



Llywodraeth Cymru
Welsh Government

GUIDANCE

Energy Efficiency and mitigation of Climate Change (Welsh Marine and Fisheries Scheme): guidance

Explains the scheme and eligibility requirements.

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Supporting the Marine, Fisheries and Aquaculture sector

The Welsh Marine and Fisheries Scheme (WMFS) is a funding scheme to support environmentally and economically sustainable growth in the Welsh seafood industry and encourage Welsh coastal communities to thrive.

The guidance set out in this document is to be considered in conjunction with Welsh [Marine and Fisheries Scheme: Overarching guidance document](#).

Section A: Introduction

These Guidance Notes explain the aims of the Energy Efficiency and Mitigation of Climate Change round and application process. Please read it carefully. If you then consider your investment plans may qualify for support under this scheme, please see 'Application Process' at Section D.

The Expression of Interest (EoI) window will open on 10 January 2023 and close on 6 February 2023.

The Energy Efficiency and Mitigation of Climate Change round of the scheme will support the following strategic aims and objectives within the marine and fisheries sector:

- Research in understanding, establishing baselines and reduction of carbon (and other greenhouse gas) emissions.
- Improve energy efficiency.
- Mitigate and adapt to the effects of climate change.

The WMFS may support (but is not limited to):

- Energy efficiency and carbon audits.

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- Research to obtain new data/evidence.
- Analysis of new or existing data.
- Exploring the technical or economic feasibility of innovative products and/or processes that foster sustainable use of resources (including software).
- Evidence gathering to inform solutions for climate/decarbonisation, e.g. marine renewables, seaweed carbon capture & restoration.
- Feasibility studies:
 1. For the replacement or modernisation of main or ancillary engines that offer a significant environmental improvement and/or decarbonisation.
 2. To assess the contribution of alternative propulsion/ eco friendlier fuel systems/ hull designs for energy efficiency and decarbonisation of marine vessels and fishing vessels registered in Wales.
 3. To research energy efficiency gains and the conversion of aquaculture enterprises to renewable sources of energy.
 4. To facilitate co-location and/or co-existence with other marine activities.
 5. To facilitate new sustainable production methods.
 6. Nature based solutions

The Energy Efficiency and Mitigation of Climate Change round of the scheme is revenue only.

Please read this scheme rules and guidance document before submitting an EoI.

If selected, you must be able to complete the project and claim in full by 31 March 2024.

You can submit multiple claims throughout your project, in phases, as your project progresses.

The amount of grant offered would relate to individual circumstances and would always be the **minimum amount necessary** to allow the investments to go

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ahead.

Any changes to the scheme rules/guidance will be publicised via the [Welsh Government website](#) and where necessary, we will contact you directly.

Section B: Eligibility

This scheme is for applicants whose enterprise is registered and based in Wales only. Applicants based outside of Wales should apply to their respective scheme administrators.

In order to submit an EoI, you must be registered with the Welsh Government and have been issued with a Customer Reference Number (CRN). Please refer to the Welsh Government website for the how to register guidance or call the RPW Customer Contact Centre on 0300 062 5004.

You are eligible to apply if:

- The grant funding you are applying for will benefit Wales directly.

And you are:

- A Welsh marine, seafood or aquaculture enterprise^[1] which is either:
 - Private SME-Micro-entity, (A micro-entity is a business that has any two of the following characteristics: a) a turnover of £632,000 or less; b) £316,000 or less on its balance sheet; or c) 10 employees or less.)
 - Private SME-non Micro-entity. (An SME is a business that has any two of the following characteristics: a) turnover of less than £36 million; b) £18 million or less on its balance sheet; and c) 250 employees or less)
 - Non-SME,
 - Organisations or collectives of marine users acting in a collective manner for the benefit of multiple enterprises or a sector.

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- An enterprise whose main address is registered in Wales.
- An enterprise whose main operating activity is based in Wales.

Or

- A Public Law body (including Academia)
- A Third sector body.

Where projects are research based, involve evidence data and analysis, or are exploring the technical or economic feasibility of innovative products and/or processes they shall be carried out by, or in collaboration with, a scientific or technical bodies, recognised by the UK. The scientific or technical body shall validate the results of such projects.

Projects involving research, evidence/data gathering and analysis, or feasibility studies will be required to produce a final evaluation report to confirm the outcomes and lessons learned from the project. Reports may be published by Welsh Government.

Collective Eligibility

For the purposes of this funding round, a collective application is where the applicants are two or more enterprises coming together for one project or activity. The project must benefit both enterprises or be regarded as a 'public good'/beneficial to the general public. To do so, all applicants that comprise the group must meet all the eligibility criteria. In addition, the group must be registered with the Welsh Government and have been issued with a CRN for the group. The EoI must be submitted under the CRN as issued for the group.

