

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

TITLE V

**MEASURES FINANCED UNDER SHARED MANAGEMENT**

*CHAPTER I*

***Sustainable development of fisheries***

*Article 24*

**Specific objectives**

Support under this Chapter shall contribute to the achievement of the specific objectives under the Union priority set out in Article 6(1).

*Article 25*

**General conditions**

1 The owner of a fishing vessel having received support under this Chapter shall not transfer that vessel outside the Union during at least the five years following the date of actual payment of that support to the beneficiary. If a vessel is transferred within that time-frame, sums unduly paid in respect of the operation shall be recovered by the Member State, in an amount proportionate to the period during which the condition set out in the first sentence of this paragraph has not been fulfilled.

2 Operating costs shall not be eligible unless otherwise expressly provided for in this Chapter.

3 The total financial contribution from the EMFF to the measures referred to in Articles 33 and 34 and to the replacement or modernisation of main or ancillary engines referred to in Article 41, shall not exceed the higher of the following two thresholds:

- a EUR 6 000 000; or
- b 15 % of the Union financial support allocated by the Member State to the Union priorities set out in Article 6(1), (2) and (5).

4 The total financial contribution from the EMFF to the measures referred to in Article 29(4) shall not exceed 5 % of the Union financial support allocated per Member State.

5 Support to vessel owners granted under Article 33 shall be deducted from support granted to vessel owners under Article 34 for the same vessel.

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## Article 26

### Innovation

1 In order to stimulate innovation in fisheries, the EMFF may support projects aimed at developing or introducing new or substantially improved products and equipment, new or improved processes and techniques, and new or improved management and organisation systems, including at the level of processing and marketing.

2 Operations financed under this Article shall be carried out by, or in collaboration with, a scientific or technical body, recognised by the Member State or the Union. That scientific or technical body shall validate the results of such operations.

3 The results of operations financed under this Article shall be adequately publicised by the Member State in accordance with Article 119.

## Article 27

### Advisory services

1 In order to improve the overall performance and competitiveness of operators and to promote sustainable fisheries, the EMFF may support:

- a feasibility studies and advisory services that assess the viability of projects potentially eligible for support under this Chapter;
- b the provision of professional advice on environmental sustainability, with a focus on limiting and, where possible, eliminating the negative impact of fishing activities on marine, terrestrial and freshwater ecosystems;
- c the provision of professional advice on business and marketing strategies.

2 The feasibility studies, advisory services and advice referred to in paragraph 1 shall be provided by scientific, academic, professional or technical bodies, or entities providing economic advice that have the required competences.

3 The support referred to in paragraph 1 shall be granted to operators, organisations of fishermen, including producer organisations, or public law bodies.

4 Where the support referred to in paragraph 1 does not exceed the amount of EUR 4 000, the beneficiary may be selected by means of an accelerated procedure.

## Article 28

### Partnerships between scientists and fishermen

1 In order to foster the transfer of knowledge between scientists and fishermen, the EMFF may support:

- a the creation of networks, partnership agreements or associations between one or more independent scientific bodies and fishermen, or one or more organisations of fishermen, in which technical bodies may participate;
- b the activities carried out in the framework of the networks, partnership agreements, or associations referred to in point (a).

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2 The activities referred to in point (b) of paragraph 1 may cover data collection and management activities, studies, pilot projects, dissemination of knowledge and research results, seminars and best practices.

3 The support referred to in paragraph 1 may be granted to public law bodies, fishermen, organisations of fishermen, FLAGS and non-governmental organisations.

### *Article 29*

#### **Promotion of human capital, job creation and social dialogue**

1 In order to promote human capital, job creation and social dialogue, the EMFF may support:

- a professional training, lifelong learning, joint projects, the dissemination of knowledge of an economic, technical, regulatory or scientific nature and of innovative practices, and the acquisition of new professional skills, in particular linked to the sustainable management of marine ecosystems, hygiene, health, safety, activities in the maritime sector, innovation and entrepreneurship;
- b networking and exchange of experiences and best practices between stakeholders, including among organisations promoting equal opportunities between men and women, promoting the role of women in fishing communities and promoting under-represented groups involved in small-scale coastal fishing or in on-foot fishing;
- c social dialogue at Union, national, regional or local level involving fishermen, social partners and other relevant stakeholders.

