

# COMMISSION

## COMMISSION DECISION

of 29 October 2008

### on a Community financial contribution towards Member States' fisheries control, inspection and surveillance programmes for 2008

(notified under document number C(2008) 6262)

(2008/860/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea <sup>(1)</sup>, and in particular Article 21 thereof,

Whereas:

- (1) Member States have forwarded to the Commission their fisheries control programme for 2008 together with the applications for a Community financial contribution towards the expenditure to be incurred in carrying out the projects contained in such programme.
- (2) Applications concerning actions listed in Article 8(a) of Regulation (EC) No 861/2006 may qualify for Community funding.
- (3) Applications for Community funding shall comply with the rules set out in Commission Regulation (EC) No 391/2007 <sup>(2)</sup>.
- (4) It is appropriate to fix the maximum amounts and the rate of the Community financial contribution within the limits set by Article 15 of Regulation (EC) No 861/2006 and to lay down the conditions under which such contribution may be granted.

(5) In order to qualify for the contribution, automatic localisation devices should satisfy the requirements fixed by Commission Regulation (EC) No 2244/2003 of 18 December 2003 laying down detailed provisions regarding satellite-based Vessel Monitoring Systems <sup>(3)</sup>.

(6) The measures provided for in this Decision are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION:

#### Article 1

##### Subject matter

This Decision provides for a Community financial contribution for 2008 towards expenditure incurred by Member States for 2008 in implementing the monitoring and control systems applicable to the common fisheries policy, as referred to in Article 8(a) of Regulation (EC) No 861/2006. It establishes the amount of the Community financial contribution for each Member State, the rate of the Community financial contribution and the conditions on which such contribution may be granted.

#### Article 2

##### Closure of outstanding commitments

Member States shall ensure that all payments in respect of which a reimbursement is claimed shall be made by the Member State concerned by 30 June 2012. Payments made by a Member State after this deadline shall not be eligible for reimbursement. The budgetary appropriations related to this Decision shall be decommitted at the latest by 31 December 2013.

<sup>(1)</sup> OJ L 160, 14.6.2006, p. 1.

<sup>(2)</sup> OJ L 97, 12.4.2007, p. 30.

<sup>(3)</sup> OJ L 333, 20.12.2003, p. 17.

*Article 3***New technologies and IT networks**

Expenditure incurred on the purchase of, installation and technical assistance for, computer technology and setting up of IT networks in order to allow efficient and secure data exchange in connection with monitoring, control and surveillance of fisheries activities, shall qualify for a financial contribution of 50 % of the eligible expenditure within the limits laid down in Annex I.

*Article 4***Automatic localisation devices**

1. Expenditure incurred in the purchase and fitting on board of fishing vessels of automatic localisation devices enabling vessels to be monitored at a distance by a fisheries monitoring centre through a vessel monitoring system (VMS) shall qualify for a maximum financial contribution of EUR 4 500 per vessel within the limits established in Annex II.

2. Within the EUR 4 500 limit provided for in paragraph 1, the financial contribution for the first EUR 1 500 of eligible expenditure shall be at a rate of 100 %.

3. The financial contribution for eligible expenditure comprised between EUR 1 500 and EUR 4 500 per vessel shall amount to a maximum of 50 % of such expenditure.

4. In order to qualify, automatic localisation devices shall satisfy the requirements fixed by Regulation (EC) No 2244/2003.

*Article 5***Electronic recording and reporting systems**

Expenditure incurred on the purchase of, installation and technical assistance for, electronic recording and reporting systems (ERS) in a fisheries monitoring centre, in order to allow efficient and secure data exchange in connection with monitoring, control and surveillance of fisheries activities, shall qualify for a financial contribution of 50 % of the eligible expenditure within the limits laid down in Annex III.

*Article 6***Electronic recording and reporting devices**

1. Expenditure incurred on the purchase and fitting on board of fishing vessels of ERS devices enabling vessels to record and report electronically to a fisheries monitoring centre data on

fisheries activities, shall qualify for a maximum financial contribution of EUR 4 500 per vessel within the limits established in Annex IV.

2. The financial contribution for expenditure incurred on the purchase and fitting on board fishing vessels of ERS devices shall be at a rate of 75 % within the EUR 4 500 limit provided for in paragraph 1.

3. In order to qualify for a financial contribution, ERS devices shall satisfy the requirements established under Council Regulation (EC) No 1966/2006 <sup>(1)</sup> and Commission Regulation (EC) No 1566/2007 <sup>(2)</sup>.

