment of the fishing fleet for which the latest report on fishing capacity, referred to in Article 22(2) of Regulation (EU) No 1380/2013, has shown a balance with the fishing opportunities available to that segment;**
- b) is equipped for sea fishing;**
- c) is between 5 and 30 years old; and**
- d) is not longer than 24 meters in length overall.**

~~2. The vessels referred to in paragraph 1 shall be equipped for sea fishing and be between 5 and 30 years old.~~

3. The first acquisition covered by paragraph 1 and 1 new shall not be considered a transfer of ownership of a business under Article 13 (f).

~~3. The support referred to in paragraph 1(b) may only be granted under the following conditions:~~

- ~~a) the new or modernised engine shall not have more power in kW than the current engine;~~
- ~~b) any reduction of fishing capacity in kW due to the replacement or modernisation of a main or ancillary engine shall be permanently removed from the Union fleet register;~~
- ~~c) the engine power of the fishing vessel shall have been physically inspected by the Member State to ensure that it does not exceed the engine power stated in the fishing license.~~

~~4. No support shall be granted under this Article, if the assessment on the balance between fishing capacity and fishing opportunities in the latest report referred to in Article 22(2) of Regulation (EU) No 1380/2013 for the fleet segment to which the vessels concerned belong, has not been prepared on the basis of the biological, economic and vessel use indicators set out in the common guidelines referred to in that Regulation.~~

Article 16 new

Replacement or modernisation of a main or ancillary engine

- 1. By way of derogation to Article 13 (l), to achieve the specific objective in Article 14 (1) b), support shall only be granted for vessels up to 24 meters in overall length that comply with the following conditions:**
 - a) the vessel belongs to a fleet segment for which the latest report on fishing capacity, referred to in Article 22(2) of Regulation (EU) No 1380/2013, has shown a balance with the fishing opportunities available to that segment;**

- b) for small-scale coastal fishing vessels, the new or modernised engine does not have more power in kW than that of the current engine; and
 - c) for other vessels up to 24 meters in overall length, the new or modernised engine does not have more power in kW than that of the current engine and shall emit at least 15% less CO2 compared to the current engine.
2. Member States shall ensure that all replaced or modernised engines are subject to verification of fulfilment of conditions in paragraph 1 (b) and (c).
 3. Any reduction of fishing capacity in kW due to the replacement or modernisation of a main or ancillary engine shall be permanently removed from the Union fleet register.

SECTION 3

SPECIFIC AREAS OF SUPPORT

Article 17

Management of fisheries and fishing fleets Permanent cessation of fishing activities

1. ~~The EMFF may support operations for the management of fisheries and fishing fleets.~~
2. ~~If the~~ By way of derogation to Article 13 (d), support may be provided for permanent cessation in order to adjust fishing capacity to fishing opportunities under the specific objective in referred to in paragraph 1 is Article 14 (1) c). granted through the compensation for the permanent cessation of fishing activities, the Support to permanent cessation shall comply with the following conditions ~~shall be complied with:~~
 - pp) the cessation is foreseen as a tool of an action plan referred to in Article 22(4) of Regulation (EU) No 1380/2013;
 - qq) the cessation is achieved through the scrapping of the fishing vessel or through its decommissioning and retrofitting to activities other than commercial fishing, keeping in line with the objectives of the CFP and multiannual plans;
 - rr) the fishing vessel is registered as active and has carried out fishing activities at sea for at least **120 90** days in each of the last ~~three~~ **two** calendar years preceding the year of submission of the application for support;
 - ss) the equivalent fishing capacity is permanently removed from the Union fishing fleet register and the fishing licenses and authorisations are permanently withdrawn, in accordance with Article 22(5) and (6) of Regulation (EU) No 1380/2013; and

tt) the beneficiary is prohibited from registering any fishing vessel within five years following the receipt of support.

~~3. The support for the permanent cessation of fishing activities referred to in paragraph 2 shall be implemented by financing not linked to costs, in accordance with Articles 46(a) and 89 of Regulation (EU) No [Regulation laying down Common Provisions], and shall be based on:~~

~~uu) the fulfilment of conditions, in accordance with Article 46(a)(i) of Regulation (EU) No [Regulation laying down Common Provisions]; and~~

~~vv) the achievement of results, in accordance with Article 46(a)(ii) of Regulation (EU) No [Regulation laying down Common Provisions].~~

~~The Commission shall be empowered to adopt delegated acts, in accordance with Article 52, laying down the conditions referred to in point (a), which shall relate to the implementation of conservation measures, as referred to in Article 7 of Regulation (EU) No 1380/2013.~~

~~4. No support shall be granted under paragraph 2, if the assessment on the balance between fishing capacity and fishing opportunities in the latest report referred to in Article 22(2) of Regulation (EU) No 1380/2013 for the fleet segment to which the vessels concerned belong has not been prepared on the basis of the biological, economic and vessel use indicators set out in the common guidelines referred to in that Regulation.~~

Article 18

Extraordinary Temporary cessation of fishing activities

1. ~~The EMFF may~~ By way of derogation to Article 13 (d), support may be provided for temporary cessation to achieve the specific objective in referred to in paragraph 1 is Article 14 (1) c). Support to a compensation for the extraordinary temporary cessation of fishing activities shall be caused by granted under the following circumstances:

ww) conservation measures, as referred to in Article 7(1), points (a), (b), (c) and (j) of Regulation (EU) No 1380/2013, or equivalent conservation measures adopted by regional fisheries management organisations, where applicable to the Union;

xx) Commission measures in case of a serious threat to marine biological resources, as referred to in Article 12 of Regulation (EU) No 1380/2013;

(b a) Member States' emergency measures pursuant to Article 13 of Regulation (EU) 1380/2013;

c) the interruption due to reasons of force majeure of the application of a sustainable fisheries partnership agreement or protocol thereto; or

d) natural disasters or environmental incidents, as formally recognised by the competent authorities of the relevant Member State.

