



# Welsh Government – European Maritime and Fisheries Fund 2014-2020

## Support for Partnerships, Information Sharing and Advisory Services

### Guidance Notes

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## **INTRODUCTION**

1. These Guidance Notes explain the European Maritime and Fisheries Fund (EMFF) Support for Partnerships, Information Services and Advisory Services - and the kind of projects that may qualify for grant aid. Please read them carefully. If you then consider your project may qualify for grant and you want to apply for support, please read the “How to Apply Section” of this Guidance Note and the accompanying ‘How to Apply’ Guidance.
2. Grant aid is available under the EMFF programme 2014-2020. The programme shall contribute to the achievement of the following objectives:
  - promoting competitive, environmentally sustainable, economically viable and socially responsible fisheries
  - fostering the implementation of the Common Fisheries Policy (CFP)
  - promoting a balanced and inclusive territorial development of fisheries areas
  - fostering the development and implementation of the Union’s Integrated Maritime Policy (IMP) in a manner complementary to cohesion policy and to the CFP.
3. The pursuit of those objectives shall not result in an increase in fishing capacity of a vessel nor increase the ability of a vessel to find fish.
4. This guidance should be used for projects relating to:
  - innovation in fisheries
  - advisory services to improve the overall performance and competitiveness of operators and to promote sustainable fisheries
  - the transfer of knowledge between scientists and fishermen
  - the design, development, monitoring, evaluation and management of systems for allocating fishing opportunities.
5. EMFF is important to the fishing industry and coastal communities as it will help businesses adapt to the reformed CFP and support the long term sustainability of the sector and economic growth of the area.
6. The focus for Wales is to develop a vibrant, competitive and sustainable fishing sector, facilitating CFP implementation, exploiting the potential of aquaculture and encouraging partnerships between fishermen and scientific institutions.
7. It is the responsibility of the applicant to ensure that proposed projects are technically viable, comply with all relevant health and safety legislation and any other project specific safety requirements.
8. It is the responsibility of the applicant to ensure that any equipment purchased with

EMFF funding meets all necessary legal requirements. If equipment purchased subsequently becomes obsolete or illegal then this is at the applicant's own risk; there can be no refunds or claims against the scheme.

9. Where applicable, applicants must also demonstrate that a viable market has been identified for their product(s) and that the project would not proceed without the grant.
10. The Programme is discretionary and the amount of grant offered would relate to individual circumstances and would always be the **minimum amount necessary** to allow the project to go ahead.
11. The owner of a fishing vessel that receives support shall not transfer that vessel outside of the European 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 timeframe, sums unduly paid in respect of the project shall be recovered by the Welsh Government, in an amount proportionate to the period during which the condition has not been fulfilled.
12. This is only an outline to the Programme and the way it is operated, the detailed rules for eligibility criteria may be subject to change.

### **SPECIFIC MEASURES**

13. This Guidance Note covers the following EMFF Measures:

- Measure I.1: Article 26 - Innovation
- Measure I.2: Article 27 - Advisory services
- Measure I.3: Article 28 – Partnerships between scientists and fishermen
- Measure I.13: Article 36 – Support for the systems of allocation of fishing opportunities

### **STRATEGIC AND THEMATIC OBJECTIVES**

14. The EMFF aims to support sustainable development in the fishing and aquaculture sectors and conservation of the marine environment, alongside supporting growth and jobs in coastal communities, through:

- Promoting sustainable, resource efficient, innovative, competitive and knowledge based fisheries:

Focus on innovation and added value, promoting environmentally sustainable, resource efficient, competitive fisheries which are more selective, produce less discards and do less damage to marine ecosystems

- Fostering sustainable, resource efficient, innovative, and competitive and knowledge based aquaculture:

For an aquaculture sector that is environmentally sustainable, resource efficient and competitive; to help such businesses to become economically viable and competitive

- Fostering the implementation of the Common Fisheries Policy (CFP): To support the implementation of the CFP through the collection and management of data to improve scientific knowledge. This also supports the monitoring, control and enforcement of fisheries legislation
- Increasing employment and territorial cohesion:

To increase employment and promote economic growth and social inclusion in communities dependent on fishing through community-led local development (CLLD)

- Fostering marketing and processing: To improve marketing and processing for fishery and aquaculture products
- Fostering the implementation of the Integrated Maritime Policy: To support a more coherent approach to maritime issues.

15. The main priorities for the EMFF in Wales include:

- facilitating CFP implementation, including the landing obligation
- exploiting the potential of aquaculture
- improving the safety of the fishing industry
- encouraging partnerships between fishermen and scientific institutions
- community-led local development
- increasing added-value of Welsh fish
- encouraging the use of Information Technology within the industry

16. All projects supported through the European Structural and Investment (ESI) Funds including EMFF must make a contribution towards the achievement of one or more strategic policy objectives or thematic objectives. These may include programme level horizontal principles (Cross Cutting Themes). Projects may contribute to several such objectives and progress in achieving those must be reported on when each grant claim is submitted.

17. Article 24 of Regulation (EU) No 508/2014 explains that Sustainable Development of Fisheries activity under EMFF shall contribute to the achievement of the specific objectives under the Union Priority set out in Article 6(1) of the same Regulation.

18. Article 6(1)(c) is relevant to Article 36 as it stipulates “Promoting environmentally sustainable, resource-efficient, innovative, competitive and knowledge-based fisheries by pursuing the following specific objective – the ensuring of a balance between fishing capacity and available fishing opportunities.”

19. Article 6(1)(d) is relevant to Article 27 as it stipulates “Promoting environmentally sustainable, resource-efficient, innovative, competitive and knowledge-based fisheries by pursuing the following specific objective – the enhancement of the

competitiveness and viability of fisheries enterprises, including of small-scale coastal fleet, and the improvement of safety and working conditions.”