*Article 7***Pilot projects**

Expenditure incurred in pilot projects on new control technologies shall qualify for a financial contribution of 50 % of the eligible expenditure within the limits laid down in Annex V.

*Article 8***Training**

Expenditure incurred on training and exchange programmes of civil servants responsible for monitoring control and surveillance tasks in the fisheries area shall qualify for a financial contribution of 50 % of the eligible expenditure within the limits laid down in Annex VI.

*Article 9***Assessment of expenditure**

Expenditure incurred in implementing a system to assess expenditure incurred in controlling the common fisheries policy shall qualify for a financial contribution of 50 % of the eligible expenditure within the limits laid down in Annex VII.

*Article 10***Seminars and media tools**

Expenditure incurred in initiatives including seminar and media tools aimed at enhancing awareness among fishermen and other players such as inspectors, public prosecutors and judges, as well as among the general public on the need to fight irresponsible and illegal fishing and on the implementation of common fisheries policy rules, shall qualify for a financial contribution of 75 % of the eligible expenditure within the limits laid down in Annex VIII.

<sup>(1)</sup> OJ L 409, 30.12.2006, p. 1, as corrected by OJ L 36, 8.2.2007, p. 3.

<sup>(2)</sup> OJ L 340, 22.12.2007, p. 46.

*Article 11***Fisheries patrol vessels and aircraft**

1. Expenditure related to the purchase and modernisation of vessels and aircraft used for inspection and surveillance of fishing activities by the competent authorities of the Member States shall qualify, within the limits laid down in Annex IX, for a financial contribution of 50 % of the eligible expenditure incurred by Member States.

2. The financial contribution specified for each Member State in Annex IX is calculated on the basis of the utilisation of the concerned vessels and aircraft for inspection and surveillance as

a percentage of their total yearly activity, as declared by the Member States.

*Article 12*

This Decision is addressed to the Member States.

Done at Brussels, 29 October 2008.

*For the Commission*

Joe BORG

*Member of the Commission*

## ANNEX I

**New technologies and IT networks**

(EUR)

Member State	Expenditure planned in the national fisheries control programme	Eligible expenditure	Community contribution
Belgium	0	0	0
Bulgaria	50 000	50 000	25 000
Cyprus	0	0	0
Czech Republic	0	0	0
Denmark	0	0	0
Germany	50 000	50 000	25 000
Estonia	0	0	0
Greece	4 500 000	3 000 000	1 500 000
Spain	415 936	340 336	170 168
France	70 000	70 000	35 000
Ireland	2 185 864	2 155 864	1 077 932
Italy	4 700 000	1 700 000	850 000
Latvia	0	0	0
Lithuania	77 330	77 330	38 665
Luxembourg	0	0	0
Hungary	0	0	0
Malta	0	0	0
Netherlands	1 174 410	1 104 410	552 205
Austria	0	0	0
Poland	0	0	0
Portugal	0	0	0
Romania	140 000	140 000	70 000
Slovenia	51 300	51 300	25 650
Slovakia	0	0	0
Finland	350 000	350 000	175 000
Sweden	135 000	135 000	67 500
United Kingdom	201 435	200 781	100 391
Total	14 101 275	9 425 021	4 712 511

A total amount of EUR 4 676 254 EUR was considered as ineligible expenditures on the basis of Annex V of Regulation (EC) No 391/2007.

A 50 % rate of Community contribution was applied on eligible expenditure according to Article 3 of the present Decision.

## ANNEX II

**Automatic localisation devices**

(EUR)

Member State	Expenditure planned in the national fisheries control programme	Community contribution
Belgium	0	0
Bulgaria	0	0
Cyprus	0	0
Czech Republic	0	0
Denmark	0	0
Germany	0	0
Estonia	0	0
Greece	0	0
Spain	0	0
France	0	0
Ireland	1 500 000	750 000
Italy	0	0
Latvia	0	0
Lithuania	0	0
Luxembourg	0	0
Hungary	0	0
Malta	0	0
Netherlands	0	0
Austria	0	0
Poland	0	0
Portugal	0	0
Romania	0	0
Slovenia	20 000	17 500
Slovakia	0	0
Finland	0	0
Sweden	0	0
United Kingdom	0	0
Total	1 520 000	767 500

The Community contribution was calculated according to the rules defined in Article 4 of the present Decision.