2 The support referred to in paragraph 1 may also be granted to spouses of self-employed fishermen or, where and in so far as recognised by national law, the life partners of self-employed fishermen, under the conditions laid down in point (b) of Article 2 of Directive 2010/41/EU of the European Parliament and of the Council<sup>(1)</sup>.

3 The support referred to in point (a) of paragraph 1 may be granted, for a maximum period of two years, for the training of people under 30 years of age, who are recognised as unemployed by the Member State concerned ('trainees'). Such support shall be limited to training on board a small-scale coastal fishing vessel owned by a professional fisherman of at least 50 years of age, formalised by a contract between the trainee and the owner of the vessel that is recognised by the Member State concerned, including courses on sustainable fishing practices and the conservation of marine biological resources as defined in Regulation (EU) No 1380/2013. The trainee shall be accompanied on board by a professional fisherman of at least 50 years of age.

4 Support under paragraph 3 shall be granted to professional fishermen to cover the trainee's salary and related charges, and shall be calculated in accordance with Article 67(5) of Regulation (EU) No 1303/2013, taking into account the economic situation and living standards of the Member State concerned. That support shall not exceed a maximum amount of EUR 40 000 for each beneficiary during the programming period.

### *Article 30*

#### **Diversification and new forms of income**

1 The EMFF may support investments contributing to the diversification of the income of fishermen through the development of complementary activities, including investments on

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board, angling tourism, restaurants, environmental services related to fishing and educational activities concerning fishing.

- 2 The support under paragraph 1 shall be granted to fishermen who:
  - a submit a business plan for the development of their new activities; and
  - b possess adequate professional skills which may be acquired through operations financed under point (a) of Article 29(1).
- 3 The support under paragraph 1 shall only be granted if the complementary activities relate to the fisherman's core fishing business.
- 4 The amount of support granted under paragraph 1 shall not exceed 50 % of the budget foreseen in the business plan for each operation, and shall not exceed a maximum amount of EUR 75 000 for each beneficiary.

### *Article 31*

#### **Start-up support for young fishermen**

- 1 The EMFF may provide business start-up support to young fishermen.
- 2 Support under this Article may be granted only in respect of the first acquisition of a fishing vessel:
  - a with an overall length of less than 24 metres;
  - b which is equipped for sea fishing;
  - c which is between 5 and 30 years old; and
  - d which belongs to a fleet segment for which the 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.
- 3 For the purpose of this Article, the term 'young fisherman' means a natural person who seeks to acquire a fishing vessel for the first time and who, at the moment of submitting the application, is under 40 years of age and who has worked for at least five years as fisherman, or has acquired equivalent vocational training. Member States may define further objective criteria to be met by young fishermen in order to be eligible for support under this Article.
- 4 The support under this Article shall not exceed 25 % of the acquisition cost of the fishing vessel and shall in any event not be higher than EUR 75 000 per young fisherman.

### *Article 32*

#### **Health and safety**

- 1 In order to improve hygiene, health, safety and working conditions for fishermen, the EMFF may support investments on board or in individual equipment provided that those investments go beyond the requirements under Union or national law.
- 2 The support under this Article shall be granted to fishermen or owners of fishing vessels.
- 3 Where the operation consists of an investment on board, the support shall not be granted more than once during the programming period for the same type of investment and for the same fishing vessel. Where the operation consists of an investment in individual equipment,

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the support shall not be granted more than once during the programming period for the same type of equipment and for the same beneficiary.

4 The Commission shall be empowered to adopt delegated acts, in accordance with Article 126, identifying the types of operations eligible under paragraph 1 of this Article.