20. Article 6(1)(e) is relevant to Articles 26 and 28 as it stipulates “Promoting environmentally sustainable, resource-efficient, innovative, competitive and knowledge-based fisheries by pursuing the following specific objective – the provision of support to strengthen technological development and innovation, including increasing energy efficiency, and knowledge transfer.”

21. In addition projects must address one or more of the Cross Cutting Themes (CCTs) included in the Operational Programme where it is appropriate to do so within the context of the activities expected to be delivered and the expected outputs or results. The CCTs are:

- Promotion of equality between men and women and non-discrimination
- Sustainable development.

### **WHO CAN APPLY**

22. The following are eligible to apply for EMFF support, **unless stated otherwise in paragraphs 24-27**:

- public law bodies
- fishermen and / or owners of fishing vessels that are on the European Union (EU) fishing fleet register and which are administered by the Welsh Government from a port in Wales<sup>1</sup>
- producer organisations, inter-branch organisations or public or semi-public organisations
- organisations of fishers
- non-governmental organisations
- micro, small, medium and large enterprises<sup>2</sup> (unless Measure-specific eligibility restrictions apply in relation to large enterprises – please see paragraphs 24-28)
- public-private partnerships.

23. If you are unsure whether you are eligible to apply for support under a specific Measure, please contact the Welsh Government to discuss before making an application for funding.

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<sup>1</sup> Vessels owned and operated outside of Wales should apply to their own country

<sup>2</sup> An enterprise is considered to be any entity engaged in an economic activity, irrespective of its legal form.

### **Measure I.1: Article 26 - Innovation**

24. In addition to the provisions of paragraph 22, projects shall be carried out by, or in collaboration with, a scientific or technical body recognised by the Member State.

### **Measure I.2: Article 27 - Advisory services**

25. In derogation from the provisions of paragraph 22, support shall **only** be granted to:

- fishermen and / or owners of fishing vessels that are on the European Union (EU) fishing fleet register and which are administered by the Welsh Government from a port in Wales
- organisations of fishers, including producer organisations
- public law bodies.

### **Measure I.3: Article 28 – Partnerships between scientists and fishermen**

26. In derogation from the provisions of paragraph 22, support shall **only** be granted to:

- public law bodies
- fishermen and / or owners of fishing vessels that are on the European Union (EU) fishing fleet register and which are administered by the Welsh Government from a port in Wales
- organisations of fishers
- FLAGs
- non-governmental organisations.

### **Measure I.13: Article 36 – Support for the systems of allocation of fishing opportunities**

27. In derogation from the provisions of paragraph 22, support shall **only** be granted to public authorities, legal or natural persons or organisations of fishers recognised by the Welsh Government, including recognised producer organisations involved in the collective management of the systems for allocating fishing opportunities.

### **Definition of an SME**

28. A SME is an undertaking that employs less than 250 employees (based on fulltime equivalents) and has an annual turnover not exceeding 50 million euros and/or an annual balance sheet total not exceeding 43 million euros. Part-time staff and seasonal workers should be treated as a fraction of a full time equivalent.

- SMEs consist of 3 sub-categories of enterprises: micro, small and medium
- micro enterprises employ less than 10 employees, small enterprises less than 50 employees, medium enterprises less than 250 employees
- the size of the enterprise also refers to the annual turnover and annual balance sheet total in certain situations.

For a full definition please refer to the European Commission user guide and model declaration, 'The new SME definition'<sup>2</sup>.

### **All Measures**

29. Applications will not be accepted from organisations, businesses or individuals who have been convicted of fraud under either the European Fisheries Fund (EFF) or the EMFF.

30. Applications will not be accepted from organisations, businesses or individuals who have been convicted of an offence that the Welsh Government or European Union (EU) consider to be a 'serious infringement' or fraud, in the 12 months before applying. Please see separate Guidance Notes on Serious Infringements and Fraud.

### **ELIGIBLE ACTIVITIES**

#### **All Measures**

31. Please refer to the Introduction to this Guidance Note for key principles and eligibility requirements that apply to all Measures.

#### **Measure I.1: Article 26 - Innovation**

32. Activities will support and stimulate innovation in fisheries, promoting an innovative approach towards the landing obligation and mixed fisheries. Investment in innovation will be focused on highly selective gear and reducing unwanted catch and in the treatment, processing and marketing of catch.

33. Eligible activities are projects aimed at developing or introducing:

- new or substantially improved products or equipment

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<sup>2</sup> European Union, (2015), User guide to the SME definition, European Union, Belgium, (which is derived from): Commission Recommendation (EU) of 6th May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ 124, 20.5.2003, Annex 1, p. 4-6)



- new or improved processes and techniques
- new or improved management and organisation systems, including at the level of processing and marketing.

34. Projects shall be carried out by, or in collaboration with, a scientific or technical body, recognised by the Member State or the European Union. That scientific or technical body shall validate the results of such projects.

35. The results of projects receiving support shall be adequately publicised by the Welsh Government, in accordance with Article 119 of Regulation (EU) 508/2014 on the European Maritime and Fisheries Fund.

### **Measure I.2: Article 27 - Advisory services**

36. Activities will improve the overall performance and competitiveness of fisheries operators and promote sustainable fisheries, supporting access to professional advice to increase business potential and competitiveness, including advice on access to credit and building resilience.

37. Eligible activities are:

- feasibility studies and advisory services that assess the viability of projects potentially eligible for support under Union Priority 1: Promoting environmentally sustainable, resource efficient, innovative, competitive and knowledge based fisheries (covering Measures eligible under Articles 26-30; 32; and 36-44 of Regulation (EU) 508/2014 on the European Maritime and Fisheries Fund)
- 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
- the provision of professional advice on business and marketing strategies.