2. The support referred to in paragraph 1 may only be granted where: ~~(a) the commercial activities of the vessel concerned are stopped during at least **5 consecutive days and 90 at least 30 consecutive days in a given calendar year.** and (b) the economic losses resulting from the cessation amount to more than 30% of the annual turnover of the business concerned, calculated on the basis of the average turnover of that business over the preceding three calendar years.~~

3. The support referred to in paragraph 1 shall only be granted to:

yy) owners **or operators**⁷ of fishing vessels which are registered as active and which have carried out fishing activities at sea for at least 120 days in ~~each of~~ the last ~~three~~ **two** calendar years preceding the year of submission of the application for support; ~~or~~

zz) fishers who have worked at sea for at least 120 days in ~~each of~~ the last ~~three~~ **two** calendar years preceding the year of submission of the application for support on board a Union fishing vessel concerned by the ~~extraordinary~~ **cessation**; ~~or~~

aaa) **fishers not using vessels.**

The reference to the number of days at sea in this paragraph shall not apply to eel fisheries.

4. The support referred to in paragraph 1 may be granted for a maximum duration of 6 months per vessel **or per fisher not using vessels** during the period from 2021 to 2027.

5. All fishing activities carried out by the vessels and fishers concerned shall be effectively suspended during the period concerned by the cessation. The competent authority shall satisfy itself that the vessel concerned has stopped any fishing activities during the period concerned by the ~~extraordinary~~ **temporary** cessation and that any overcompensation resulting from the use of the vessel for other purposes is avoided.

Article 19

Control and enforcement

1. ~~The EMFF may support~~ **To achieve the specific objective in Article 14 (1) d) through efficient fisheries control and enforcement, support shall be granted for** the development and implementation of a Union fisheries control system as provided for in Article 36 of Regulation (EU) No 1380/2013 and further specified in Council Regulation (EC) No 1224/2009 **and in Council Regulation (EC) No 1005/2008.**

⁷ Armateurs

2. By way of derogation from Article 13(j), the support referred to in paragraph 1 may also cover:
- bbb) the purchase and installation on vessels of the necessary components for compulsory vessel tracking and electronic reporting systems used for control purposes, ~~only in the case of small-scale coastal fishing vessels~~;
 - ccc) the purchase and installation on vessels of the necessary components for compulsory remote electronic monitoring systems used for controlling the implementation of the landing obligation referred to in Article 15 of Regulation (EU) No 1380/2013;
 - ddd) the purchase and installation on vessels of devices for compulsory continuous measurement and recording of propulsive engine power.
3. ~~The support referred to in paragraph 1 may also contribute to maritime surveillance as referred to in Article 28 and to the European cooperation on coastguard functions as referred to in Article 29⁸.~~
4. ~~By way of derogation from Article 2, the support referred to in paragraph 1 may also be granted to operations carried out outside the territory of the Union.~~

Article 20

Collection and processing of data for fisheries and aquaculture management and scientific purposes

1. ~~The EMFF may support~~ **To achieve the specific objective in Article 14 (1) d) through reliable data for knowledge-based decision-making, support shall be granted for** the collection, management and use of data for fisheries and aquaculture management and scientific purposes, as provided for in Article 25(1) and (2) and Article 27 of Regulation (EU) No 1380/2013 and further specified in Regulation (EU) No 2017/1004, on the basis of the national work plans referred to in Article 6 of Regulation (EU) No 2017/1004.
2. ~~By way of derogation from Article 2, the support referred to in paragraph 1 may also be granted to operations carried out outside the territory of the Union.~~
3. ~~The Commission may adopt implementing acts laying down rules on procedures, format and timetables for the submission of the national work plans referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 53(2).~~
4. ~~The Commission shall adopt implementing acts approving or amending the national work plans referred to in paragraph 1 by 31 December of the year preceding the year from which the work plan is to apply.~~

⁸ This paragraph will become a Recital

Compensation for additional costs in the outermost regions for fishery and aquaculture products

1. **The EMFF may support To achieve the specific objective in Article 14 (1) e), support shall be granted for** the compensation of additional costs incurred by beneficiaries in the fishing, farming, processing and marketing of certain fishery and aquaculture products from the outermost regions referred to in Article 6(2).
2. Each Member State concerned shall determine, in line with the criteria laid down in accordance with paragraph 7, for the regions referred to in paragraph 1, the list of fishery and aquaculture products and the quantity of those products eligible for compensation.
3. When establishing the list and the quantities referred to in paragraph 2, Member States shall take into account all relevant factors, in particular the need to ensure that the compensation is compatible with the rules of the CFP.
4. The compensation shall not be granted for fishery and aquaculture products:
 - eee) caught by third country vessels, with the exception of fishing vessels which fly the flag of Venezuela and operate in Union waters, in accordance with Council Decision (EU) 2015/1565⁹;
 - fff) caught by Union fishing vessels that are not registered in a port of one of the regions referred to in paragraph 1;
 - ggg) imported from third countries.
5. Point (b) of paragraph 4 shall not apply if the existing capacity of the processing industry in the outermost region concerned exceeds the quantity of raw material supplied.
6. The compensation paid to the beneficiaries carrying out activities referred to in paragraph 1 in the outermost regions or owning a vessel registered in a port of these regions shall, in order to avoid overcompensation, take into account:
 - hhh) for each fishery or aquaculture product or category of products, the additional costs resulting from the specific handicaps of the regions concerned; and
 - iii) any other type of public intervention affecting the level of additional costs.
7. The Commission shall be empowered to adopt delegated acts, in accordance with Article 52, laying down the criteria for the calculation of the additional costs resulting from the specific handicaps of the regions concerned.

⁹ Council Decision (EU) 2015/1565 of 14 September 2015 on the approval, on behalf of the European Union, of the Declaration on the granting of fishing opportunities in EU waters to fishing vessels flying the flag of the Bolivarian Republic of Venezuela in the exclusive economic zone off the coast of French Guiana (OJ L 244, 14.09.2015, p. 55).