### *Article 33*

#### **Temporary cessation of fishing activities**

1 The EMFF may support measures for temporary cessation of fishing activities in the following cases:

- a the implementation of Commission measures or Member States emergency measures referred to in Articles 12 and 13, respectively, of Regulation (EU) No 1380/2013 or of conservation measures referred to in Article 7 of that Regulation, including biological recovery periods;
- b a non-renewal of Sustainable fisheries partnership agreements or protocols thereto;
- c where the temporary cessation is provided for in a management plan adopted in accordance with Council Regulation (EC) No 1967/2006<sup>(2)</sup> or in a multiannual plan adopted under Articles 9 and 10 of Regulation (EU) No 1380/2013, where, based on scientific advice, a reduction of fishing effort is needed in order to achieve the objectives referred to in Article 2(2) and point (a) of Article 2(5) of Regulation (EU) No 1380/2013.

2 The support referred to in paragraph 1 may be granted for a maximum duration of six months per vessel during the period from 2014 to 2020.

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

- a owners of Union fishing vessels which are registered as active and which have carried out fishing activities at sea for at least 120 days during the last two calendar years preceding the date of submission of the application for support; or
- b fishermen who have worked at sea for at least 120 days during the last two calendar years preceding the date of submission of the application for support on board a Union fishing vessel concerned by the temporary cessation.

4 All fishing activities carried out by the fishing vessel or by the fishermen concerned shall be effectively suspended. The competent authority shall satisfy itself that the fishing vessel concerned has stopped any fishing activities during the period concerned by the temporary cessation.

### *Article 34*

#### **Permanent cessation of fishing activities**

1 The EMFF may support measures for the permanent cessation of fishing activities only when that is achieved through the scrapping of fishing vessels and provided that:

- a such scrapping is included in the operational programme referred to in Article 18; and
- b the permanent cessation is foreseen as a tool of an action plan referred to in Article 22(4) of Regulation (EU) No 1380/2013 indicating that the fleet segment is not effectively balanced with the fishing opportunities available to that segment.

2 Support under paragraph 1 shall be granted to:

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- a owners of Union fishing vessels registered as active and which have carried out fishing activities at sea for at least 90 days per year during the last two calendar years preceding the date of submission of the application for support; or
- b fishermen who have worked at sea for at least 90 days per year during the last two calendar years preceding the date of submission of the application for support, on board of a Union fishing vessel concerned by the permanent cessation.

3 The fishermen concerned shall effectively cease all fishing activities. The beneficiary shall provide proof of the effective cessation of fishing activities to the competent authority. The compensation shall be refunded on a *pro rata temporis* basis where the fisherman returns to a fishing activity within a period of less than two years from the date of submission of the application for support.

4 Support under this Article may be granted until 31 December 2017.

5 Support under this Article shall be paid only after the equivalent capacity has been permanently removed from the Union fishing fleet register and after the fishing licences and authorisations have also been permanently withdrawn. The beneficiary shall be prohibited from registering a new fishing vessel within five years following the receipt of such support. The decrease in capacity as a result of the permanent cessation of fishing activities with public aid shall result in the permanent equivalent reduction of the fishing capacity ceilings set out in Annex II to Regulation (EU) No 1380/2013.

6 By way of derogation from paragraph 1, support may be granted for the permanent cessation of fishing activities without scrapping provided that the vessels retrofit for activities other than commercial fishing.

In addition and with a view to preserving maritime heritage, support may be granted for the permanent cessation of fishing activities without scrapping in the case of traditional wooden vessels, provided that such vessels retain a land-based heritage function.

### *Article 35*

#### **Mutual funds for adverse climatic events and environmental incidents**

1 The EMFF may contribute to mutual funds which pay financial compensation to fishermen for economic losses caused by adverse climatic events or by environmental incidents or for the rescue costs for fishermen or fishing vessels in the case of accidents at sea during their fishing activities.

2 For the purpose of paragraph 1, the term ‘mutual fund’ means a scheme accredited by the Member State, in accordance with its national law, which enables affiliated fishermen to insure themselves, whereby compensation payments are made to affiliated fishermen for economic losses caused by the events set out in paragraph 1.