38. The activities referred to in paragraph 37 shall be provided by scientific, academic, professional or technical bodies, or entities providing economic advice that have the required competencies.

### **Measure I.3: Article 28 – Partnerships between scientists and fishermen**

39. Activities will foster the transfer of knowledge between scientists and fishermen, supporting increased collaboration between scientists and the commercial fishing sector. Partnership between industry and science will empower local management of stocks, especially in designated areas, and support will be available for participatory research.

40. Eligible activities are:

- the creation of networks, partnership agreements or associations between one or more independent scientific bodies and fishermen (or one or more organisations of fishers) in which technical bodies may participate
- the activities carried out in the framework of the networks, partnership agreements, or associations referred to in the bullet point above. These activities may cover data collection and management activities, studies, pilot projects, dissemination of knowledge and research results, seminars and best practices.

41. Priority will be given to projects which address data deficiencies in key Welsh stocks and assist with development of long term data collection strategies. Novel and remote approaches to data collection will also be a priority.

### **Measure I.13: Article 36 – Support for the systems of allocation of fishing opportunities**

42. In order to adapt the fishing activities to the fishing opportunities, there is a need to upgrade ageing quota management systems to cope with CFP reform and other changes.
43. Activities will therefore support the adaptation of monitoring, evaluation and management of quota systems affected by CFP reform. This will be an ongoing process over the programme therefore Measure I.13: Article 36 will support funding for trials or pilots that may be developed to test new methods of quota management.
44. Eligible activities will support the design, development, monitoring, evaluation and management of the systems for allocating fishing opportunities.

### **INELIGIBLE ACTIVITIES**

#### **All Measures**

45. There are a number of investments that are not eligible for EMFF support:
- investments to increase the fishing effort, the capacity of a vessel or increase the ability of a vessel to find fish
  - investments to increase the capacity of fish holds
  - investments to build fishing vessels or import them
  - investments to stop fishing activities temporarily or permanently (unless otherwise provided for in the EMFF regulations)
  - investments to carry out exploratory fishing
  - investments to transfer ownership of a business
  - investments to support direct restocking unless explicitly provided for as a conservation measure by a European Union legal act or in the case of experimental restocking
  - the purchase or construction of inland fishing vessels
  - the construction of Lobster Hatcheries
  - the farming of genetically modified organisms
  - items and services that are statutory or mandatory requirements of law and byelaws
  - scheduled or preventive maintenance costs of any piece of equipment which keeps a device in working order
  - activities related to recreational sea or freshwater angling
  - pulse trawling
  - projects which breach National or EU legislative requirements
  - standard industry obligations such as statutory management requirements

- any discrete or standalone activities or items for which a beneficiary already has or intends to receive EU funding other than EMFF.

### **Measure I.1: Article 26 – Innovation**

46. In addition to the provisions of paragraph 45 above, the following activities are ineligible under Measure I.1: Article 26:

- projects not carried out either by, or in collaboration with, a scientific or technical body recognised by the Member State or the European Union
- the funding of existing innovation projects; although the funding of a discrete new phase or activity which builds upon a previous or existing project is eligible.

### **Measure I.2: Article 27 - Advisory services**

47. In addition to the provisions of paragraph 45 above, the following activities are ineligible under Measure I.2: Article 27:

- running costs of advisory service providers
- activities undertaken to implement the findings or recommendations of a feasibility study or of professional advice.

### **Measure I.3: Article 28 – Partnerships between scientists and fishermen**

48. In addition to the provisions of paragraph 45 above, the following activities are ineligible under Measure I.3: Article 28:

□ projects which do not involve collaboration or partnership between scientists and fishermen / organisation(s) of fishers.

## **ELIGIBLE COSTS**

### **Measure I.1: Article 26 – Innovation**

49. Support under Measure I.1: Article 26 can include:

- consultant's fees, other technical and professional fees; fees incurred for statutory permissions, licences and consents
- contractor costs for labour and use of equipment
- running costs of a project, including staff costs and rent for premises; hire of meeting rooms for regular project meetings; stationery costs; telephone and/or internet costs

- direct costs to carry out any specific physical trials necessary as part of the project. This can include the hire or chartering of specialist equipment/facilities and funding for non-standard operations
- consumables (items which are normally written off within a year) for undertaking trial or project activity
- reasonable analysis and sampling costs
- reasonable travel and subsistence to enable specialists to visit project sites. This can include overnight stays where needed and justified. These items need to be clearly costed and justified within the project plan supporting the application form
- promotional costs, where justified, incurred in publicising the outputs of the project.

50. Support can, where this can be demonstrated to be directly necessary for and directly related to the delivery of the project, cover tangible assets, such as small items of machinery and equipment; and intangible assets such as computer software, patent rights and licences and technical and consultancy fees;

- the purchase and installation of small items of machinery and equipment up to the market value of the asset
- acquisition or development of computer software and acquisitions of patents, licenses, copyrights, trademarks.

It is not anticipated that large items of machinery or equipment will be funded under this Measure.

51. Second hand equipment is eligible (for SMEs only) where the applicant can demonstrate the following:

- it complies with current health and safety legislation
- is fit for purpose
- has at least five years life expectancy remaining.

52. The hire, leasing or chartering of vehicles is only eligible if the vehicle in question has a direct contribution to the project and is not used by the beneficiary for any other purpose.

### **Measure I.2: Article 27 - Advisory services**

53. Support under Measure I.2: Article 27 can include:

- revenue costs directly associated with and necessary for the provision or the purchase of advisory services and professional advice, including technical and consultancy fees

- revenue costs necessary for the preparation and undertaking of feasibility studies, such as professional, technical and consultancy fees.