You are not eligible if you:

- Have been convicted of fraud under any other grant scheme,

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- Have been found to have committed a serious violation of conservation or management measures within the preceding 12 months,
- Are listed by the flag State, the subsidising Party, the FAO^[2] or a relevant Regional Fisheries Management Organisation, or Arrangement for illegal, unreported and unregulated (IUU) fishing in accordance with the rules and procedures of that State, Party, organisation, or arrangement and in conformity with international law; or
- Have been convicted of an offence considered to be a 'serious infringement' (including any illegal, unreported and unregulated fishing or fraud), in the 12 months before applying.

Eligible costs

All revenue costs in relation to the project. For example, but not limited to:

- Running costs of the project such as key staff costs,
- Consultants fees, other technical and professional fees; fees incurred for statutory permissions, licenses and consents,
- Consumables (items which are normally written off within a year) which are necessary for and directly related to the delivery of the project.

Ineligible costs

The following items are examples of expenditure, which are not eligible for grant support. This is not a definitive list, and all items of expenditure will be considered on a case by case basis:

- Capital Items,
- Any equipment secured under a hire purchase or lease hire agreement,
- Items which are required to meet regulatory standards,
- Activities which fall outside of the grant funding timescale,

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- Operating costs,
- Reclaimable VAT,
- Purchase of trading stock,
- Costs associated with the completion of WMFS application forms, including the payment of consultants to provide support in the completion of the application forms,
- Preventative or scheduled maintenance costs for vessels and equipment and for existing buildings, plant or equipment, including vehicle maintenance costs,
- Own labour and equipment costs,
- Like for like replacement of existing machinery and equipment,
- Recreational equipment (though televisions, projectors etc. for educational or business purposes may be eligible),
- Landscaping, ornamental work, and provision of leisure amenities,
- General office equipment and furniture except desks, chairs, telephone equipment, computer and other IT equipment, software and teleprinters, laboratory and lecture-room equipment essential for the delivery of the project,
- Training for directors and key staff,
- Expenses of outside directors,
- Costs connected with a leasing contract such as the lessors margin, interest financing cost, overheads and insurance charges,
- Costs of arranging overdraft facilities, loans or other financial support instruments including any associated fees or other charges,
- Overheads allocated or apportioned at rates materially in excess of those used for any similar work carried out by the applicant,
- Notional expenditure,
- Payments for activity of a religious and/or political nature,
- Contingent liabilities,
- Contingencies/provisions,
- Profit made by the applicant,
- Dividends,

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- Interest charges,
- Service charges arising on finance leases, hire purchase and credit arrangements,
- Costs resulting from the deferral of payments to creditors,
- Costs involved in winding up a company,
- Payments for unfair dismissal,
- Payments into private pension schemes,
- Payments for unfunded pensions,
- Compensation for loss of office,
- Compensation for additional costs incurred and/or income foregone,
- Bad debts arising from loans to employees, proprietors, partners directors, guarantors, shareholders or a person connected with any of these,
- Payments for gifts and donations,
- Personal entertainments (including alcohol),
- Costs associated with requirements arising from statutory enforcement action,
- Statutory fines and penalties,
- Statutory taxes (excluding irrecoverable VAT),
- Criminal fines and damages,
- Legal expenses in respect of litigation,
- The purchase of vehicles for external transportation (such as lorries, buses, vans, minibuses or any other kind of vehicle used to transport goods or people),
- Overhead costs.

Costs are only eligible for grant aid when the cost has been correctly defrayed by the claimant prior to submitting a claim.

Travel and subsistence

Travel & Subsistence costs that relate only to the delivery of the project and are compliant with HMRC guidance on employee business travel costs are eligible.

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Accommodation costs and any other subsistence costs are eligible, however, associated costs related to items such as alcoholic drinks are not eligible. All costs must be considered as reasonable in nature and value (i.e. not excessive in terms of quantity or cost).

You are responsible for ensuring and evidencing that you have used the most effective, economical and sustainable method of travel taking into account:

- Cost of travel,
- Cost of subsistence,
- Saving of official time,
- Practicality of the journey, and;
- Shortest route to reach your business destination.

Key Project Staff costs

Staff salary costs for people that are directly engaged in project delivery, on a full or part time basis, are eligible.

A flat rate model will be used to reimburse staff costs. Rates for common project roles have been calculated based on reference costs, and will be available to all projects where staff costs are eligible project expenditure

The rates below have been provided and confirmed by Welsh Government statisticians and are based on analyses using the 'Annual Survey of Hours and Earnings' (ASHE). For the costs presented below, data was taken from Wales level data calculated by Economic Stats division for the 2020 year. The hourly rates have been uplifted to cover overhead costs.

Job Role

Hourly rate

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Business & Financial Project Management Professionals	£37.76
Business & related Research Professionals	£28.16
Other Administrative Occupations	£17.02
Elementary Trades, Administration & Service Occupations	£16.25

Maximum and minimum grant rate

The maximum grant award is **£100,000** per project, the minimum grant award is **£500** per project.