3 Member States shall ensure that overcompensation as a result of the combination of the support under this Article with other Union or national instruments or private insurance schemes is avoided.

4 In order to be eligible for support under this Article, the mutual fund concerned shall:

- a be accredited by the competent authority of the Member State, in accordance with national law;
- b have a transparent policy towards payments into and withdrawals from the fund; and
- c have clear rules attributing responsibility for any debts incurred.

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5 Member States shall define the rules for the establishment and management of the mutual funds, in particular for the granting of compensation payments and the eligibility of fishermen for such compensation in the event of adverse climatic events, environmental incidents or accidents at sea referred to in paragraph 1, as well as for the administration and monitoring of compliance with those rules. Member States shall ensure that the fund arrangements provide for penalties in the case of negligence on the part of the fisherman.

6 Adverse climatic events, environmental incidents or accidents at sea referred to in paragraph 1 shall be those that are formally recognised by the competent authority of the Member State concerned as having occurred.

7 The contributions referred to in paragraph 1 shall only relate to the amounts paid by the mutual fund as financial compensation to fishermen. The administrative costs of setting-up the mutual funds shall not be eligible for support. Member States may limit the costs that are eligible for support by applying ceilings per mutual fund.

8 The contributions referred to in paragraph 1 shall only be granted to cover losses caused by the adverse climatic events, environmental incidents or accidents at sea which 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.

9 No contribution from the EMFF shall be made to the initial capital stock.

10 Where Member States decide to limit the costs that are eligible for support by applying ceilings per mutual fund, they shall provide details and justifications in their operational programmes on those ceilings.

#### *Article 36*

### **Support for the systems of allocation of fishing opportunities**

1 In order to adapt the fishing activities to the fishing opportunities, the EMFF may support the design, development, monitoring, evaluation and management of the systems for allocating the fishing opportunities.

2 Support under this Article shall be granted to public authorities, legal or natural persons or organisations of fishermen recognised by the Member State, including recognised producer organisations involved in the collective management of the systems referred to in paragraph 1.

#### *Article 37*

### **Support for the design and implementation of conservation measures and regional cooperation**

1 In order to ensure the efficient design and implementation of conservation measures under Articles 7, 8 and 11 of Regulation (EU) No 1380/2013 and regional cooperation under Article 18 of that Regulation, the EMFF may support:

- a the design, development and monitoring of technical and administrative means necessary for the development and implementation of conservation measures and regionalisation;
- b stakeholder participation and cooperation between Member States in designing and implementing conservation measures and regionalisation.

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2 The EMFF may support direct restocking under paragraph 1 only when it is provided for as a conservation measure in a Union legal act.

### *Article 38*

#### **Limitation of the impact of fishing on the marine environment and adaptation of fishing to the protection of species**

1 In order to reduce the impact of fishing on the marine environment, to foster the gradual elimination of discards and to facilitate the transition to a sustainable exploitation of living marine biological resources in accordance with Article 2(2) of Regulation (EU) No 1380/2013, the EMFF may support investments:

- a in equipment improving size selectivity or species selectivity of fishing gear;
- b on board or in equipment that eliminates discards by avoiding and reducing unwanted catches of commercial stocks, or that deals with unwanted catches to be landed in accordance with Article 15 of Regulation (EU) No 1380/2013;
- c in equipment that limits and, where possible, eliminates the physical and biological impacts of fishing on the ecosystem or the sea bed;
- d in equipment that protects gear and catches from mammals and birds protected by Council Directive 92/43/EEC or Directive 2009/147/EC of the European Parliament and of the Council<sup>(9)</sup>, provided that it does not undermine the selectivity of the fishing gear and that all appropriate measures are introduced to avoid physical damage to the predators.

2 By way of derogation from point (a) of Article 11, in the outermost regions the support referred to in paragraph 1 may be granted for anchored fish aggregating devices, provided that such devices contribute to sustainable and selective fishing.

3 Support shall not be granted more than once during the programming period for the same type of equipment on the same Union fishing vessel.