54. Support can, where this can be demonstrated to be directly necessary for and directly related to the delivery of the project, cover intangible assets such as the acquisition or development of computer software and the acquisitions of patent rights, licenses, copyrights, trademarks and licences.

### **Measure I.3: Article 28 – Partnerships between scientists and fishermen**

55. Support under Measure I.3: Article 28 can include:

- pilot projects; which should be understood as referring to a "test project". A pilot project can of course form part of a larger process of "development"
- consumables (items which are normally written off within a year) for undertaking trial or project activity
- reasonable analysis and sampling costs
- direct costs of specific research projects linked to a detailed plan. This can include the hire or chartering of specialist equipment/facilities, subject to the provisions of paragraphs 56-59
- fees incurred for statutory permissions, licences and consents
- running costs of a project, including staff costs and rent for premises; hire of meeting rooms for regular project meetings; stationery costs; telephone and/or internet costs
- animation – revenue costs for people (animateurs) who would broker and facilitate the creation of partnerships and networks or associations between scientific bodies and fishermen / organisation(s) of fishers, including associated costs such as travel and subsistence (costs associated with animation would also concern the recruitment of stakeholders and networking between them)
- facilitation and implementation – revenue costs for people, including associated costs such as travel and subsistence, which will directly manage and deliver activities and/or will provide support to fishermen or organisations of fishers to engage with and/or participate in research activities
- communication and dissemination – revenue costs to support the communication of the proposed activities; dissemination of information amongst stakeholder communities; ongoing communication within and between scientific bodies and fishermen or organisations of fishers and the final dissemination of the findings and outcomes of the activities, including costs for events or seminars, associated costs such as travel and subsistence and venue and/or catering costs and costs related to the publication of results.

56. Subject to the provisions in paragraph 57, support may, where this can be demonstrated to be directly necessary for and directly related to the delivery of the project, cover:

- small tangible assets, such as the purchase and installation of small items of machinery and equipment which cost less than the agreed capitalisation threshold and which therefore do not constitute capital expenditure, up to the market value of the asset (see paragraphs 57 and 58 below)
- intangible assets such as the acquisition or development of computer software, patent rights, licences, copyrights, trademarks and technical and consultancy fees.

Capital expenditure is not eligible.

57. Capital expenditure is normally defined in accordance with a beneficiary's capitalisation threshold. This is usually defined as being any single item with a value of more than £5,000 (and/or a useful life of more than one year). However, those beneficiaries with an organisational capitalisation threshold in excess of £5,000 may, subject to presenting an appropriately evidenced case, qualify for a capitalisation threshold in excess of £5,000 and up to their organisational capitalisation threshold. Beneficiaries who are in this position are advised to contact the Welsh Government to discuss the appropriate capitalisation threshold to be applied to their project.

58. Small items of second hand equipment which comply with the provisions of paragraphs 56 and 57 above are eligible (for SMEs only) where the applicant can demonstrate the following:

- it complies with current health and safety legislation
- is fit for purpose
- has at least five years life expectancy remaining.

59. The hire, leasing or chartering of vehicles is only eligible if the vehicle in question has a direct contribution to the project and is not used by the beneficiary for any other purpose.

### **Measure I.13: Article 36 – Support for the systems of allocation of fishing opportunities**

60. Support under Measure I.13: Article 36 can include:

- consultant's fees, other technical and professional fees
- where directly necessary for the delivery of the project, fees incurred for statutory permissions, licences and consents
- contractor costs for labour and use of equipment

- pilot projects; which should be understood as referring to a "test project". A pilot project can of course form part of a larger process of "development"
- staff costs directly related to the delivery of the project and, where these can be demonstrated to provide value for money, other running costs of a project
- direct costs to carry out any specific trials or other project activity necessary as part of the project. This can include the hire or chartering of specialist equipment/facilities.
- consumables (items which are normally written off within a year) for undertaking trials or project activity
- costs related to the evaluation of systems for allocation fishing opportunities, including the external evaluation of systems if this can be demonstrated as providing value for money.

61. Support can, where this can be demonstrated to be directly necessary for and directly related to the delivery of the project, cover tangible assets, such as small items of machinery and equipment; and intangible assets such as computer software, patent rights and licences and technical and consultancy fees;

- the purchase and installation of small items of machinery and equipment up to the market value of the asset
- acquisition or development of computer software and acquisitions of patents, licenses, copyrights, trademarks.

It is not anticipated that large items of machinery or equipment will be funded under this Measure.

62. Second hand equipment is eligible (for SMEs only) where the applicant can demonstrate the following:

- it complies with current health and safety legislation
- is fit for purpose
- has at least five years life expectancy remaining.

63. The hire, leasing or chartering of vehicles is only eligible if the vehicle in question has a direct contribution to the project and is not used by the beneficiary for any other purpose.

## **INELIGIBLE COSTS**

### **All Measures**

64. The following items are examples of other types of expenditure which are **not eligible** for EMFF grant aid. This is not a definitive list and all items of expenditure will be considered on a case by case basis. Please also refer to the



Measure-specific list of ineligible costs below at paragraphs 67-68, which apply in addition to the following list:

- any costs that you could recover in part or in total by making a claim on an insurance policy or by seeking compensation or damages
- the construction, acquisition or improvement of immovable property
- purchase of buildings which have previously been used for the same purpose
- any physical work or other expenditure incurred before the project start date without prior written approval from the grantor (**any such work carried out renders the whole award liable to cancellation**)
- temporary works not **directly** related to the execution of the project
- the **purchase** of cars, vans, motorcycles, bicycles and any other form of personal transport (for whatever purpose)
- 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) **and** internal transportation and handling (forklift trucks, or similar), although costs associated with the hire, leasing, chartering or operating of vehicles which are directly necessary for the delivery of the project may be eligible for EMFF grant aid if they comply with the specific eligibility requirements of the Measure)
- purchase of trading stock
- working capital
- reclaimable VAT
- preventative or scheduled maintenance costs for vessels and equipment and for existing buildings, plant or equipment, including vehicle maintenance costs
- operating costs
- costs associated with the completion of EMFF application forms, including the payment of consultants to provide support in the completion of the application forms
- 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
- 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
- depreciation, amortisation and impairment of assets purchased with the help of a European grant
- contingent liabilities
- contingencies/provisions
- profit made by the applicant
- dividends
- interest charges (unless under an approved State Aid scheme)
- 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 paid to third parties for expropriation, unharvested crops, etc.
- 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.