Protection and restoration of ~~marine, coastal~~ aquatic biodiversity and ecosystems

1. ~~The EMFF may support~~ **To achieve the specific objective in Article 14 (1) f), support shall be granted for** actions for the protection and restoration of marine and coastal biodiversity and ecosystems, including in inland waters.
2. The support referred to in paragraph 1 may cover, **inter alia**:
 - jjj) compensations to fishers for the collection of lost fishing gears and marine litter from the sea;
 - kkk) investments in ports **or other infrastructure** to provide adequate reception facilities for lost fishing gears and marine litter collected from the sea;
 - lll) actions to achieve or maintain a good environmental status in the marine environment, as set out in Article 1(1) of Directive 2008/56/EC;
 - mmm) the implementation of spatial protection measures established pursuant to Article 13(4) of Directive 2008/56/EC;
 - nnn) the management, restoration, **surveillance** and monitoring of Natura 2000 areas, ~~in accordance with taking into account~~ the prioritised action frameworks established pursuant to Article 8 of Directive 92/43/EEC;
 - ooo) the protection of species under Directive 92/43/EEC and Directive 2009/147/EC, ~~in accordance with taking into account~~ the prioritised action frameworks established pursuant to Article 8 of Directive 92/43/EEC;
 - ppp) **the restoration of inland waters in accordance with the programme of measures established pursuant to article 11 of Directive 2000/60/EC.**

CHAPTER III

Priority 2: Fostering ~~Contributing to food security in the Union~~ through competitive and sustainable aquaculture activities and processing and marketing of fisheries and aquaculture products

SECTION 1

SCOPE OF SUPPORT

Article 22 new

Specific objectives

1. Support under this Chapter shall cover interventions that contribute to the following specific objectives:
 - (a) the promotion of sustainable and economically viable aquaculture activities, in accordance with the objectives of Article 34(1) of Regulation (EU) No 1380/2013.
 - (b) the development of competitive, transparent and stable markets for fisheries and aquaculture products, as well as processing of these products, in accordance with Article 35 of Regulation (EU) No 1380/2013 and Regulation (EU) No 1379/2013.
2. Support under paragraph 1 (a) may also cover aquaculture providing environmental services, as well as animal health and welfare in aquaculture in accordance with Regulation (EU) No 2016/429 of the European Parliament and of the Council and Regulation (EU) No 652/2014 of the European Parliament and of the Council.
3. Support under paragraph 1 (b) may also cover the production and marketing plans as described in Article 28 of Regulation 1379/2013.

SECTION 2

SPECIFIC CONDITIONS

Article 23

Aquaculture

- ~~1. The EMFF may support the promotion of a sustainable aquaculture as provided for in Article 34(1) of Regulation (EU) No 1380/2013. It may also support animal health and welfare in aquaculture in accordance with Regulation (EU) No 2016/429 of the European Parliament and of the Council¹⁰ and Regulation (EU) No 652/2014 of the European Parliament and of the Council¹¹.~~
2. The support referred to To achieve the specific objective in paragraph 1 Article 22 new paragraph 1 (a) through the promotion of aquaculture activities, support shall be consistent with the multiannual national strategic plans for the development of aquaculture referred to in Article 34(2) of Regulation (EU) No 1380/2013.
- ~~3. Productive aquaculture investments under this Article may only be supported through the financial instruments provided for in Article 52 of Regulation (EU) No [Regulation laying down Common Provisions] and through InvestEU, in accordance Article 10 of that Regulation.~~

¹⁰ Regulation (EU) No 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (OJ L 84, 31.03.2016, p. 1).

¹¹ Regulation (EU) No 652/2014 of the European Parliament and of the Council of 15 May 2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material, amending Council Directives 98/56/EC, 2000/29/EC and 2008/90/EC, Regulations (EC) No 178/2002, (EC) No 882/2004 and (EC) No 396/2005 of the European Parliament and of the Council, Directive 2009/128/EC of the European Parliament and of the Council and Regulation (EC) No 1107/2009 of the European Parliament and of the Council and repealing Council Decisions 66/399/EEC, 76/894/EEC and 2009/470/EC (OJ L 189, 27.06.2014, p. 1).

Article 24

Marketing of fishery and aquaculture products

~~The EMFF may support actions contributing to the achievement of the objectives of the common organisation of the markets in fishery and aquaculture products as provided for in Article 35 of Regulation (EU) No 1380/2013 and further specified in Regulation (EU) No 1379/2013. It may also support actions promoting the marketing, the quality and the value added of fishery and aquaculture products.~~

Article 25

Processing of fishery and aquaculture products

1. ~~The EMFF may support investments in the processing of fishery and aquaculture products. Such support shall contribute to the achievement of the objectives of the common organisation of the markets in fishery and aquaculture products as provided for in Article 35 of Regulation (EU) No 1380/2013 and further specified in Regulation (EU) No 1379/2013.~~
2. As regards enterprises other than SMEs, support to achieve the specific objective in Article 22 new paragraph 1 (b) through processing under this Article, support shall only be granted through the financial instruments provided for in Article 52 of Regulation (EU) No [Regulation laying down Common Provisions] and through InvestEU, in accordance Article 10 of that Regulation.

CHAPTER IV

Priority 3: Enabling the growth of a sustainable blue economy and fostering prosperous the development of fishing and aquaculture coastal communities in coastal and inland areas

SECTION 1

SCOPE OF SUPPORT

Article 25 new

Specific objective

Support under this Chapter shall cover interventions that contribute to the development of fishing and aquaculture communities in coastal and inland areas.

SECTION 2

SPECIFIC CONDITIONS

Article 26

Community-led local development

1. **To achieve the specific objective in Article 25 new, support shall be granted for actions implemented** through the community-led local development set out in Article 25 of Regulation (EU) No [Regulation laying down Common Provisions].
2. For the purpose of EMFF support, the community-led local development strategies referred to in Article 26 of Regulation (EU) No [Regulation laying down Common Provisions] shall ensure that local **fishing or aquaculture** communities better exploit and benefit from their opportunities offered by the sustainable blue economy, capitalising on and strengthening environmental, cultural, social and human resources.

Article 27

Marine knowledge

~~The EMFF may support the collection, management and use of data to improve the knowledge on the state of the marine environment, with a view to:~~

- ~~qqq) fulfilling monitoring and site designation and management requirements under Directive 92/43/EEC and Directive 2009/147/EC;~~
- ~~rrr) supporting maritime spatial planning as referred to in Directive 2014/89/EU of the European Parliament and of the Council;~~
- ~~sss) increasing data quality and sharing through the European marine observation and data network (EMODnet).~~

CHAPTER V

Priority 4: Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans

SECTION 1

SCOPE OF SUPPORT

Article 26 new

Specific objective

Support under this Chapter shall cover interventions that contribute to strengthening international ocean governance and sustainable sea and ocean management through the promotion of marine knowledge, maritime surveillance and/or coastguard cooperation.