Maximum Grant Threshold

Maximum Grant Threshold/Intervention rate is dependent on the type of applicant (see box below).

Applicant/Project Type	Maximum intervention rate
Private SME-Micro-entity A micro-entity is a business that has any two of the following characteristics: a) a turnover of £632,000 or less; b) £316,000 or less on its balance sheet; or c) 10 employees or less at time of application.	80%
Private SME- non Micro-entity An SME is a business that has any two of the following characteristics: a)	

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turnover of less than £36 million; b) £18 million or less on its balance sheet; and c) 250 employees or less at time of application.	50%
Private (Non-SMEs)	30%
Private – organisations or collectives of marine users acting in a collective manner	75%
Public Law bodies	100%
Projects that provide a clear collective benefit or a 'public good' function. Examples of a public good could include achieving/contributing to Net Zero Wales by 2050 ambition and mitigation against climate change – for example, innovation, public access to results, collective beneficiaries (e.g., industry-wide benefits or benefits to multiple beneficiaries rather than to a single entity), etc. This could involve collaborations between public law bodies, private entities, third sector bodies, etc.	100%

Your application may exceed the maximum grant, if selected, the grant award would be capped to the maximum £100,000.

[1] The Aquaculture enterprise involves the rearing or cultivation of aquatic organisms. For example, these can include finfish, shellfish and algae.

[2] Food and Agriculture Organisation of the United Nations

Section C: Key requirements

Activity must be completed and expenditure defrayed and claimed by 31 March

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2024.

The Project would not proceed without grant assistance.

That the project outputs benefits Wales directly.

Permissions, planning consents and licences

If your investment requires planning consent, you must obtain any necessary planning consent and abide by any other relevant statutory requirements. Applicants also need to check their proposals do not break any byelaws, obstruct rights of way etc, and must avoid damaging the environment or causing pollution.

Welsh Government understands that, in some instances, applicants are unable to have these in place when making an application, therefore in this instance applications will be accepted prior to having these in place. However, these agreements will be required to be detailed within the application and will be required to be obtained before the project begins. A failure to have the necessary licences and or agreements in place may result in a withdrawal of grant award.

The payment of any grant will not be made until the original licence and/or agreement approval documents have been received and approved by the Welsh Government or if the project has been considered by the planning authority not to require planning consent, you will need to provide evidence from the planning authority.

Section D: Applying for the WMFS: Energy Efficiency and Mitigation of Climate Change

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measure

RPW Online

All Applicants must have registered on RPW Online as the EoI must be submitted via RPW Online, and all invites to Full Application will be made via RPW Online.

If you already have a CRN you should have received a letter informing you of your Activation Code to set up your account. If you no longer have this, please telephone the Customer Contact Centre on 0300 062 5004 (Monday – Friday 9:00 – 16:00) and tell the operator your CRN. They will send you a new Activation Code.

To register your business details for the first time, you need to complete the online registration form. Please refer to the [how to register guidance](#) for further details. The vast majority of changes to business details can be done online. However, Welsh Government may require further details on any major changes. Please contact the Customer Contact Centre for further information.

If you have any questions about registering for RPW Online please contact the Customer Contact Centre on 0300 062 5004. They will be able to provide advice, including the digital assistance that is available to you.

Further details regarding RPW Online are available on the [Welsh Government Website](#).

The two stage assessment process

The application process will be in two stages. An EoI and a Full application.

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Selected Eols will be invited to complete a full application, which will be available via RPW Online, and submit all supporting documentation.

Eols submitted will be in direct competition with one another.

Each Eol is assessed on its potential value to the Welsh economy, the degree to which the investment delivers the WMFS: Energy Efficiency and Mitigation of Climate Change aims, and the potential for longer-term sustainability of the market/sector and/or the business.

The Eols that score the highest will be selected in ranked order until the funds available in that round have been allocated.

You will be notified whether or not your Eol has been selected through your RPW Online account.

If selected, the application will progress to Stage 2 where a full application will be required to be submitted containing further detail and supporting evidence.

Submitting an Eol

Eol form. Please ensure you complete the form fully.

The guidance below provides information on how to complete the assessment for selection section of the Eol and should be read in conjunction with the **Welsh Marine and Fisheries Scheme: Overarching Guidance booklet**.

Once completed, the Eol should be submitted via your messages on your RPW online account. When submitting your Eol please enter the 'Title for this message' as 'Welsh Marine and Fisheries Scheme – Energy Efficiency and Mitigation of Climate Change'. Please refer to the '**RPW Online guidance for customers: how to use messages**'.

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Eol - Assessment for Selection

Eols will be assessed against a set of selection criteria and scored using a scoring scale of 0 – 3 or 0 – 4, then multiplied by the associated weighting factor to give a total score.

The applications will be ranked in order of merit. Applications will be selected in ranked order until either the funds available have been allocated or the maximum number of applications has been reached. There is no guarantee that all of the funds will be allocated or that the maximum number of projects will be selected for stage 2 – submission of Full Application.