65. Grant cannot be used for the purpose of the acquisition of capital assets that are not essential for the delivery of the proposed activity.

66. Costs related to the purchase of equipment (either new and / or second hand) are only eligible for grant aid if they comply with the specific eligibility requirements of the Measure and when the cost has been correctly defrayed by the claimant. Therefore the full costs of any equipment secured under a hire purchase or lease hire agreement or any other form of financial arrangement is not eligible for grant aid. In certain circumstances the capital element monthly payments may be eligible for a limited period but separate rules will apply.

### **Measure I.2: Article 27 - Advisory services**

67. In addition to the provisions in paragraphs 64-66 above, the following costs are specifically ineligible under Measure I.2: Article 27:

- capital expenditure (capital expenditure is normally defined in accordance with a beneficiary's capitalisation threshold. This is usually defined as being any single item with a value of more than £5,000 (and/or a useful life of more than one year). However, those beneficiaries with an organisational capitalisation threshold in excess of £5,000 may, subject to presenting an appropriately evidenced case, qualify for a capitalisation threshold in excess of £5,000 and up to their organisational capitalisation threshold.

Beneficiaries who are in this position are advised to contact the Welsh Government to discuss the appropriate capitalisation threshold to be applied to their project)

- the purchase or leasing of machinery and equipment
- running costs of advisory service providers
- costs associated with or resulting from implementing the findings of a feasibility study or professional advice.

### **Measure I.3: Article 28 – Partnerships between scientists and fishermen**

68. In addition to the provisions in paragraphs 64-66 above, the following costs are specifically ineligible under Measure I.3: Article 28:

□ capital expenditure (capital expenditure is normally defined in accordance with a beneficiary's capitalisation threshold. This is usually defined as being any single item with a value of more than £5,000 (and/or a useful life of more than one year). However, those beneficiaries with an organisational capitalisation threshold in excess of £5,000 may, subject to presenting an appropriately evidenced case, qualify for a capitalisation threshold in excess of £5,000 and up to their organisational capitalisation threshold. Beneficiaries who are in this position are advised to contact the Welsh Government to discuss the appropriate capitalisation threshold to be applied to their project).

### **MAXIMUM GRANT RATE AND MAXIMUM GRANT THRESHOLD**

69. The grant amount is made up from the total public sector contribution to the investment or project which includes; monies from the EU; co-finance to the EU funds from Welsh Government; monies from other government departments and agencies, non-departmental public bodies and local authorities; monies from governmental controlled bodies such as the Small Business Service and the National Lottery; and, monies from parafiscal taxes (levies).

70. If other EU or UK public funds are obtained to support the costs of a project they will be discounted against the EMFF grant.

71. The minimum grant threshold per individual project is **£2,400**.

72. At this stage, no maximum grant threshold has been set. However, the Programme is discretionary and the amount of grant offered would relate to individual circumstances and would always be the **minimum amount necessary** to allow the project to go ahead.

### **Grant Rates**

73. Grant rates are the maximum intensity of public aid for which a project can qualify. Therefore the beneficiary must secure the remainder of the funding from nonpublic funds. If other EU or UK public funds are obtained to support the costs of a project they will be discounted against the EMFF grant.

74. The maximum grant rate for a public law body is **100%**.

75. The maximum grant rates for beneficiaries who are not public law bodies are as follows:

- The grant rate for small scale coastal fishermen or for a project which is related to the small scale coastal fisheries fleet is **80%**.<sup>3</sup>
- The maximum grant rate for Producer Organisations, an association of Producer Organisations or an inter-branch organisation is **75%**.
- The maximum grant rate for organisations of fishers or other collective beneficiaries is **60%**.
- The maximum grant rate for SME private organisations who are not small scale coastal fishermen (for a project which is not related to the small scale coastal fisheries fleet) is **50%**.
- The maximum grant rate for large enterprises (non-SME private organisations) who are not small scale coastal fishermen (for a project which is not related to the small scale coastal fisheries fleet) is **30%**.

76. Please refer to the Who Can Apply section of this Guidance Note to confirm your eligibility to apply.

### **Derogations:**

77. Article 95 of EU Regulation No 508/2014 (the EMFF Regulation) specifies:

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<sup>3</sup> Small-Scale Coastal Fishing (SSCF) means fishing carried out by fishing vessels of an overall length of 11.99 metres or less and not using towed fishing gear as listed in Table 3 of Annex I to Commission Regulation (EC) No 26/2004.

Member States may apply an intensity of public aid between 50% and 100% of the total eligible expenditure where:

(a) the operation (project) is implemented under Chapter I, II or IV of Title V and fulfils all of the following criteria:

- (i) it is of collective interest
- (ii) it has a collective beneficiary
- (iii) it has innovative features, where appropriate, at local level.