SECTION 2

SPECIFIC CONDITIONS

Article 27

Marine knowledge

To achieve the specific objective in Article 26 new through the promotion of marine knowledge, support shall be granted for actions aiming to collect, manage and use data to improve the knowledge on the state of the marine environment, with a view to:

- (a) achieving or maintaining a good environmental status in the marine environment, as set out in Article 1(1) of Directive 2008/56/EC;

- (b) fulfilling monitoring and site designation and management requirements under Directive 92/43/EEC and Directive 2009/147/EC;**
- (c) supporting maritime spatial planning as referred to in Directive 2014/89/EU of the European Parliament and of the Council¹²; or**
- (d) increasing data quality and sharing through the European marine observation and data network (EMODnet).**

Article 28

Maritime surveillance

- 1. The EMFF may support To achieve the specific objective in Article 26 new through the promotion of maritime surveillance, support shall be granted for** actions contributing to the achievement of the objectives of the Common Information Sharing Environment.
- ~~2. By way of derogation from Article 2, the support referred to in paragraph 1 of this Article may also be granted to operations carried out outside the territory of the Union.~~

Article 29

Coastguard cooperation

- 1. The EMFF may support To achieve the specific objective in Article 26 new through the promotion of coastguard cooperation, support shall be granted for** actions, carried out by national authorities, contributing to the European cooperation on coastguard functions referred to in Article 53 of Regulation (EU) 2016/1624 of the European Parliament and of the Council¹³, Article 2b of Regulation (EU) No 2016/1625 of the European Parliament and of the Council¹⁴ and Article 7a of Regulation (EU) No 2016/1626 of the European Parliament and of the Council¹⁵.

¹² Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning (OJ L 257, 28.08.2014, p. 135).

¹³ Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.09.2016, p. 1).

¹⁴ Regulation (EU) 2016/1625 of the European Parliament and of the Council of 14 September 2016 amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency (OJ L 251, 16.09.2016, p. 77).

¹⁵ Regulation (EU) 2016/1626 of the European Parliament and of the Council of 14 September 2016 amending Council Regulation (EC) No 768/2005 establishing a Community Fisheries Control Agency (OJ L 251, 16.09.2016, p. 80).

2. ~~The support for actions referred to in paragraph 1 may also contribute to the development and implementation of a Union fisheries control system under the conditions set out in Article 19.~~
3. ~~By way of derogation from Article 2, the support referred to in paragraph 1 may also be granted to operations carried out outside the territory of the Union.~~

CHAPTER VI

Rules for implementation under shared management

SECTION 1

SUPPORT FROM THE EMFAF

Article 30

Calculation of Compensations for additional costs or income foregone

~~Support granted on the basis~~ Compensations of for additional costs or income foregone shall be granted under any of the forms referred to in points ~~(a) (b),~~ (c) and (d) ~~and (e)~~ of Article ~~46~~ 48 (1) of Regulation (EU) No [Regulation laying down Common Provisions].

Article 30 a

Modalities for support to Member States in respect of funding for permanent cessation of fishing activities

The support for the permanent cessation of fishing activities referred to in Article 17 shall be implemented by financing not linked to costs, in accordance with Articles 46(a) and 89 of Regulation (EU) No [Regulation laying down Common Provisions], and shall be based on:

- ttt) the fulfilment of conditions, in accordance with Article 46(a)(i) of Regulation (EU) No [Regulation laying down Common Provisions]; or
- uuu) the achievement of results, in accordance with Article 46(a)(ii) of Regulation (EU) No [Regulation laying down Common Provisions].

The Commission shall be empowered to adopt delegated acts, in accordance with Article 52, laying down the conditions referred to in point (a), which shall relate to the implementation of conservation measures, as referred to in Article 7 of Regulation (EU) No 1380/2013.

Article 31

Determination of co-financing rates

The maximum EMFA^A co-financing rate per ~~area of support~~ **specific objective is 80% with the exception of Art. 14 (1) (e) which is** 100% ~~set out in Annex H.~~

Article 32

Intensity of public aid

1. Member States shall apply a maximum aid intensity rate of 50% of the total eligible expenditure of the operation.
2. By way of derogation from paragraph 1, specific maximum aid intensity rates for certain ~~areas of support~~ **specific objectives** and certain types of operations are set out in Annex III.
3. Where one operation falls under several of the rows 2 to ~~176~~ of Annex III, the highest maximum aid intensity rate shall apply.
4. Where one operation falls under one or several of the rows 2 to ~~176~~ of Annex III and at the same time under row 1 **or row 1 new** of that Annex, the maximum aid intensity rate **referred** to in row 1 shall apply.

SECTION 2

FINANCIAL MANAGEMENT

Article 33

Interruption of the payment deadline

1. In accordance with Article 90(4) of Regulation (EU) No [Regulation laying down Common Provisions], the Commission may interrupt the payment deadline for all or part of a payment application in the case of evidence of non-compliance by a Member State with the rules applicable under the CFP, if the non-compliance is liable to affect the expenditure contained in a payment application for which the interim payment is requested.

2. Prior to the interruption referred to in paragraph 1, the Commission shall inform the Member State concerned about the evidence of non-compliance and give it the opportunity to present observations within a reasonable period of time.
3. The interruption referred to in paragraph 1 shall be proportionate, having regard to the nature, gravity, duration and repetition of the non-compliance.
4. The Commission shall be empowered to adopt ~~delegated~~ **implementing** acts, ~~in accordance with Article 52, to defining~~ the cases of non-compliance referred to in paragraph 1. **Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).**

Article 34

Suspension of payments

1. In accordance with Article 91(3) of Regulation (EU) No [Regulation laying down Common Provisions], the Commission may adopt implementing acts suspending all or part of the interim payments under the programme in the case of serious non-compliance by a Member State with the rules applicable under the CFP, if the serious non-compliance is liable to affect the expenditure contained in a payment application for which the interim payment is requested.
2. Prior to the suspension referred to in paragraph 1, the Commission shall inform the Member State that the Commission considers that there is a case of serious non-compliance with the rules applicable under the CFP and give it opportunity to present observations within a reasonable period of time.
3. The suspension referred to in paragraph 1 shall be proportionate, having regard to the nature, gravity, duration and repetition of the serious non-compliance.
4. The Commission shall be empowered to adopt ~~delegated~~ **implementing** acts, ~~in accordance with Article 52, to defining~~ the cases of serious non-compliance referred to in paragraph 1. **Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).**

Article 35

Financial corrections by Member States

1. In accordance with Article 97(4) of Regulation (EU) No [Regulation laying down Common Provisions], Member States shall apply financial corrections in case of the non-respect of the obligations referred to in Article 12(2) of this Regulation.
2. In the cases of the financial corrections referred to in paragraph 1, Member States shall determine the amount of the correction, which shall be proportionate, having regard to the nature, gravity, duration and repetition of the infringement or offence by the beneficiary and the importance of the EMFAF contribution to the economic activity of the beneficiary.