4 Support shall only be granted where the gear or other equipment referred to in paragraph 1 has a demonstrably better size-selection or a demonstrably lower impact on the ecosystem and on non-target species than the standard gear or other equipment permitted under Union law, or under relevant national law adopted in the context of regionalisation as provided for in Regulation (EU) No 1380/2013.

5 Support shall be granted to:

- a owners of Union fishing vessels which are registered as active vessels and which have carried out fishing activities at sea of at least 60 days during the two calendar years preceding the date of submission of the application for support;
- b fishermen who own the gear to be replaced and who have worked on board of a Union fishing vessel for at least 60 days during the two calendar years preceding the date of submission of the application for support;
- c organisations of fishermen recognised by the Member State.

### *Article 39*

#### **Innovation linked to the conservation of marine biological resources**

1 In order to contribute to the gradual elimination of discards and by-catches and to facilitate the transition to exploitation of living marine biological resources in accordance with



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Article 2(2) of Regulation (EU) No 1380/2013, and to reduce the impact of fishing on the marine environment and the impact of protected predators, the EMFF may support operations aimed at developing or introducing new technical or organisational knowledge that reduces the impact of fishing activities on the environment, including improved fishing techniques and gear selectivity, or aimed at achieving a more sustainable use of marine biological resources and coexistence with protected predators.

2 Operations financed under this Article shall be carried out by, or in collaboration with, a scientific or technical body recognised by the Member State which shall validate the results of such operations.

3 The results of operations financed under this Article shall be adequately publicised by the Member State in accordance with Article 119.

4 Fishing vessels involved in projects financed under this Article shall not exceed 5 % of the number of vessels of the national fleet or 5 % of the national fleet tonnage in gross tonnage, calculated at the time of submission of the application. At the request of a Member State, in duly justified circumstances and on the basis of a recommendation by the Scientific, Technical and Economic Committee for Fisheries (STECF) established by Commission Decision 2005/629/EC<sup>(4)</sup>, the Commission may approve projects that exceed the limits set out in this paragraph.

5 Operations which do not qualify as fishing for scientific purposes in accordance with Article 33 of Regulation (EC) No 1224/2009 and which consist of testing new fishing gear or techniques shall be carried out within the limits of the fishing opportunities allocated to the Member State concerned.

6 The net revenue generated by the participation of the fishing vessel in the operation shall be deducted from the eligible expenditure of the operation in accordance with Article 65(8) of Regulation (EU) No 1303/2013.

7 For the purpose of paragraph 6, the term 'net revenue' means the income of fishermen from the first sale of the fish or shellfish caught during the introduction and testing of the new technical or organisational knowledge less the selling costs such as auction hall fees.

#### *Article 40*

### **Protection and restoration of marine biodiversity and ecosystems and compensation regimes in the framework of sustainable fishing activities**

1 In order to protect and restore marine biodiversity and ecosystems in the framework of sustainable fishing activities, with the participation, where relevant, of fishermen, the EMFF may support the following operations:

- a the collection of waste by fishermen from the sea such as the removal of lost fishing gear and marine litter;
- b the construction, installation or modernisation of static or movable facilities intended to protect and enhance marine fauna and flora, including their scientific preparation and evaluation;
- c contributions to a better management or conservation of marine biological resources;
- d the preparation, including studies, drawing-up, monitoring and updating of protection and management plans for fishery-related activities relating to NATURA 2000 sites and spatial protected areas referred to in Directive 2008/56/EC and relating to other special habitats;