## ANNEX III

**Electronic recording and reporting systems**

(EUR)

Member State	Expenditure planned in the national fisheries control programme	Eligible expenditure	Community contribution
Belgium	210 000	210 000	105 000
Bulgaria	0	0	0
Cyprus	0	0	0
Czech Republic	0	0	0
Denmark	604 026	604 026	302 013
Germany	530 000	530 000	265 000
Estonia	0	0	0
Greece	0	0	0
Spain	115 500	115 500	57 750
France	0	0	0
Ireland	2 500 000	2 500 000	1 250 000
Italy	0	0	0
Latvia	0	0	0
Lithuania	0	0	0
Luxembourg	0	0	0
Hungary	0	0	0
Malta	0	0	0
Netherlands	1 540 000	1 540 000	770 000
Austria	0	0	0
Poland	0	0	0
Portugal	0	0	0
Romania	0	0	0
Slovenia	0	0	0
Slovakia	0	0	0
Finland	0	0	0
Sweden	0	0	0
United Kingdom	0	0	0
Total	5 499 526	5 499 526	2 749 763

The Community contribution has been calculated on the basis of a 50 % rate according to Article 5 of the present Decision.

## ANNEX IV

**Electronic recording and reporting devices**

(EUR)

Member State	Expenditure planned in the national fisheries control programme	Eligible expenditure	Community contribution
Belgium	0	0	0
Bulgaria	0	0	0
Cyprus	0	0	0
Czech Republic	0	0	0
Denmark	0	0	0
Germany	0	0	0
Estonia	0	0	0
Greece	0	0	0
Spain	0	0	0
France	2 000 000	1 098 000	823 500
Ireland	0	0	0
Italy	0	0	0
Latvia	0	0	0
Lithuania	0	0	0
Luxembourg	0	0	0
Hungary	0	0	0
Malta	0	0	0
Netherlands	0	0	0
Austria	0	0	0
Poland	0	0	0
Portugal	0	0	0
Romania	0	0	0
Slovenia	0	0	0
Slovakia	0	0	0
Finland	0	0	0
Sweden	0	0	0
United Kingdom	739 834	739 834	554 876
Total	2 739 834	1 837 834	1 378 376

For France, this expenditure concerns 244 electronic logbooks, which have a maximum threshold of EUR 4 500 each. As a consequence, EUR 902 000 were considered as ineligible.

In conformity with Article 6 of the present Decision, a rate of 75 % has been applied to these expenditures.

## ANNEX V

## Pilot projects

(EUR)

Member State	Expenditure planned in the national fisheries control programme	Eligible expenditure	Community contribution
Belgium	0	0	0
Bulgaria	0	0	0
Cyprus	0	0	0
Czech Republic	0	0	0
Denmark	0	0	0
Germany	0	0	0
Estonia	0	0	0
Greece	0	0	0
Spain	0	0	0
France	0	0	0
Ireland	0	0	0
Italy	0	0	0
Latvia	0	0	0
Lithuania	0	0	0
Luxembourg	0	0	0
Hungary	0	0	0
Malta	0	0	0
Netherlands	0	0	0
Austria	0	0	0
Poland	0	0	0
Portugal	0	0	0
Romania	0	0	0
Slovenia	0	0	0
Slovakia	0	0	0
Finland	0	0	0
Sweden	234 000	234 000	117 000
United Kingdom	295 934	269 031	134 516
Total	529 934	503 031	251 516

EUR 26 903 were considered as ineligible expenditure according to Annex V of Regulation (EC) No 391/2007. A rate of 50 % of Community contribution was applied on eligible expenditure according to Article 7 of the present Decision.



## ANNEX VI

## Training

(EUR)

Member State	Expenditure planned in the national fisheries control programme	Eligible expenditure	Community contribution
Belgium	0	0	0
Bulgaria	40 000	40 000	20 000
Cyprus	0	0	0
Czech Republic	0	0	0
Denmark	123 753	83 485	41 743
Germany	18 500	18 500	9 250
Estonia	0	0	0
Greece	40 000	40 000	20 000
Spain	173 910	157 110	78 555
France	92 000	92 000	46 000
Ireland	122 000	122 000	61 000
Italy	1 465 230	1 165 230	582 615
Latvia	0	0	0
Lithuania	17 400	17 400	8 700
Luxembourg	0	0	0
Hungary	0	0	0
Malta	0	0	0
Netherlands	120 000	120 000	60 000
Austria	0	0	0
Poland	0	0	0
Portugal	0	0	0
Romania	200 000	200 000	100 000
Slovenia	48 500	48 500	24 250
Slovakia	0	0	0
Finland	130 000	130 000	65 000
Sweden	0	0	0
United Kingdom	178 746	177 266	88 633
Total	2 770 039	2 411 491	1 205 746

EUR 358 548 were considered as ineligible expenditure according to Annex V of Regulation (EC) No 391/2007. A rate of 50 % of Community contribution was applied on eligible expenditure according to Article 8 of the present Decision.