Article 36

Financial corrections by the Commission

1. In accordance with Article 98(5) of Regulation (EU) No [Regulation laying down Common Provisions], the Commission shall adopt implementing acts making financial corrections by cancelling all or part of the Union contribution to a programme if, after carrying out the necessary examination, it concludes that:
 - a) expenditure contained in a payment application is affected by cases in which the beneficiary does not respect the obligations referred to in Article 12(2) and has not been corrected by the Member State prior to the opening of the correction procedure under this paragraph;
 - b) expenditure contained in a payment application is affected by cases of serious non-compliance with the rules of the CFP by the Member State which have resulted in the suspension of payment under Article 34 and the Member State concerned still fails to demonstrate that it has taken the necessary remedial action to ensure compliance with and the enforcement of applicable rules in the future.
2. The Commission shall decide on the amount of the correction taking into account the nature, gravity, duration and repetition of the serious non-compliance by the Member State or beneficiary with the rules of the CFP and the importance of the EMFAF contribution to the economic activity of the beneficiary concerned.
3. Where it is not possible to quantify precisely the amount of expenditure linked to non-compliance with the rules of the CFP by the Member State, the Commission shall apply a flat rate or extrapolated financial correction in accordance with paragraph 4.
4. The Commission shall be empowered to adopt **delegated implementing** acts, ~~in accordance with Article 52, to~~ **determining** the criteria for establishing the level of financial correction to be applied and the criteria for applying flat rates or extrapolated financial corrections. **Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).**

SECTION 3

MONITORING AND REPORTING

[Article 37: "Monitoring and evaluation framework" - will be further examined at a later stage]

Article 38

Annual performance report

1. ~~In accordance with Article 36(6) of Regulation (EU) No [Regulation laying down Common Provisions], each Member State shall submit to the Commission an annual performance report no later than one month before the annual review meeting. The first report shall be submitted in 2023 and the last report in 2029.~~
2. ~~The report referred to in paragraph 1 shall describe the progress in programme implementation and in achieving the milestones and targets referred to in Article 12 of Regulation (EU) No [Regulation laying down Common Provisions]. It shall also describe any issues that affect the performance of the programme and the measures taken to address those issues.~~
3. ~~The report referred to in paragraph 1 shall be examined during the annual review meeting, in accordance with Article 36 of Regulation (EU) No [Regulation laying down Common Provisions].~~
4. ~~The Commission shall adopt implementing acts laying down rules for the presentation of the report referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 53(2).~~

TITLE III: SUPPORT UNDER DIRECT AND INDIRECT MANAGEMENT

Article 39

Geographical scope

~~By way of derogation from Article 2, The support referred to in~~ this Title may also ~~be granted~~ apply to operations all or part of which are carried out outside ~~the territory of a Member State,~~ including outside the Union, with the exception of technical assistance.

CHAPTER I

Priority 1: Fostering sustainable fisheries and the conservation of ~~marine~~ aquatic biological resources

Article 40

Implementation of the CFP

The EMFAF shall support the implementation of the CFP through:

- a) the provision of scientific advice and knowledge for the purpose of promoting sound and efficient fisheries management decisions under the CFP, including through the participation of experts in scientific bodies;
- b) the development and implementation of a Union fisheries control system as provided for in Article 36 of Regulation (EU) No 1380/2013 and further specified in Regulation (EC) No 1224/2009;
- c) the functioning of Advisory Councils established in accordance with Article 43 of Regulation (EU) No 1380/2013, which have an objective forming part of, and supporting, the CFP;
- d) voluntary contributions to the activities of international organisations dealing with fisheries, in accordance with Article 29 and Article 30 of Regulation (EU) No 1380/2013.

Promotion of clean and healthy seas

1. The EMFAF shall support support the promotion of clean and healthy seas, including through actions to support the implementation of Directive 2008/56/EC and actions to ensure coherence with the achievement of good environmental status pursuant to Article 2(5)(j) of Regulation (EU) No 1380/2013, and the implementation of the European strategy for plastics in a circular economy.
2. The support referred to in paragraph 1 shall be coherent with the Union environmental legislation, in particular with the objective of achieving or maintaining a good environmental status as set out in Article 1(1) of Directive 2008/56/EC.

¹⁶ This Article will be moved to Chapter IV " Priority 4: Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans"

CHAPTER II

Priority 2: Fostering ~~Contributing to food security in the Union~~ through competitive and sustainable aquaculture activities and processing and marketing of fisheries and aquaculture products

Article 42

Market intelligence

The EMFA shall support the development and dissemination of market intelligence for fishery and aquaculture products by the Commission in accordance with Article 42 of Regulation (EU) No 1379/2013.

CHAPTER III

Priority 3: Enabling the growth of a sustainable blue economy and fostering ~~prosperous~~ the development of fishing and aquaculture coastal communities in coastal and inland areas

Article 43

Maritime policy and development of a sustainable blue economy

The EMFAF shall support the implementation of the maritime policy through:

- vvv) the promotion of a sustainable, low carbon and climate resilient blue economy;
- www) the promotion of an integrated governance and management of the maritime policy, including through maritime spatial planning, sea basin strategies and maritime regional cooperation;
- xxx) the enhancement of the transfer and uptake of research, innovation and technology in the sustainable blue economy, including the European marine observation and data network (EMODnet);
- yyy) the improvement of maritime skills, ocean literacy and sharing of socio-economic data on the sustainable blue economy;
- zzz) the development of project pipelines and innovative financing instruments.

CHAPTER IV

Priority 4: Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans

Article 44

Maritime security and surveillance

The EMFAF shall support the promotion of maritime security and surveillance, including through data sharing, coastguard and agencies cooperation and fight against criminal and illegal activities at sea.

Article 45

International ocean governance

The EMFAF shall support the implementation of the international ocean governance policy through:

- a) voluntary contributions to international organisations active in the field of ocean governance;
- b) voluntary cooperation with and coordination among international fora, organisations, bodies and institutions in the context of the United Nations Convention on the Law of the Sea, the 2030 Agenda for Sustainable Development and other relevant international agreements, arrangements and partnerships;
- c) the implementation of ocean partnerships between the Union and relevant ocean actors;
- d) the implementation of relevant international agreements, arrangements and instruments that aim to promote better ocean governance, as well as the development of actions, measures, tools and knowledge that enable safe, secure, clean and sustainably managed oceans;
- e) the implementation of relevant international agreements, measures and tools to prevent, deter and eliminate illegal, unreported and unregulated fishing;
- f) international cooperation on and development of ocean research and data.