Details of the selection criteria are set out below.

Business/Project Plan Section to be assessed	Score	Weighting factor
Strategic Fit	0 – 3	X 3
Deliverability	0 – 4	X 3
Value for money	0 – 4	X 4

- No application will progress which scores less than the minimum quality threshold of 17.
- A score of 0 (zero) in any of the selection criteria will prevent the application from being considered for selection.

For each section, the assessment will be made on the basis of the information and explanations given.

Higher scores will be achieved by providing comprehensive explanations

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supported by examples of proposed activities and details of how those activities will be managed.

Lower scores will be awarded where explanations are simply statements of intent, for example, “we will hold meetings with stakeholders on a regular basis throughout the project”.

Eol application questions and assessment criteria:

Strategic Fit

For a project to meet the scheme Strategic Fit, applicants will need to demonstrate how the proposed investment will contribute to the strategic aims and objectives of the funding round and demonstrate why the investment is required

Applicants that can demonstrate clear links between the investment and benefits gained as set out in the applicable funding round aims will receive a higher score.

Score

- | | |
|-------|---|
| 3 | A clear explanation is given, including evidence, of how the anticipated investment delivers the scheme/funding round aims and objectives. It results in significant improvements in the fields of energy efficiency and mitigation of climate change. |
| <hr/> | |
| 2 | Explanation and some evidence are provided to demonstrate how the anticipated investment delivers one or more of the scheme/funding round aims and objectives. It results in some improvements in the fields of energy efficiency and mitigation of climate change. |
| <hr/> | |

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1 Explanation is provided to demonstrate how the anticipated investment responds to one of the scheme aims and objectives

0 No evidence or explanation is provided to show how the investment meets the scheme aims and objectives.

Deliverability

For a project to meet the deliverability assessment, applicants will need to demonstrate that their project can be delivered realistically and within the timescale

Score

4 A clear explanation and strong evidence demonstrating that the project has been thoroughly considered and planned, timescale provided is realistic with allowances built in and project is highly deliverable within timescale.

3 Strong evidence and explanations is provided demonstrating considered timescales of project, showing allowance for time slippage considered and that the project can be delivered within timescales.

2 Explanation and some evidence provided to demonstrate the timescales of the project in a considered way and that the proposal can be realistically delivered within timescales allowed.

1 Explanation is provided to demonstrate a basic understanding of the timescales involved within project, but project is high risk to be delivered as described within timescale allowed and unlikely to be delivered due to incomplete plan.

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0 No evidence or explanation is provided to show how the proposal will be delivered

Value for money

Projects that aim to provide long term, wide ranging benefits to Wales as a whole and intend to fully share and disseminate results of data gathering projects will score higher in this criteria.

Projects that are catalysts for further investments or research into energy efficiency or mitigation of climate change will receive a higher score especially where the project outputs are published openly and fully so that other enterprises in Wales can carry the work forward.

Score

- 4 A clear explanation is given, including strong evidence, of how the anticipated investment will provide a long term benefit to Wales and how the project outputs will be shared openly and fully. The applicant will also demonstrate how the investment will be a catalyst for further development in its particular field
-
- 3 Strong evidence is provided detailing how the anticipated investment can provide a benefit to Wales and how the project outputs will be shared. The applicant will also demonstrate how the investment could be a catalyst for further development.
-
- 2 Some evidence is provided detailing how the anticipated investment can provide a benefit to Wales and how the project outputs will be shared. There is little evidence to demonstrate how the investment could be a catalyst for further development.
-
- 1 Evidence provided detailing how the anticipated investment can provide a benefit to Wales is weak or minimal. The project does not result in a catalyst for further
-

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development.

0 No evidence is provided to demonstrate that the investment has a benefit to Wales.

There are three possible outcomes from the Eol Stage:

1. Your application is not eligible for the grant
2. Your application had not achieved the benchmark score for selection to full application
3. Your application is successful at Eol stage for selection and will be invited to submit a full application.

If your Eol does not meet the scheme eligibility criteria or is not selected, you will be notified via your RPW Online account.

You will be notified within 6 weeks on the outcome of your Eol via your RPW Online account if successful.

Selected Eols - Accepting Selection

If your Eol is selected, you will be notified via your RPW Online account. You must either accept or decline the selection by completing and returning the Application Annex included with your selection notification letter to the Welsh Government via your online account by the date given in your letter. The Full application will be made available to you when the selection letter is issued.

We will issue a reminder via your RPW Online account prior to the deadline date in your letter.

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The selection letter does not allow you to start work on the Project. You must not start any work until you receive a Contract via your RPW Online account Any projects which breach this rule will not be eligible for support.

If you do not accept selection, or do not reply to the Welsh Government by the date specified in the letter, your EoI will not progress further, and the offer of selection will be withdrawn and access to the full application will be removed.

