

## ANNEX

1. Annex I is amended as follows:
  - (a) point 1(c) is replaced by the following:

requirements of the sector.;
  - (b) point 2(d)(i) is replaced by the following:

indicators concerning the development of the fleet in relation to the objectives of the recovery or management plans.;
2. Annex II is deleted.
3. Annex III is amended as follows:
  - (a) the title of point 1 is replaced by the following:

1. Implementation of measures relating to fishing fleet activities (Title II);
  - (b) point 1.0 is replaced by the following:
    - 1.0. Age of vessels

For the purpose of this Regulation, the age of a vessel is a whole number defined as the difference between the year of the managing authority's decision to grant a premium or aid and the year of entry into service as defined in Regulation (EEC) No 2930/86.;
  - (c) points 1.3 and 1.4 shall be replaced by the following:
    - 1.3. Fleet renewal (Article 9)
      - (a) Vessels must be built to comply with the Regulations and Directives governing hygiene, safety, health, product quality and working conditions and the Community provisions concerning the measurement of vessels and the monitoring of fishing activities.
      - (b) Vessels shall be entered in the Community fishing fleet register.
      - (c) Without prejudice to Article 12(3)(d), the transfer of ownership of a fishing vessel shall not give rise to Community aid.
    - 1.4. Fishing Vessels equipment and modernisation (Article 9)
      - (a) Vessels must have been registered in the fishing vessels register of the Community for at least five years except for equipment in Vessel Monitoring Systems. Changes in vessel characteristics must be communicated to this register and the vessels must be measured in accordance with Community provisions, when they are modernised.
      - (b) Investments should relate to:
        - (i) the rationalisation of fishing operations by the use of more selective or low impact fishing technologies and methods on board in order to avoid undesirable by-catches, other than those provided for in Community law,

and/or

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*Status: This is the original version (as it was originally adopted).*

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- (ii) improvement of the quality and safety of products caught and preserved on board, the use of more selective fishing techniques and of better preserving techniques and the implementation of legal and regulatory provisions regarding health,  
and/or
- (iii) improvement of working and safety conditions.

Without prejudice to Article 16(2), the replacement of fishing gear shall not be considered eligible expenditure.;

- (d) the following point 1.5 is added:

1.5. Socio-economic measures (Article 12)

Measures to support the training of fishermen or the diversification of their activities outside marine fisheries must contribute to a reduction of the fishing effort developed by the beneficiaries even if they continue fishing on a part-time basis.

- 4. in Annex IV, the text preceding Table 3 in point 2 is replaced by the following:
- 2. Rates of financial participation

- (a) For all the operations referred to in titles II, III and IV, the limits on Community financial participation (A), total State financial participation (national, regional and other) by the Member State concerned (B) and, where applicable, financial participation by private beneficiaries (C) shall be as follows, expressed as a percentage of eligible costs.

Group 1:

Permanent withdrawal premiums (Article 7), premium for the creation of joint enterprises (Article 8), small-scale coastal fishing (Article 11), socio-economic measures (Article 12), protection and development of aquatic resources (Article 13(1)(a)), fishing port facilities with no financial participation by private beneficiaries (Article 13(1)(c)), measures to find and promote new market outlets with no financial participation by private beneficiaries (Article 14), operations by members of the trade with no financial participation by private beneficiaries (Article 15), temporary cessation premiums and other financial compensation (Article 16), innovative measures and technical assistance including pilot projects carried out by public bodies (Article 17).

Group 2:

Fleet renewal, equipment and modernisation of fishing vessels (Article 9).

Group 3:

Aquaculture (Article 13(1)(b)), fishing port facilities with financial participation by private beneficiaries (Article 13(1)(c)), processing and marketing (Article 13(1)(d)), inland fishing (Article 13(1)(e)), measures to find and promote new market outlets with financial participation by private beneficiaries (Article 14), operations by members of the trade with financial participation by private beneficiaries (Article 15(2)).

Group 4:

Pilot projects other than those carried out by public bodies (Article 17).

- (b) With respect to operations concerning the protection and development of aquatic resources (Article 13(1)(a)), fishing port facilities (Article 13(1)(c)), measures to find and promote new market outlets (Article 14) and operations by members of the trade (Article 15), the managing authority shall determine whether they fall under group 1 or group 3, in particular on the basis of the following considerations:
- collective versus individual interests,
  - collective versus individual beneficiary (producers' organisations, organisations representing the trade),
  - public access to the results of the operation versus private ownership and control,
  - financial participation by collective bodies, research institutions.