CHAPTER V

Rules for implementation under direct and indirect management

Article 46

Forms of Union funding

1. The EMFAF may provide funding in any of the forms laid down in Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union], in particular procurement pursuant to Title VII of that Regulation and grants pursuant to Title VIII of that Regulation. It may also provide financing in the form of financial instruments within blending operations, as referred to in Article 47.
2. The evaluation of grant proposals may be carried out by independent experts.

Article 47

Blending operations

Blending operations under the EMFAF shall be implemented in accordance with Regulation (EU) No [Regulation on InvestEU] and Title X of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].

[Article 48: "Evaluation " - will be further examined at a later stage]

Article 49

Audits

Audits on the use of the Union contribution carried out by persons or entities, including by other than those mandated by the Union institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].

Article 50

Information, communication and publicity

1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting the actions and their results, by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public.
2. The Commission shall implement information and communication actions relating to the EMF~~A~~F, and its actions and results. Financial resources allocated to the EMF~~A~~F shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the priorities referred to in Article 4.

Article 51

Eligible entities

1. The eligibility criteria set out in paragraphs 2 to 3 shall apply in addition to the criteria set out in Article 197 of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].
2. The following entities are eligible:

legal entities established in a Member State or in a third country listed in the work programme under the conditions specified in paragraphs 3 and 4;

any legal entity created under Union law or any international organisation.
3. Legal entities established in a third country are exceptionally eligible to participate where this is necessary for the achievement of the objectives of a given action.
4. Legal entities established in a third country which is not associated to the programme should in principle bear the cost of their participation.

TITLE IV: PROCEDURAL PROVISIONS

[Article 52: "Exercise of delegation" - will be further examined at a later stage]

Article 53

Committee procedure

1. The Commission shall be assisted by a Committee for the European Maritime ~~and~~ Fisheries and Aquaculture Fund. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council¹⁷.
2. Where reference is made to this paragraph, Article 4 5 of Regulation (EU) No 182/2011 shall apply.

¹⁷ Regulation (EU) 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.02.2011, p. 13).

TITLE V: FINAL PROVISIONS

Article 53a

Amendments to Regulation 2017/1004

Article 6 of Regulation (EU) No 2017/1004 is amended as follows:

(1) Paragraphs 1 and 2 of Article 6 of Regulation (EU) No 2017/1004 are replaced by the following text:

“1. Without prejudice to their current data collection obligations under Union law, Member States shall collect data within the framework of a work plan drawn up in accordance with the multiannual Union programme (‘national work plan’)

2. Member States shall submit to the Commission by electronic means their national work plans by 31 October of the year preceding the year from which the work plan is to apply, unless an existing plan still applies, in which case they shall notify the Commission thereof.

3. The Commission shall adopt implementing acts approving the national work plans referred to in paragraph 1 and 1a by 31 December of the year preceding the year from which the work plan is to apply. When approving the national work plans, the Commission shall take into account the evaluation conducted by STECF in accordance with Article 10 of this Regulation. If such evaluation indicates that a national work plan does not comply with this Article or does not ensure the scientific relevance of the data or sufficient quality of the proposed methods and procedures, the Commission shall immediately inform the Member State concerned and indicate amendments to that work plan that the Commission considers necessary. Subsequently, the Member State concerned shall submit a revised national work plan to the Commission.”

(2). The following paragraph 5 is inserted:

“5. The Commission may adopt implementing acts laying down rules on procedures, format for the submission of the national work plans referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 25(2).”

Article 54¹⁸

Repeal

1. Regulation (EU) No 508/2014 is repealed with effect from 1 January 2021.
2. References to the repealed Regulation shall be construed as references to this Regulation.

Article 55¹⁹

Transitional provisions

1. In order to facilitate the transition from the support scheme established by Regulation (EU) No 508/2014 to the scheme established by this Regulation, the Commission shall be empowered to adopt delegated acts, in accordance with Article 52, laying down the conditions under which support ~~approved by the Commission~~ under Regulation (EU) No 508/2014 may be integrated into support provided for under this Regulation.
2. This Regulation shall not affect the continuation or modification of the actions concerned, until their closure, under Regulation (EU) No 508/2014, which shall continue to apply to the actions concerned until their closure.
3. Applications made under Regulation (EU) No 508/2014 shall remain valid.

Article 56

Entry into force and date of application

This Regulation shall enter into force 20 days following that of its publication in the *Official Journal of the European Union*.

This Regulation shall apply from 1 January 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

¹⁸ Articles 54 and 55 should be redrafted at a later stage, in order to become consistent with the corresponding Common Provisions Regulation

¹⁹ Articles 54 and 55 should be redrafted at a later stage, in order to become consistent with the corresponding Common Provisions Regulation

Done at Strasbourg,

For the European Parliament

The President

For the Council

The President

ANNEX II

AREAS OF SUPPORT UNDER SHARED MANAGEMENT

<u>PRIORITY</u>	<u>AREA OF SUPPORT</u> <u>SPECIFIC CONDITION</u>	<u>TYPE OF AREA OF SUPPORT</u> <u>AREA OF SUPPORT</u> (nomenclature to be used in the financing plan)	<u>MAXIMUM CO-FINANCING RATE</u> (% of the eligible public expenditure)
<u>1</u>	Article 14(1) <i>Achievement of the environmental, economic, social and employment objectives of the CFP</i>	<u>1.1</u>	75%
	Article 16 <i>Investments in <u>First acquisition of a small-seale coastal fishing vessel</u></i>	<u>1.1 Strengthening economically, socially and environmentally sustainable fishing activities</u>	<u>75%</u>
<u>1</u>	<u>Article 16 new</u> <u>Replacement or modernisation of a main or ancillary engine</u>	<u>1.1 new Replacement or modernisation of a main or ancillary engine</u>	75 50%