Selected EoIs – submitting a full application

If selected, the full application will be made available on your RPW Online account. Full applications must be consistent with the proposal outlined in the EoI. The full application will be made available to you when the selection letter is issued. The WMFS: Energy Efficiency and Mitigation of Climate Change application will be available in the “Applications and Claims” section of your online account.

You will be given 12 weeks to submit your full application and supporting documents via your RPW Online account.

At the full application, applicants will need to respond to questions based on:

- Strategic Fit,
- Suitability of Investment,
- Project Delivery,
- Risk and Risk Management,
- Project Management,
- Long term sustainability,
- Value for money.

The indicators and outcomes that will be monitored as a result of the investment

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are:

- Anticipated level of energy efficiency saving in the target sector measured as, for example, Kilowatt/Hour (kWh) per annum or Litres of fuel/Tonne of landed catch.
- Anticipated % reduction in carbon (and other greenhouse gas) emissions in CO₂ tonnes per annum for the target sector.
- Number of energy efficiency/carbon audits/feasibility studies completed.

Applicants will be expected to justify their rationale for achievement of these targets as part of the exit strategy for the project.

The application will also ask applicants to explain how your project should contribute towards one or more of the 'Welsh Government's Programme for Government' commitments and wellbeing objectives of:

- Promoting and supporting Welsh Language,
- Embed our response to the climate and nature emergency in everything we do:
 - Build a sustainable future for our key sea ports,
 - Support innovation in new renewable energy technology,
 - Establish a targeted scheme to support restoration of seagrass and saltmarsh habitats along our coastline,
 - Expand renewable energy generation by public bodies and community groups in Wales by over 100MW by 2026,
- Build an economy based on the principles of fair work, sustainability and the industries and services of the future:
 - Develop a Tidal Lagoon Challenge and support ideas that can make Wales a world centre of emerging tidal technologies,
- Finance and Local Government:

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- Promote the purchasing of made-in-Wales products and services.

In addition to completing the full application online you will need to submit the following supporting documents online for appraisal by the Welsh Government within 12 weeks of your selection notification:

- Three Year Business Plan,
- Three Years of Certified Accounts,
- Three Years financial projections,
- Evidence of match funding available (bank loan, overdraft, etc) where applicable,
- Planning Permission if appropriate and any other approvals/consents,
- Any quotes received which form part of the full application.

For applications from enterprises which have not been operating for at least 3 years, the available accounts will be considered.

Business plan

The business plan should provide full details of the business. As a minimum, the business plan should be for the next 3 years and include the following:

- Business details,
- Executive Summary,
- Activity Plan,
- Financial Plans,
- Risk Management.

The assessment will not commence until the application and **ALL** of the supporting documentation has been received by the Welsh Government. You may provide other documentation and evidence in addition to the above to support your application.

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Appraisal of the Full Application

The application will be appraised in accordance with the Scheme Guidance and eligibility rules. It will be subject to full due diligence (where required), appraisal and eligibility checks and only at that point will a final decision be taken to offer a grant or reject the application. There is no guarantee that a project proposal will be approved for a grant. We will aim to complete the appraisal of the application within 90 days of the window closing. Appraisal of complex applications may take longer and if you delay replying to requests for further information the application will be rejected.

Stage 2 Assessment Scoring

The information provided will be assessed against the following rating criteria from which a decision can be taken about the award of grant assistance to the project:

- High: The applicant has provided robust and detailed responses against all of the evidence requirements,
- Medium: The applicant has provided satisfactory and detailed responses against most of the evidence requirements,
- Low: The applicant has provided potentially incomplete or insufficient responses against one or more of the evidence requirements.

The quality threshold is a rating of Medium across all the categories.

Please note, we recommend you follow the guidance carefully in order to provide the information requested with the application.

There are two possible outcomes from full application appraisal:

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1. Your project is ineligible and is not approved for an award. You will be informed of the reasons why your application was not successful via your RPW Online account. You may apply again with the same project should further application windows be made available, (amending the application if you wish), **but only if you have not started work.**
2. Your project is eligible and is approved for an award. A contract will be issued to you setting out the terms and conditions of the award via your RPW Online account, which you will be asked to accept within 30 days as agreement that you accept the terms and conditions therein. The contract will also provide you with the authority to start work. You will need to accept or decline the offer of contract within 30 days. Failure to accept the contract within 30 days will lead to the contract being withdrawn.

We will issue a reminder via your RPW Online account prior to the acceptance deadline date.

Full details of when your contract must be accepted and when items must be purchased and claimed for will be in the contract.

If you accept your offer of a contract, you will also be required to complete a delivery profile to confirm when you will be making your claims and the value.

If, after being selected, you decide not to proceed with your contract or fail to accept the offer of a contract within the time permitted, you may not be able to apply for WMFS under any subsequent rounds. If you decide to withdraw from the contract prior to completing the work or if you do not complete all the work approved in your contract, you may not be able to apply under any subsequent rounds.