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- e the management, restoration and monitoring of NATURA 2000 sites in accordance with Directives 92/43/EEC and 2009/147/EC, in accordance with prioritised action frameworks established pursuant to Directive 92/43/EEC;
  - f the management, restoration and monitoring of marine protected areas with a view to the implementation of the spatial protection measures referred to in Article 13(4) of Directive 2008/56/EC;
  - g increasing environmental awareness, involving fishermen, with regard to the protection and restoration of marine biodiversity;
  - h schemes for compensation for damage to catches caused by mammals and birds protected by Directives 92/43/EEC and 2009/147/EC;
  - i the participation in other actions aimed at maintaining and enhancing biodiversity and ecosystem services, such as the restoration of specific marine and coastal habitats in support of sustainable fish stocks, including their scientific preparation and evaluation.
- 2 Support under point (h) of paragraph 1 shall be subject to the formal recognition of such schemes by the competent authorities of the Member States. Member States shall also ensure that no overcompensation for damage occurs as a result of the combination of Union, national and private compensation schemes.
- 3 The operations referred to in this Article may be implemented by scientific or technical public law bodies, Advisory Councils, fishermen or organisations of fishermen which are recognised by the Member State, or by non-governmental organisations in partnership with organisations of fishermen or in partnership with FLAGs.
- 4 The Commission shall be empowered to adopt delegated acts, in accordance with Article 126, specifying the costs which are eligible for support under paragraph 1 of this Article.

#### *Article 41*

### **Energy efficiency and mitigation of climate change**

- 1 In order to mitigate the effects of climate change and to improve the energy efficiency of fishing vessels, the EMFF may support:
- a investments in equipment or on board aimed at reducing the emission of pollutants or greenhouse gases and increasing the energy efficiency of fishing vessels. Investments in fishing gear are also eligible provided that they do not undermine the selectivity of that fishing gear;
  - b energy efficiency audits and schemes;
  - c studies to assess the contribution of alternative propulsion systems and hull designs to the energy efficiency of fishing vessels.
- 2 Support for the replacement or modernisation of main or ancillary engines may be granted only:
- a for vessels up to 12 metres in overall length, provided that the new or modernised engine does not have more power in kW than the current engine;
  - b for vessels between 12 and 18 metres in overall length, provided that the power in kW of the new or modernised engine is at least 20 % lower than that of the current engine;
  - c for vessels between 18 and 24 metres in overall length, provided that the power in kW of the new or modernised engine is at least 30 % lower than that of the current engine.
- 3 Support under paragraph 2 for the replacement or modernisation of main or ancillary engines may only be granted in respect of vessels belonging to a fleet segment for which the

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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.

4 Support under paragraph 2 of this Article shall only be granted for the replacement or modernisation of main or ancillary engines which have been officially certified in accordance with Article 40(2) of Regulation (EC) No 1224/2009. It shall only be paid after any required reduction of capacity in kW has been permanently removed from the Union fishing fleet register.

5 For fishing vessels not subject to a certification of engine power, support under paragraph 2 of this Article shall only be granted for the replacement or modernisation of main or ancillary engines in respect of which the consistency of engine power has been verified in accordance with Article 41 of Regulation (EC) No 1224/2009 and which have been physically inspected to ensure that the engine power does not exceed the engine power established in the fishing licenses.

6 The reduction of engine power referred to in points(b) and (c) of paragraph 2 may be achieved by a group of vessels for each category of vessel referred to in those points.

7 Without prejudice to Article 25(3), support from the EMFF under paragraph 2 of this Article shall not exceed the higher of the following two thresholds:

- a EUR 1 500 000; or
- b 3 % of the Union financial support allocated by the Member State to the Union priorities set out in Article 6(1), (2) and (5).

8 Applications made by operators from the small-scale coastal fishing sector shall be treated as a priority up to 60 % of the total support allocated for the replacement or modernisation of main or ancillary engines referred to in paragraph 2 over the entire programming period.

9 Support under paragraphs 1 and 2 shall only be granted to owners of fishing vessels and shall not be granted more than once for the same type of investment during the programming period for the same fishing vessel.

10 The Commission shall be empowered to adopt delegated acts, in accordance with Article 126, specifying the costs which are eligible for support under point (a) of paragraph 1 of this Article.

## *Article 42*

### **Added value, product quality and use of unwanted catches**

1 In order to improve the added value or quality of the fish caught, the EMFF may support:

- a investments that add value to fishery products, in particular by allowing fishermen to carry out the processing, marketing and direct sale of their own catches;
- b innovative investments on board that improve the quality of the fishery products.