**78. The Welsh Government will appraise all applications for a higher level of public aid on a case-by-case basis. The final decision on the level of public aid for which a project may qualify is at the discretion of the Welsh Government.**

Collective Interest and Collective Beneficiary:

79. A 'collective beneficiary' is an organisation recognised as representing the interest of its members, of a group of stakeholders, or of the public at large. The beneficiary of the project should be the collective organisation itself and not its members.
80. 'Collective interest' is defined as actions undertaken by this organisation which are in the collective interest of its members, of a group of stakeholders or of the general public. Such actions should thus encompass more than the sum of the individual interests of the members of this collective beneficiary.
81. If a project has no direct financial benefit to either the applicant delivering the project or the beneficiary of the project and has both collective interest and a collective beneficiary (or beneficiaries) then it can be considered Collective.
82. If a project has a direct financial benefit to either the applicant delivering the project or the beneficiary of the project then it is considered Non-Collective.
83. In addition, to be eligible for the higher rate of public aid, a project must have innovative features.
84. Innovation can be defined in a number of different ways. For example:
  - a **product innovation** is the introduction of a good or service that is new or significantly improved with respect to its characteristics or intended uses. This includes significant improvements in technical specifications, components and materials, incorporated software, user friendliness or other functional characteristics

- a **process innovation** is the implementation of a new or significantly improved production or delivery method. This includes significant changes in techniques, equipment and / or software
- a **marketing innovation** is the implementation of a new marketing method involving significant changes in product design or packaging, product placement, product promotion or pricing
- an **organisational innovation** is the implementation of a new organisational method in the organisation or firm's business practices, workplace organisation or external relations.

Source: Oslo Manual: Guidelines for Collecting and Interpreting Innovation Data; Third edition (a joint publication of OECD and Eurostat):

<http://ec.europa.eu/eurostat/documents/3859598/5889925/OSLO-EN.PDF>

85. **This list is not prescriptive or exhaustive. It is the responsibility of the applicant to make a robust and convincing case to demonstrate that your proposed project incorporates genuinely innovative features.**
86. Innovative features can be activities that are innovative to the sector or industry but can also be innovative to a business or organisation, but must be present. If the project is being delivered at a local level, the innovative features must be present at that local level.
87. The applicant is also expected to demonstrate that:
- the innovative features are relevant to the aims and eligible activities within the specified Measure and
  - the innovative features are relevant to achieving the aims of the project.
88. Where the proposed innovation relates to an organisation or business, the applicant may also be expected to demonstrate that this activity also represents a degree of innovation within the relevant sector or industry.
89. The value for money represented by the project as a whole, including any proposed innovative features, will be considered as part of the wider appraisal of the project by the Welsh Government.
90. **The Welsh Government will appraise all applications for a higher level of public aid on a case-by-case basis. The final decision on the level of public aid for which a project may qualify is at the discretion of the Welsh Government.**

## **STATE AID**

91. All projects must comply with all eligibility rules of the scheme and State Aid rules to be deemed eligible for funding.

92. Articles 107, 108 and 109 TFEU do not apply to grants provided under this scheme which are made pursuant to Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund, within the scope of Article 42 TFEU. However, projects must relate to the catching, production and / or processing of fisheries products. These are defined in:

- Annex I of the Treaty for the Functioning of the European Union (found in the Official Journal of the European Union under 2012/C 326/01)
- Annex I & II of the Common Market Organisation regulation EU 1379/2013.

93. If you feel that your project does not meet these criteria then you should contact the Welsh Government to discuss your project before making an application for funding.

## **SELECTING SUCCESSFUL PROJECTS**

94. To be selected, a project is expected, as appropriate, to demonstrate:

### **Fit with the EMFF Operational Programme:**

Specifically, a project is expected to demonstrate:

#### **Strategic Fit:**

How the proposed project will support the aims of the Union Priority, Specific Objective and Measure by outlining:

#### **All Measures:**

□ how the proposed project will contribute to promoting environmentally sustainable, resource efficient, innovative, competitive and knowledgebased fisheries.

### **Specific Objective 3: Ensuring of a balance between fishing capacity and available fishing opportunities**

#### **Measure I.13: Article 36 – Support for the systems of allocation of fishing opportunities**

- how the proposed project will contribute towards Specific Objective 3 of the ensuring of a balance between fishing capacity and available fishing opportunities
- how the proposed project will contribute towards the achievement of the aims and the eligible activities outlined within the Eligible Activities section of this Guidance Note.

**Specific Objective 4: Enhancement of the competitiveness and viability of fisheries enterprises, including of small-scale coastal fleet, and the improvement of safety and working conditions**

**Measure I.2: Article 27 - Advisory services**

- how the proposed project will contribute towards Specific Objective 4 of the enhancement of the competitiveness and viability of fisheries enterprises, including of small-scale coastal fleet, and the improvement of safety and working conditions
- how the proposed project will contribute towards the achievement of the aims and the eligible activities outlined within the Eligible Activities section of this Guidance Note.

**Specific Objective 5: Provision of support to strengthen technological development and innovation, including increasing energy efficiency, and knowledge transfer**

**Measure I.1: Article 26 – Innovation and Measure I.3: Article 28 – Partnerships between scientists and fishermen**

- how the proposed project will contribute towards Specific Objective 5 of the provision of support to strengthen technological development and innovation, including increasing energy efficiency, and knowledge transfer
- how the proposed project will contribute towards the achievement of the aims and the eligible activities outlined within the Eligible Activities section of this Guidance Note.

**Indicators & Outcomes:**

- how the project will contribute to the EMFF Result Indicators relevant to the selected Measure as set out in the Result Indicators section of this Guidance Note

**Suitability of Intervention:**



- explaining the wider benefits or outcomes which you believe that the project may deliver, in addition to the primary outcomes by which it contributes to the aims of the Union Priority, Specific Objective and Measure (as outlined in the Strategic Fit section above)
- explaining whether your project will contribute to the wider aims and objectives of the EMFF Programme, as set out in the Strategic and Thematic Objectives section of this Guidance Note.