Subject to the requirements of the Welsh Government's Code of Practice on Public Access to Information, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004: all information given to the Welsh Government will be treated in strict confidence. You should be aware that if

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successful, the Welsh Government reserve the right to publish the name of your company, the amount of grant you were awarded and a summary of your project.

Starting work

You must not start work until you have been offered your contract. If you do start work, the Welsh Government may reject the work started or terminate the contract and recover payments made.

Section E: Conditions of grant

You must meet any legal obligations imposed and UK law.

The offer of a WMFS grant is made subject to terms and conditions, which will be set out in full in your contract and include those set out below. The contract duration will be dependent on the funding round and will be from the date the contract is issued. **Failure to meet the terms and conditions of the award could result in the cancellation of your award and / or the recovery of sums already paid, or a reduction of the amount of grant payable.**

Conditions:

1. The award is made on the basis of statements made by you or your representatives in the application form and subsequent correspondence. You have given details that are true, accurate and complete to the best of your knowledge and belief on the applications and any supporting documentation. The making of false or misleading statements is an offence.
2. You will need to accept or decline the offer of contract within 30 days of the offer.

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3. You must not begin any work on the project without first obtaining written authority to do so from Welsh Government. You must have bought the equipment (if applicable) and contacted RPW via RPW Online or through the post by the claim deadline within the contract offer.
4. You must meet any legal obligations imposed under UK law, including Health and Safety; employment; hygiene; environmental management and protection; animal or crop health and welfare that apply during the time of this project.
5. You agree to abide by any changes following notification by the Welsh Ministers.
6. You acknowledge that neither Welsh Government nor any adviser appointed by Welsh Government shall be responsible for any advice given, including without limit any advice given in relation to the applications and that you are solely responsible for all business decisions undertaken.
7. If it is found that work has commenced prior to accepting the WMFS: Energy Efficiency and Mitigation of Climate Change grant award, the Welsh Government will either reject the work started and allow the applicant to carry on with the eligible part of the application or reject the whole application and approval.

Examples of commencement of work include the following:

- i) Entering into a legally binding contract (i.e. with a supplier, etc).
 - ii) Purchasing equipment/materials – accepting delivery of the same.
 - iii) Paying deposits/incurred expenditure in relation to the proposed application will all be viewed by the Welsh Government as commencement of work prior to grant approval.
8. If you have not contacted RPW within that time, the grant offer will be automatically rejected.
 9. No alterations may be made to the project, including the location of the activity, without the written approval of the Welsh Government.
 10. You are required to comply with the rules on eligible costs as detailed in the Scheme Guidance Notes.

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11. Projects should be completed within the timetable agreed with Welsh Government. You should not deviate from this without prior written agreement from Welsh Government.
12. Claims must be submitted via the RPW online Grants claim application and supported by all supporting documents as required by the scheme.
13. Claims must be submitted in accordance with the timetable set out in the contract. You must not deviate from the agreed timing and value of your claims without prior written agreement from Welsh Government.
14. Grant can only be paid on expenditure that has been defrayed, that is, on payments that have cleared from a bank account.
15. All items or services must be purchased in accordance with the Welsh Government Competitive Tendering and Procurement requirements.
16. You must confirm that none of the items or services covered by the application are replacements under an insurance claim.
17. You must provide confirmation that no other public funding (whether from EU or UK sources) has been sought for this project. If it is found that you have received public funding from another source your claim may be rejected, payments may be recovered, and penalties may be applied.
18. As part of your application, you will need to provide details of any public funding your enterprise has received within this and the previous two financial years.
19. Records concerning the application and claim for this grant, including all original invoices and any other related documents, must be retained for at least six years after the project end date.
20. You must allow representatives of Welsh Government, the Auditor General for Wales or their representatives to inspect the project. On request, you must provide them with information and / or access to original documentation in relation to the project.
21. The information provided in the application and any supporting documentation is subject to the requirements of the Welsh Government's Code of Practice on Public Access to Information, the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and

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the Data Protection Act 2018.

22. You should be aware that, if successful, the Welsh Government reserve the right to publish the name of your business or company, the amount of grant you were awarded and a summary of your project.
23. The information provided in the application is subject to the Privacy Notice. The Privacy Notice explains the Welsh Government's processing and use of your personal data and your rights under the General Data Protection Regulation (GDPR).
24. If you are convicted of an offence considered to be a 'serious infringement (Including any illegal, unreported and unregulated fishing or fraud), within 12 months of receiving the final grant payment then we may seek recovery of payments made.

Section F: Competitive tendering and procurement

You must follow the Welsh Government guidance and requirements for Competitive Tendering & Procurement Technical Guidance Notes via the following:

[Competitive Tendering and Public Procurement - Technical Guidance Notes](#)

[Competitive Tendering and Public Procurement - Register and Record](#)

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Section G: Payments

Claims

The WMFS is only available to claim using the Contract Claim form page on your RPW Online account; payments will be made following the successful validation of your claim. Claims will only be paid when the Welsh Government is satisfied the relevant expenditure has taken place and that the work has been completed according to plan. Payment will be made by electronic transfer to your bank account.

