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**COMMISSION IMPLEMENTING DECISION**

**of 30.11.2015**

**on approving the operational programme "European Maritime and Fisheries Fund -  
Operational Programme for the United Kingdom" for support from the European  
Maritime and Fisheries Fund in the United Kingdom**

**CCI 2014UK14MFOP001**

(ONLY THE ENGLISH TEXT IS AUTHENTIC)

# COMMISSION IMPLEMENTING DECISION

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**on approving the operational programme "European Maritime and Fisheries Fund - Operational Programme for the United Kingdom" for support from the European Maritime and Fisheries Fund in the United Kingdom**

**CCI 2014UK14MFOP001**

(ONLY THE ENGLISH TEXT IS AUTHENTIC)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council<sup>1</sup>, and in particular Article 19(1) thereof,

Whereas:

- (1) On 27 April 2015, the United Kingdom submitted through the electronic data exchange system (the SFC2014) to the Commission an operational programme entitled "MAR 2020 – European Maritime and Fisheries Fund - Operational Programme for the United Kingdom" for support from the European Maritime and Fisheries Fund (EMFF).
- (2) The operational programme complies with Article 16 of Regulation (EU) No 508/2014 and Commission Implementing Decision of 11 June 2014 setting out the annual breakdown by Member States of the global resources of the European Maritime and Fisheries Fund available in the framework of shared management for the period 2014-2020<sup>2</sup>. Furthermore, the operational programme is in line with Article 13 of Regulation (EU) No 508/2014. Due to the limited possibility of interchangeable use of the support set out in Article 13(8), it is appropriate to fix the level of support following the breakdown in Article 13(1)-(7) of Regulation (EU) No 508/2014.
- (3) The Member State is entitled to finance technical assistance up to 6% of the total allocation of the operational programme. For the purpose of transparency, the amount dedicated to technical assistance should be defined in a transparent manner within the breakdown as set out in Article 13 of Regulation (EU) No 508/2014.
- (4) The operational programme was drawn up by the UK with the involvement of the partners in accordance with Articles 5(1) and 26(2) of Regulation (EU) No 1303/2013

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<sup>1</sup> OJ L 149, 20.5.2014, p. 1

<sup>2</sup> OJ L 180, 20.6.2014, p. 18.

of the European Parliament and of the Council<sup>3</sup> and in cooperation with the Commission.

- (5) The operational programme was prepared in accordance with the model set out in Annex I to Commission Implementing Regulation (EU) No 771/2014<sup>4</sup>.
- (6) In accordance with Article 29 of Regulation (EU) No 1303/2013, the Commission has assessed the operational programme and its annexes and made observations as provided for in paragraph 3 of that Article on 17 July 2015. The United Kingdom provided to the Commission all necessary information and submitted the revised operational programme and its annexes on 30 October 2015.
- (7) The Commission has examined the operational programme in accordance with Article 19(2) of the Regulation (EU) No 508/2014, and concluded that the measures included into the programme pursuant to point (b)(ii) of Article 18(1) of that Regulation are likely to effectively remove the fishing fleet overcapacity identified.
- (8) The Commission furthermore concluded that the operational programme contributes to the Union strategy for smart, sustainable and inclusive growth and to the achievement of the selected thematic objectives as well as Union priorities. The programme is consistent with Regulation (EU) No 1303/2013, Regulation (EU) No 508/2014 and with the content of the revised Partnership Agreement with the UK, approved by Commission Decision C(2014) 8124 of 29 October 2014 approving the Partnership Agreement with the United Kingdom in accordance with Article 17 of Regulation (EU) No 1303/2013.
- (9) The operational programme contains all the elements referred to in Article 27(1) to (6) of Regulation (EU) No 1303/2013 and Articles 18(1) and (2) of Regulation (EU) No 508/2014.
- (10) In accordance with Article 19(3) of Regulation (EU) No 1303/2013 and Article 9 and Annex IV of Regulation (EU) No 508/2014, the Commission has assessed the consistency and adequacy of the information provided by the United Kingdom on the applicability of *ex ante* conditionalities and on the fulfilment of applicable *ex ante* conditionalities related to the operational programme. Since one of the applicable *ex ante* conditionalities is partially fulfilled at the date of submission of the operational programme, the Commission has assessed the consistency and adequacy of the information provided on 30 October 2015 on the actions to be taken and the timetable to implement them, as well as the bodies responsible for the fulfilment of applicable *ex ante* conditionalities.