**Deliverability:**

A project is expected to demonstrate:

**Need for funding:**

- that the project cannot proceed now without support
- that the costs are not excessive for the nature of the activity involved
- that there is a market failure or funding gap, where applicable.

Please see the 'How to Apply' Guidance Notes for further details.

**Ability to deliver:**

- viability of the business
- legal compliance
- financial viability of project and sustainability, including exit strategy
- relevant support and commitment of key stakeholders
- project management, monitoring and evaluation arrangements.

Please see the 'How to Apply' Guidance Notes for further details.

95. The greater the importance and contribution that the project can make to the appropriate strategic and thematic objectives the more likely it is to be recommended for selection.

**KEY REQUIREMENTS**

96. That the project would not proceed in its current form at the current time without grant assistance.

97. That the amount of grant being asked for is the minimum gap funding necessary for the project to go ahead.

98. Applications must also demonstrate that the following have been addressed:

- outline planning permission has been obtained, where required
- all other consents, licences and permissions have been granted, where required
- for existing businesses the economic viability of the project and the business, through the provision of accounts for three consecutive years immediately preceding the date of the application and financial forecasts for the period of the project
- new businesses will be required to supply full details about the background and experiences of the directors along with other evidence necessary to validate the business plan and project proposals
- compliance with UK and EU Law on equal opportunities and projects should promote and encourage equal opportunities and combat social exclusion
- compliance with minimum standards and legislative requirements regarding the environment, hygiene, animal welfare and health and safety standards
- availability of the necessary technical skills and competences within the business.

## **INDICATORS AND REPORTING**

### **Indicators:**

99. The EMFF Operational Programme sets the output and result indicators against which projects will be expected to report.

### **Output Indicators:**

100. The Output Indicator records the number of projects to which a grant has been awarded. They are:

**Measure I.1: Article 26 – Innovation and Measure I.2: Article 27 - Advisory services and Measure I.3: Article 28 – Partnerships between scientists and fishermen**

Number of projects on innovation, advisory services and partnerships with scientists

**Measure I.13: Article 36 – Support for the systems of allocation of fishing opportunities**

Number of projects on systems of allocation of fishing opportunities

### **Result Indicators:**

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101. The Result Indicators are designed to capture the benefits or effects which result from each project supported. The EMFF Operational Programme identifies a range of Result Indicators, which may be applicable to projects under each Measure covered by this Guidance Note.
102. Please refer to the 'Evidencing Results Indicators' section below for further information on the information to be provided to measure achievement against each selected Result Indicator.
103. Further guidance is awaited from the European Commission on the exact Result Indicators which will be applied to each Measure and the specific definitions and evidencing requirements for these indicators. Please note that this may result in amendments to the specific Results Indicators against which projects are expected to report achievement. The Welsh Government will issue further guidance once this information becomes available.

**Measure I.1: Article 26 – Innovation and Measure I.2: Article 27 - Advisory services and Measure I.3: Article 28 – Partnerships between scientists and fishermen**

□ Change in net profits

**Measure I.13: Article 36 – Support for the systems of allocation of fishing opportunities**

- Change in net profits
- Change in the % of unbalanced fleets

**Evidencing Results Indicators**

104. The following paragraphs are based on the current draft guidance from the European Commission on the information to be provided by beneficiaries in order to measure and evidence achievement against their selected Result Indicators. This information may be subject to change when updated guidance is issued by the European Commission. The Welsh Government will issue further guidance once this information becomes available.
105. Change in net profits
- Annual Earnings Before Interest and Taxes before the project
  - Annual Earnings Before Interest and Taxes after the project
106. Change in the % of unbalanced fleets

- The draft guidance from the European Commission currently indicates that that this Result Indicator will be calculated by the Welsh and UK Governments. The Welsh Government will provide further guidance when further information becomes available.

### **Implementation Data:**

107. In line with the requirements of Commission Implementing Regulation 1243/2014, projects will also be required to report the following information:

#### **Measure I.1: Article 26 - Innovation**

108. Indication of whether the project relates to:

- sea fishing  inland fishing
- both.

109. Type of innovation:

- products and equipment
- process and techniques
- management and organisation system.

110. Number of people benefiting from the project directly in companies supported.

111. If the project relates to the sea, Community Fleet Register number (CFR) of each vessel concerned with the project.

#### **Measure I.2: Article 27 - Advisory services**

112. Indication of whether the project relates to:

- sea fishing  inland fishing
- both.

113. Type of advisory service:

- feasibility studies and advisory services  professional advice
- business strategies.

114. If the project relates to the sea, Community Fleet Register number (CFR) of each vessel concerned with the project.

**Measure I.3: Article 28 – Partnerships between scientists and fishermen**

115. Indication of whether the project relates to:

- sea fishing  inland fishing
- both.

116. Type of activities:

- networks
- partnership agreement or association
- data collection and management
- studies
- pilot projects
- dissemination  seminars
- best practices.

117. Number of scientists involved in partnership.

118. Number of fishermen involved in partnership.

119. Number of other bodies benefiting from the project.

120. If the project relates to the sea, Community Fleet Register number (CFR) of each vessel concerned with the project.

**Measure I.13: Article 36 – Support for the systems of allocation of fishing opportunities**

121. Type of activity:

- design
- development
- monitoring  evaluation
- management.

122. Type of beneficiary:

- public authority
- legal person
- natural person
- organisation of fishermen  producers' organisations
- other.

## All Measures

123. This information should be provided at two points during the project lifetime:

- anticipated targets / achievement is to be provided as part of the application
- actual achievement is to be reported at the completion of the project.