<u>1</u>	Article 17(1)	1.1	75%
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	<i>Management of fisheries and fishing fleets</i>		
1	Article 17(2) <i>Permanent cessation of fishing activities</i>	1.2 Permanent and temporary cessation of fishing activities	50% 50%
1	Article 18 <i>Extraordinary Temporary cessation of fishing activities</i>		
1	Article 19 <i>Control and enforcement</i>	1.3 Efficient fisheries control and reliable data for knowledge-based decision-making	85% 85%
1	Article 20 <i>Collection and processing of data for fisheries and aquaculture management and scientific purposes</i>		
1	Article 21 <i>Compensation for additional costs in the outermost regions for fishery and aquaculture products</i>	1.4 Compensations for additional costs in the outermost regions	100%
1	Article 22 <i>Protection and restoration of marine and coastal</i>	1.5 Protection and restoration of aquatic ecosystems	85%

	<i>and inland waters'</i> <i>biodiversity and ecosystems</i>		
2	Article 23 <i>Aquaculture</i>	2.1 <u>Aquaculture, markets and processing</u>	75% 75% 75%
2	Article 24 <i>Marketing of fishery and aquaculture products</i>		
2	Article 25 <i>Processing of fishery and aquaculture products</i>		
3	Article 26 <i>Community-led local development</i>	3.1 <u>Development of fishing and aquaculture communities</u>	75%
3 4	Article 27 <i>Marine knowledge</i>	3. <u>4.1 Sustainable sea management</u>	75% 75% 75%
4	Article 28 <i>Maritime surveillance</i>		
4	Article 29 <i>Coastguard cooperation</i>		
	<i>Technical assistance</i>	5.1	75%

ORGANISATION OF SUPPORT UNDER SHARED MANAGEMENT

<u>Policy Objectives as in Article 4 of Regulation (EU) No [Regulation laying down Common Provisions]</u>	<u>EMFAF Priorities</u>	<u>EMFAF Specific Objectives</u>	<u>Nomenclature to be used in the financing plan</u>
<u>A greener, low-carbon Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management</u>	<u>1. Fostering sustainable fisheries and the conservation of aquatic biological resources</u>	<u>Strengthening economically, socially and environmentally sustainable fishing activities</u>	<u>1.1</u>
		<u>Increasing energy efficiency and reducing CO2 emissions</u>	<u>1.2</u>
		<u>Promoting the adjustment of fishing capacity to fishing opportunities and contributing to a fair standard of living in cases of certain temporary cessation of fishing activities</u>	<u>1.3</u>
		<u>Fostering efficient fisheries control and reliable data for knowledge-based decision-making</u>	<u>1.4</u>
		<u>Promoting a level-playing field for fishing and aquaculture products produced in the outermost regions</u>	<u>1.5</u>

		<u>Contributing to the protection and restoration of aquatic ecosystems</u>	<u>1.6</u>
	<u>2. Fostering sustainable aquaculture activities and processing and marketing of fisheries and aquaculture products</u>	<u>Promoting sustainable and economically viable aquaculture activities, in accordance with Article 34(1) of Regulation (EU) No 1380/2013</u>	<u>2.1</u>
		<u>Developing competitive, transparent and stable markets for fisheries and aquaculture products, as well as processing of these products, in accordance with Article 35 of Regulation (EU) No 1380/2013 and with Regulation (EU) No 1379/2013</u>	<u>2.2</u>
	<u>4. Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans</u>	<u>Strengthening sustainable sea and ocean management through the promotion of marine knowledge, maritime surveillance and/or coastguard cooperation</u>	<u>4.1</u>
<u>A Europe closer to citizens by fostering the sustainable and integrated development of urban, rural and coastal areas</u>	<u>3. Enabling the growth of a sustainable blue economy and fostering the development of fishing and aquaculture communities in coastal</u>	<u>Developing fishing and aquaculture communities in coastal and inland areas</u>	<u>3.1</u>

<u>and local initiatives</u>	<u>and inland areas</u>		
	<u>Technical assistance</u>		

ANNEX III

SPECIFIC MAXIMUM AID INTENSITY RATES UNDER SHARED MANAGEMENT

ROW NUMBER	AREA OF SUPPORT OR TYPE OF OPERATION	MAXIMUM AID INTENSITY RATE
1	Article 16 Investments in small-scale coastal fishing vessels	30%
2	Operations contributing to the implementation of the landing obligation referred to in Article 15 of Regulation (EU) No 1380/2013: –operations improving size selectivity or species selectivity of fishing gears; –operations improving the infrastructure of fishing ports, auction halls, landing sites and shelters in order to facilitate the landing and storage of unwanted catches; –operations facilitating the marketing of unwanted catches landed from commercial stocks in accordance with Article 8(2)(b) of Regulation (EU) No 1379/2013.	75%
3	Operations improving the health, safety and working conditions on board fishing vessels	75%
4	Operations located in the outermost regions	85%
5	Operations located in the remote Greek Islands and in the Croatian islands of Dugi Otok, Vis,	85%

	Mljet and Lastovo	
6	Article 19 Control and enforcement	85%
7	Operations related to small-scale coastal fishing (including for control and enforcement)	100%
8	Where the beneficiary is a public law body or an undertaking entrusted with the operation of services of general economic interest as referred to in Article 106(2) of the Treaty, where support is granted for the operation of such services	100%
9	Article 17(2) Permanent cessation of fishing activities	100%
10	Article 18 Extraordinary cessation of fishing activities	100%
11	Article 20 Collection and processing of data for fisheries management and scientific purposes	100%
12	Article 21 Compensation for additional costs in the outermost regions for fishery and aquaculture products	100%
13	Article 27 Marine knowledge	100%

14	Article 28 Maritime surveillance	100%
15	Article 29 Coastguard cooperation	100%
16	Operations related to the design, development, monitoring, evaluation or management of transparent systems for exchanging fishing opportunities between Member States, in accordance with Article 16(8) of Regulation (EU) No 1380/2013	100%

ROW NUMBER	TYPE OF OPERATION	MAXIMUM AID INTENSITY RATE
1	First acquisition of a fishing vessel or replacement or modernisation of a main or ancillary engine	[30%] [50%]
2	Operations contributing to the implementation of the landing obligation referred to in Article 15 of Regulation (EU) No 1380/2013 and improving size selectivity or species selectivity of fishing gears	100%