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<sup>3</sup> Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320.)

<sup>4</sup> Commission Implementing Regulation (EU) No 771/2014 of 14 July 2014 laying down rules pursuant to Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regard to the model for operational programmes, the structure of the plans for the compensation of additional costs incurred by operators in the fishing, farming, processing and marketing of certain fishery and aquaculture products from the outermost regions, the model for the transmission of financial data, the content of the *ex ante* evaluation reports and the minimum requirements for the evaluation plan to be submitted under the European Maritime and Fisheries Fund (OJ L 209, 16.7.2014, p. 20.)

- (11) Pursuant to Article 20 of Regulation (EU) No 1303/2013 and Article 94 of Regulation (EU) No 508/2014, it is appropriate to identify the amounts related to the performance reserve and to fix the maximum EMFF contribution as well as the rate of co-financing from the EMFF for the operational programme and each Union priority.
- (12) Pursuant to the second paragraph of Article 76 of Regulation (EU) No 1303/2013, this Decision constitutes a financing decision within the meaning of Article 84 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council<sup>5</sup>. The elements enabling the budgetary commitments and the legal commitment of the Union in respect of this operational programme should therefore be specified.
- (13) This Decision is without prejudice to the Commission's position regarding compliance of any operation supported under the operational programme outside the scope of Article 42 TFEU with the procedural and substantive State aid rules applicable at the time when the support is granted.

HAS ADOPTED THIS DECISION:

#### *Article 1*

The operational programme "European Maritime and Fisheries Fund - Operational Programme for the United Kingdom" for support from the EMFF in the United Kingdom for the period from 1 January 2014 to 31 December 2020, submitted in its final version on 30 October 2015, is hereby approved.

#### *Article 2*

Expenditure actually paid under the operational programme shall be eligible from 1 January 2014 to 31 December 2023.

#### *Article 3*

- (1) The maximum contribution from the EMFF for the period from 2014 to 2020 authorised by this Decision for the operational programme is set at EUR 243 139 437 in accordance with the following breakdown:
  - (a) EUR 125 271 548 shall be allocated to the sustainable development of fisheries, aquaculture, fisheries and aquaculture areas, to marketing and processing related measures, as set out in Chapters I, II, III and IV of Title V of Regulation (EU) No 508/2014, with the exception of measures under Article 67.
  - (b) EUR 45 192 561 shall be allocated to the control and enforcement measures referred to in Article 76 of Regulation (EU) No 508/2014.
  - (c) EUR 52 441 314 shall be allocated to the measures on data collection referred to in Article 77 of Regulation (EU) No 508/2014.

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<sup>5</sup> Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

- (d) EUR 2 370 890 shall be allocated to the storage aid referred to in Article 67 of Regulation (EU) No 508/2014.
  - (e) EUR 5 334 672 shall be allocated to measures concerning the Integrated Maritime Policy as referred to in Chapter VIII of Title V of Regulation (EU) No 508/2014.
  - (f) EUR 12 528 452 shall be allocated to technical assistance at the initiative of the Member State pursuant to Article 78 of Regulation (EU) No 508/2014.
- (2) The annual breakdown of the maximum EMFF contribution as referred to in paragraph 1 and co-financing rates by Union priorities as well as identification of amounts related to the performance reserve referred to in Article 20 of Regulation (EU) No 1303/2013 are set out in Annex 1 and 2 to this Decision.

*Article 4*

This Decision is addressed to the United Kingdom.

Done at Brussels, 30.11.2015

*For the Commission*  
*Karmenu VELLA*  
*Member of the Commission*