In order to receive WMFS payment you must:

- Have accepted a WMFS contract within 30 calendar days of the offer date and adhere to all the requirements.
- Ensure that you have only purchased items or services listed in your contract after you have accepted the contract offer.
- Ensure that you have purchased **all** of the items or services in accordance to the schedule as listed in your contract.
- Ensure all items and services are purchased in accordance the Welsh Government Competitive Tendering and Procurement requirements.
- Final claims for payment of grant should be submitted via the Contract Claim form page on your RPW Online account as soon as possible after the work on the project has been completed. All final claims must be received no later than 31 March 2024 in order for Welsh Government to make the payment. Failure to submit claims may result to the grant paid to date being recovered.
- We will issue a maximum of two reminders for any outstanding claims via your RPW Online account prior to the closing date.
- Submit invoices for all claimed items or services
- Submit evidence of defrayment of expenditure for all claimed items or services.

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- Submit evidence of planning permission approval if required.

A claim is not considered valid unless it has been submitted via the Contract Claim form page and until all supporting documentation has been submitted.

Supporting documentation

You must submit an invoice for each item or service in your contract.

You must submit bank statements as evidence of defrayment of expenditure for each item or service listed in your contract.

You can submit the invoices and bank statements by scanning them and sending them via “My Messages” in your RPW Online account.

Where insufficient evidence is provided, payment will be withheld.

Incorrect claims and penalties

You have a responsibility to make sure the claim submitted is eligible and accurate, that it is only for defrayed expenditure (the money has gone from your bank account), that all the items and costs are eligible, and the claim is submitted on time.

All of the investments approved must have been carried out **after the contract has been accepted.**

Your claim is incorrect if:

- You have bought items or services before the contract is accepted,
- You have not bought all of the items or services listed in the contract,
- You have not submitted a claim and supporting documents by the claim

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deadline.

If the claim is incorrect, then your claim will be reduced to the amount that is eligible and the grant to be paid will be calculated accordingly.

It is essential that if you have any doubts about anything that you need for your project that you request written confirmation of its eligibility before you incur the costs.

Section H: Changes to scheme rules

Legislation changes (Including changes in interpretation)

Legislation may change from time to time, and you will be required to abide by any changes to the scheme rules following notification from the Welsh Government.

Changes to scheme rules or contract

We may need to make changes to the scheme rules and/or your contract for a number of reasons. For example, we may need to update the management conditions to take account of the latest scientific advice, amend scheme rules to take account of any changes within the programme. We will publicise changes on the [Welsh Government website](#) and where necessary contact you directly.

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Section I: Control, monitoring and record keeping

Controls

The Welsh Government must enforce the WMFS rules.

Your claim may be selected for a visit to verify the realisation of the investment before the payment is made to you or it may be selected for a visit after the payment has been made.

All the details in your application, the details in your claim and the declarations that you made in submitting the application and claim will be checked.

The Welsh Government and the specialist control bodies will try to ensure that visits cause you the minimum of disruption, but some checks require visits to be unannounced, which means it may not be possible to give you notice. You may be subject to more than one visit during a calendar year.

If you refuse to allow a visit or obstruct an officer or fail to give reasonable assistance, your claim may not be paid, we may recover payments and you may be prosecuted.

Monitoring and evaluation

It is a requirement that all grant awards are monitored and the effect of the grant on the business is evaluated following completion.

You must allow officials from Welsh Government, or their representatives, to inspect the items (where applicable) purchased within this five year period and have access to associated paperwork e.g., invoices, certificates, permissions etc.

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Site visits will be made on a percentage of the projects approved within five years following payment of final claim to ensure the business is performing as expected where applicable.

You must co-operate with any post-implementation evaluation of your project and the scheme as a whole.

Record keeping

You must keep all records and information you need to evidence that you have provided complete and accurate information and have complied with your undertakings for six years.

You will also be required to:

- Supply to the Welsh Government any information about your WMFS contract and supply that information within the period determined by the Welsh Government.
- Make available to the Welsh Government, its authorised persons or its agents, records, accounts, receipts and other information including access to computer data relating to your WMFS contract.
- Permit the Welsh Government to remove any such document or record to take copies or extracts from them.

Section J: Appeals and complaints procedure

Appeals Procedure

There are no grounds for appeal at EoI stage. Any appeals submitted will be filed and no action taken.

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Should you wish to appeal a decision in relation to your full application, then appeals including supporting evidence, must be submitted via RPW Online within 60 days of the date of the letter outlining the decision you wish to appeal against.

Special circumstances or disagreement with any aspect of the scheme's eligibility criteria will not be grounds for appeal.