2 The support referred to in point (b) of paragraph 1 shall be conditional on the use of selective gears to minimise unwanted catches and shall only be granted to owners of Union fishing vessels that have carried out a fishing activity at sea for at least 60 days during the two calendar years preceding the date of submission of the application for support.

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### Article 43

#### **Fishing ports, landing sites, auction halls and shelters**

1 For the purpose of increasing the quality, control and traceability of the products landed, increasing energy efficiency, contributing to environmental protection and improving safety and working conditions, the EMFF may support investments improving the infrastructure of fishing ports, auctions halls, landing sites and shelters, including investments in facilities for waste and marine litter collection.

2 In order to facilitate compliance with the obligation to land all catches in accordance with Article 15 of Regulation (EU) No 1380/2013 and Article 8(2)(b) of Regulation (EU) No 1379/2013, as well as to add value to under-used components of the catch, the EMFF may support investments in fishing ports, auction halls, landing sites and shelters.

3 In order to improve the safety of fishermen, the EMFF may support investments in the construction or modernisation of shelters.

4 Support shall not cover the construction of new ports, new landing sites or new auction halls.

### Article 44

#### **Inland fishing and inland aquatic fauna and flora**

1 In order to reduce the impact of inland fishing on the environment, to increase energy efficiency, to increase the value or quality of fish landed, or to improve health, safety, working conditions, human capital and training, the EMFF may support investments in the following:

- a the promotion of human capital, job creation and social dialogue as referred to in Article 29 and under the conditions set out in that Article;
- b on board or in individual equipment as referred to in Article 32 and under the conditions set out in that Article;
- c in equipment and types of operations as referred to in Articles 38 and 39 and under the conditions set out in those Articles;
- d the improvement of energy efficiency and the mitigation of the effects of climate change as referred to in Article 41 and under the conditions set out in that Article;
- e the improvement of the value or quality of the fish caught as referred to in Article 42 and under the conditions set out in that Article.
- f in fishing ports, shelters and landing sites as referred to in Article 43 and under the conditions set out in that Article;

2 The EMFF may provide support for investments relating to business start-ups for young fishermen as referred to in Article 31 and under the same conditions as set out in that Article, except for the requirement under point (b) of paragraph 2 of that Article.

3 The EMFF may provide support for the development and facilitation of innovation in accordance with Article 26, for the advisory services in accordance with Article 27 and for partnerships between scientists and fishermen in accordance with Article 28.

4 In order to promote diversification by inland fishermen, the EMFF may support the diversification of inland fishing activities to complementary activities under the conditions laid down in Article 30.

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- 5 For the purposes of paragraph 1:
  - a references made in Articles 30, 32, 38, 39, 41 and 42 to fishing vessels shall be understood as references to vessels operating exclusively in inland waters;
  - b references made in Article 38 to the marine environment shall be understood as references to the environment in which the inland fishing vessel operates.
- 6 In order to protect and develop aquatic fauna and flora, the EMFF may support:
  - a the management, restoration and monitoring of NATURA 2000 sites which are affected by fishing activities, and the rehabilitation of inland waters in accordance with Directive 2000/60/EC of the European Parliament and of the Council<sup>(6)</sup>, including spawning grounds and migration routes for migratory species, without prejudice to point (e) of Article 40(1) of this Regulation and, where relevant, with the participation of inland fishermen;
  - b the construction, modernisation or installation of static or movable facilities intended to protect and enhance aquatic fauna and flora, including their scientific preparation, monitoring and evaluation.
- 7 Member States shall ensure that vessels receiving support under this Article continue to operate exclusively in inland waters.

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**Status:** Point in time view as at 15/05/2014.

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) No 508/2014 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

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- (1) Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC (OJ L 180, 15.7.2010, p. 1).
- (2) 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).
- (3) Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).
- (4) Commission Decision 2005/629/EC of 26 August 2005 establishing a Scientific, Technical and Economic Committee for Fisheries (OJ L 225, 31.8.2005, p. 18).
- (5) Directive 60/2000/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

**Status:**

Point in time view as at 15/05/2014.

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