## ANNEX VII

## Assessment of expenditure

(EUR)

Member State	Expenditure planned in the national fisheries control programme	Eligible expenditure	Community contribution
Belgium	0	0	0
Bulgaria	12 000	12 000	6 000
Cyprus	0	0	0
Czech Republic	0	0	0
Denmark	0	0	0
Germany	0	0	0
Estonia	0	0	0
Greece	0	0	0
Spain	0	0	0
France	0	0	0
Ireland	0	0	0
Italy	0	0	0
Latvia	0	0	0
Lithuania	0	0	0
Luxembourg	0	0	0
Hungary	0	0	0
Malta	0	0	0
Netherlands	0	0	0
Austria	0	0	0
Poland	0	0	0
Portugal	0	0	0
Romania	0	0	0
Slovenia	0	0	0
Slovakia	0	0	0
Finland	0	0	0
Sweden	0	0	0
United Kingdom	0	0	0
Total	12 000	12 000	6 000

A rate of 50 % of Community contribution was applied on eligible expenditure according to Article 9 of the present Decision.

## ANNEX VIII

**Seminars and media tools**

(EUR)

Member State	Expenditure planned in the national fisheries control programme	Eligible expenditure	Community contribution
Belgium	0	0	0
Bulgaria	58 000	58 000	43 500
Cyprus	0	0	0
Czech Republic	0	0	0
Denmark	33 557	33 557	25 168
Germany	0	0	0
Estonia	0	0	0
Greece	1 000 000	1 000 000	750 000
Spain	394 800	394 800	296 100
France	0	0	0
Ireland	0	0	0
Italy	497 200	447 200	335 400
Latvia	0	0	0
Lithuania	15 900	15 900	11 925
Luxembourg	0	0	0
Hungary	0	0	0
Malta	0	0	0
Netherlands	0	0	0
Austria	0	0	0
Poland	0	0	0
Portugal	0	0	0
Romania	0	0	0
Slovenia	8 500	8 500	6 375
Slovakia	0	0	0
Finland	0	0	0
Sweden	0	0	0
United Kingdom	104 250	104 250	78 188
Total	2 112 207	2 062 207	1 546 656

An amount of EUR 50 000 was considered as ineligible expenditure according to Annex V of Regulation (EC) No 391/2007.

A rate of 75 % of Community contribution was applied to eligible expenditure as indicated in Article 10 of the present Decision.

## ANNEX IX

## Patrol vessels and aircraft

(EUR)

Member State	Expenditure planned in the national fisheries control programme	Eligible expenditure under this Decision	Community contribution
Belgium	0	0	0
Bulgaria	0	0	0
Cyprus	0	0	0
Czech Republic	0	0	0
Denmark	301 678	166 678	83 339
Germany	3 826 458	68 000	34 000
Estonia	0	0	0
Greece	14 603 000	558 000	279 000
Spain	44 225 546	1 657 546	828 773
France	575 000	500 000	250 000
Ireland	260 000	60 000	30 000
Italy	24 000 000	0	0
Latvia	0	0	0
Lithuania	0	0	0
Luxembourg	0	0	0
Hungary	0	0	0
Malta	0	0	0
Netherlands	0	0	0
Austria	0	0	0
Poland	0	0	0
Portugal	0	0	0
Romania	130 000	130 000	65 000
Slovenia	0	0	0
Slovakia	0	0	0
Finland	180 000	170 000	85 000
Sweden	0	0	0
United Kingdom	1 005 765	999 448	499 724
Total	89 107 447	4 309 672	2 154 836

Among this global amount of EUR 89 107 447 planned in the national fisheries control programmes for patrol vessels and aircraft, a global amount of EUR 80 361 000 will be dealt with under the second financial decision. A reduction of this envelope will be necessary in order to respect the budgetary commitments available in 2008.

EUR 4 436 775 of these planned expenditures were considered as ineligible according to Articles 6 and 7 and to Annex V of Regulation (EC) No 391/2007.

A rate of 50 % was applied on all eligible expenditure according to Article 11 of the present Decision.