An appeal officer/s independent of the original decision will consider the appeal. The appeal officer/s will then make a final decision and notify the appellant together with the reasons for that decision.

We welcome receiving correspondence in Welsh and will respond to any correspondence in Welsh if that is your preferred language. This will not lead to delay.

Complaints procedure

Complaints will be dealt with under the Welsh Government's procedure on Complaints. Further advice on how to make a complaint can be obtained from the Complaints Advice Team:

Welsh Government
Crown Buildings
Cathays Park
Cardiff

CF10 3NQ

Tel: 03000 251378

E-mail: complaints@gov.wales

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Website: [Complaints about Welsh Government](#)

You may also choose to contact the Public Services Ombudsman for Wales:

1 Ffordd yr Hen Gae
Pencoed,
CF35 5LJ

Tel: 0300 790 0203

Website: [Ombudsman](#)

Section K: Privacy Notice: Welsh Government financial assistance

How we will handle any personal data you provide in relation to your grant application or request for grant funding

The Welsh Government provides a wide range of grant schemes to help deliver our policies and create a fairer, more prosperous Wales.

The Welsh Government will be data controller for any personal data you provide in relation to your grant application or request for funding. The information will be processed as part of our public task (i.e. exercising our official authority to undertake the core role and functions of the Welsh Government) and will help us assess your eligibility for funding and administer the grant.

Before we provide funding to you, we undertake checks for the purposes of preventing fraud and money laundering, and to verify your identity. These checks require us to process personal data about you to third party fraud prevention agencies.

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If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, we may refuse to provide the grant funding you applied for, or we may stop providing existing funding to you.

A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you.

In order to assess eligibility, we may also need to share personal information relating to your application with:

- Natural Resources Wales
- Animal and Plant Health Agency
- Veterinary Medicine Directorate
- Welsh Local Authorities
- Food Standards Agency Wales
- DEFRA
- Marine Management Organisation (MMO)
- Other UK Government Marine and Fisheries Administrations
- Maritime and Coastguard Agency
- Regulatory authorities, such as HM Revenue and Customs, Local Authorities, Health and Safety Executive and the Police.

The Welsh Government may publish details of grant recipients, amounts and business name on a transparency register where we are obliged to do so, for example, under the Subsidy Control Act 2022.

We will keep personal information contained in files in line with our retention policy. If successful in your application, then your personal data will be kept for 7 years after the date when you, as grant recipient, are free from all conditions relating to the grant awarded and all payment have been made. If you are unsuccessful your details will be kept for one year after the date you provided them.

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Under the data protection legislation, you have the right:

- to access the personal data the Welsh Government holds on you
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to lodge a complaint with the Information Commissioner's Office (ICO) who is the independent regulator for data protection.

Should you have any queries regarding this privacy statement please contact the **RPW Customer Contact Centre**.

Or if you would like **further details** about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

Email: dataprotectionofficer@gov.wales

The contact details for the Information Commissioner's Office are:

2nd Floor, Churchill House
Churchill Way
Cardiff
CF10 2HH

Telephone: 0330 414 6421

Website: <https://ico.org.uk/>

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Section L: Legislation

The Marine, Fisheries and Aquaculture (Financial Assistance) Scheme (Wales) Regulations 2022 creates and sets the terms for the WMFS. These Regulations are made under Paragraph 2 of Schedule 6 of the Fisheries Act 2020.

World Trade Organisation and subsidy control

Since leaving the EU regulatory jurisdiction, spending on fisheries and most related topics has had to comply with the World Trade Organisation (WTO) agreement on subsidies and countervailing measures (ASCM) and the UK's obligations under the UK-EU Trade and Cooperation Agreement (TCA).

The Subsidy Control Act 2022 received Royal Assent in April 2022. This will set the rules for subsidies when it comes into force.

The WTO made a new agreement to prohibit some subsidies for fishing in June 2022. When in force the Welsh Government will not be able to provide funding for fishing overfished stocks. Subsidies for anyone found to be illegal, unreported and unregulated (IUU) fishing are prohibited.

There are different transparency reporting requirements to WTO, Subsidy Control Act, other international agreements such as the Organisation for Economic Cooperation and Development (OECD) and each trade agreement. Your details may be published on a register of public funding recipients if the funding meets the criteria for public disclosure.

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Section M: Contacts

Enquiries – Customer Contact Centre

For all enquiries, please contact the [RPW Customer Contact Centre](#)

Enquiries can be submitted via RPW Online at any time.

Access to Welsh Government offices for people with disabilities or special needs

If you have any special needs which you feel are not met by our facilities, contact the Customer Contact Centre on 0300 062 5004. Welsh Government officials will then endeavour to make arrangements to accommodate your requirements.

Welsh Government Website

For all of the latest Marine and Fisheries information, visit the [Welsh Government's website](#).

This document may not be fully accessible.

For more information refer to our [accessibility statement](#).

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