3	Others operations contributing to the implementation of the landing obligation referred to in Article 15 of Regulation (EU) No 1380/2013: - operations improving the infrastructure of fishing ports, auction halls, landing sites and shelters in order to facilitate the landing and storage of unwanted catches; - operations facilitating the marketing of unwanted catches landed from commercial stocks in accordance with Article 8(2)(b) of Regulation (EU) No 1379/2013.	75%
4	Operations improving the health, safety and working conditions on board fishing vessels	75%
5	Operations located in the outermost regions	85%
6	Operations located in the remote Greek Islands and in the Croatian islands of Dugi Otok, Vis, Mljet and Lastovo	85%
7	Article 19 Control and enforcement	85%
8	Operations related to small-scale coastal fishing (including for control and enforcement)	100%
9	Where the beneficiary is a public body or an undertaking entrusted with the operation of services of general economic interest as referred to in Article 106(2) of the Treaty, where support is granted for the operation of such services	100%

10	Compensations related to additional costs or income foregone under Article 30 (covering also support under Articles 17, 18 and 21)	100%
11	Article 20 Collection and processing of data for fisheries and aquaculture management and scientific purposes	100%
12	Article 22 Protection and restoration of marine, coastal and inland waters' biodiversity and ecosystems	100%
13	Article 23 Operations supporting sustainable aquaculture implemented by SMEs	60 %
14	Article 26 Community-led local development Operations which fulfil at least one of the following criteria: (i) it is of collective interest; (ii) it has a collective beneficiary; (iii) it has innovative features, where appropriate, at local level.	100%
15	Running costs of FLAGs	100%
16	Operations other than those covered in row 14 which fulfil all the following criteria: (i) it is of collective interest;	100%

	(ii) it has a collective beneficiary; (iii) it has innovative features, where appropriate, at local level.	
17	Operations reffering to marine knowledge, maritime surveillance or coastguard cooperation	100%
18	Operations related to the design, development, monitoring, evaluation or management of transparent systems for exchanging fishing opportunities between Member States, in accordance with Article 16(8) of Regulation (EU) No 1380/2013	100%
19	Operations supporting innovative products, processes or equipment in fisheries, aquaculture and processing	75%
20	Operations implemented by producer organisations, associations of producer organisations or interbranch organisations	75%
21	Operations implemented by organisations of fishers or other collective beneficiaries	60%
22	Financial Instruments	100%

ANNEX IV

COEFFICIENTS FOR CALCULATING AMOUNTS OF SUPPORT FOR ENVIRONMENT-RELATED AND CLIMATE CHANGE OBJECTIVES

AREA OF SUPPORT SPECIFIC OBJECTIVE OR SPECIFIC CONDITION	NOMENCLATURE TO BE USED IN THE PROGRAMME	Coefficient for the calculation of support to climate change objectives	Coefficient for the calculation of support to environment- related objectives
<i>Expenditure contributing to priority 1: Fostering sustainable fisheries and the conservation of marine aquatic biological resources</i>			
<i>Article 14 (1) a)</i> <i>Achievement of the environmental, economic, social and employment objectives of the CFP</i> <u>Strengthening economically, socially and environmentally sustainable fishing activities, excluding first acquisition of a fishing vessel</u>	1.1	40%	100% for expenditure related to environmental objectives 0% for other objectives
<i>Article 16</i> <u>Investments in First acquisition of a small-scale coastal fishing vessels</u>	1.1	0%*	0% for expenditure related to the first acquisition of a fishing vessel by a young fisher 40% for expenditure related

			to the replacement or modernisation of a main or ancillary engine
<u>Article 16 new</u> <u>Replacement or modernisation of a main or ancillary engine</u>	<u>1.2</u>	<u>40%</u>	<u>40%</u>
Article 17(1) <i>Management of fisheries and fishing fleets</i>	1.1	0%	0%
Article 17(2) <i>Permanent cessation of fishing activities</i>	1.2 <u>3</u>	100% if the support is achieved through the scrapping of the fishing vessel 0%* if the support is achieved through the retrofitting of the fishing vessel for activities other than commercial fishing	0%*
Article 18 <i>Extraordinary Temporary</i> <i>cessation of fishing activities</i>	1.2 <u>3</u>	40%	40%
Article 19 <i>Control and enforcement</i>	1.3 <u>4</u>	0%	40%

Article 20 <i>Collection and processing of data for fisheries <u>and aquaculture</u> management and scientific purposes</i>	1. 3 <u>4</u>	0%	40%
Article 21 <i>Compensation for additional costs in outermost regions for fishery and aquaculture products</i>	1. 4 <u>5</u>	0%	0%
Article 22 <i>Protection and restoration of marine, and coastal <u>and inland waters</u>' biodiversity and ecosystems</i>	1. 5 <u>6</u>	40%	100%
<i>Expenditure contributing to priority 2: <u>Fostering Contributing to food security in the Union through competitive and sustainable aquaculture activities and processing and marketing of fisheries and aquaculture products</u></i>			
Article 23 <i>Aquaculture</i>	2.1	0%*	40%
Article 24 <i>Marketing of fishery and aquaculture products</i>	2.1	0%	0%
Article 25 22 new <i>Processing of fishery and</i>	2 <u>new</u> .1	0%*	0%

<i>aquaculture products</i> <u>Developing competitive, transparent and stable markets for fisheries and aquaculture products, as well as processing of these products, in accordance with Article 35 of Regulation (EU) No 1380/2013 and with Regulation (EU) No 1379/2013</u>			
<i>Expenditure contributing to priority 3: Enabling the growth of a sustainable blue economy and fostering <u>prosperous the development of fishing and aquaculture coastal communities in coastal and inland areas;</u></i>			
Article 26 <i>Community-led local development</i>	3.1	0%*	40%
Article 27 Marine knowledge	3.1	40%	100%
<i>Expenditure contributing to priority 4: Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans</i>			
<u>Article 27</u> <u>Marine knowledge</u>	<u>4.1</u>	<u>40%</u>	<u>100%</u>
Article 28 <i>Maritime surveillance</i>	4.1	0%	0%

Article 29 <i>Coastguard cooperation</i>	4.1	0%	0%
<i>Expenditure contributing to technical assistance</i>			
<i>Technical assistance</i>	5.1	0%*	0%*

* A Member State may propose in its programme that a coefficient of 40% be assigned to a **specific objective or specific condition** ~~an area of support~~ marked with * in the table, provided it can demonstrate the relevance of that **specific objective or specific condition** ~~area of support~~ to climate change mitigation or adaptation, or to environment-related objectives, as appropriate.

[ANNEX V - bracketed provision]