## CROSS CUTTING THEMES

124. The Regulations governing the European Programmes stipulate that all projects funded through the Common Strategic Framework must integrate the CCTs of Promotion of equality between men and women and non-discrimination and Sustainable development. These mandatory CCTs need to be integrated into the design and development of the European Structural and Investment Funds (ESIF) and the activity supported through the funds. This includes the EMFF.

125. The CCTs are intended to add value, raise awareness and understanding while ensuring maximum participation and mitigating adverse impacts. This should help projects move beyond compliance and develop systems which support best practice.

126. Further guidance is available at:

<http://gov.wales/funding/eu-funds/2014-2020/applying/cross-cuttingguidance/?lang=en>

## HOW TO APPLY

127. Applications for support can be made by completing the application form and submitting it via WEFO Online (please see separate guidance).

128. Once you have submitted your full application, the Welsh Government will send you an acknowledgement and notification that you may proceed at risk on your project. You will receive this notification within 15 working days of submitting your full application.

129. **You must not start work on your project until you have received this notification.**

130. 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 successful, the Welsh Government, the UK Government and the EC reserve the**

**right to publish the name of your company, the amount of grant you were awarded and a summary of your project.**

131. You may use a consultant to prepare your application if you wish **but the application form must be signed by you and not by the consultant. It is your responsibility to ensure that the application is correctly completed and that the information provided in support of your project is accurate.**
132. When you submit your application form, the Welsh Government will acknowledge its receipt. If your project is ineligible, you will be told this as soon as possible. If your application is eligible, it will be subject to a technical and financial appraisal. When the appraisal is complete, support for your application will then be evaluated against the extent to which it meets national and regional objectives and priorities, as described above.
133. There are three possible outcomes:
- (a) Your project is not eligible for the grant. You will be told as soon as possible.
  - (b) Your project is eligible for consideration but is not approved for an award. You will be informed of the reasons why your application was not successful. You may apply again with the same project (amending the application if you wish) **but only if you have not started work.**
  - (c) Your project is eligible and is approved for an award. An approval letter will be issued to you setting out the terms and conditions of the award which you will be asked to sign as agreement that you accept the terms and conditions therein. The letter will also provide you with the authority to start work.

## **CONDITIONS OF GRANT**

134. The EMFF Fund is subject to a range of relevant legislation. Both the Welsh Government and the applicant and the end recipient of support must act in accordance with that legislation.
135. The offer of an EMFF Fund grant is made subject to terms and conditions, including but not limited to those set out below. **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. Acceptance of the grant awarded must be made within fourteen (14) working days of the date on the approval letter.
2. The award is made on the basis of statements made by you or your representatives in the application form and subsequent correspondence.

**The making of false or misleading statements is an offence.**

3. You must not begin any work on the project without first obtaining written authority to do so from Welsh Government.
4. You must meet any legal obligations imposed under EU and UK law, including hygiene legislation.
5. No alterations may be made to the project, including the location of the activity, without the written approval of Welsh Government.
6. No equipment and / or buildings purchased with grant aid must be disposed of, transferred or sold without the prior written consent of Welsh Government during the project delivery and for five years from the project end date. This includes indirect changes e.g. where a premises or vessel changes ownership or where the location of any funded items changes.
7. It is your responsibility as the original applicant to inform the new owners of the funding obligations attached to the item. The new owners will be required to take on the terms and conditions of the funding for the time remaining up to  
5 years from the date the original offer of funding was accepted.
8. If the new owner of the item or items does not accept the terms and conditions of the funding attached, then it is deemed that the item has not fulfilled its obligations to the scheme and therefore recovery proceedings may be started and funding recovered from you as the original applicant.
9. You must not transfer a fishing vessel outside the EU for at least 5 years after the payment of EMFF funding to the applicant; if you do this you must give back all or part of the EMFF money you received. The exact amount you have to pay back depends on when you transferred the vessel.
10. The applicant is required to comply with the rules on eligible expenditure as detailed in the relevant Measure Guidance Note.
11. Claims must be submitted in the correct format and accompanied by all necessary documentation. If not, they will not be accepted and will be returned to the claimant.



12. Claims must be submitted in accordance with the agreed timetable. You cannot change the agreed timing and value of your claims without written agreement from Welsh Government.
13. Projects should be completed within the timetable agreed with Welsh Government. You cannot change this without written agreement from Welsh Government.
14. You must confirm that none of the items covered by the application are replacements under an insurance claim.
15. You must provide confirmation that no other public funding (whether from EU or UK sources) has been sought.
16. Any publicity given to the project must make reference to the part played by both the European Union and Welsh Government in funding it.
17. Records concerning the activity of the business and the delivery of the project, including all original invoices and other related documents such as competitive tenders or quotes, must be retained until the end of six years after the last payment of financial assistance made to you in relation to the project.
18. You must allow persons authorised by the Welsh Government, including the Auditor General for Wales, Audit Commission and the European Court of Auditors to inspect the project. On request, you must provide them with information and / or access to original documentation in relation to the project.
19. 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 and the Environmental Information Regulations 2004.

**You should be aware that if successful, Welsh Government and the EU 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.**

20. The information provided in the application and any supporting documentation is subject to the Privacy Notice available at <https://gov.wales/topics/environmentcountryside/marineandfisheries/europeanmaritime-fisheries-fund/?skip=1&lang=en>. 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).

## **PAYMENT OF GRANT**

### **Claims**

136. You may make interim claims during the period of your project. Guidance notes on how to claim will be issued when the award is confirmed and subsequently the claim is invited. 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.
137. Final claims for payment of grant should be submitted as soon as possible after the work on the project has been completed. All final claims must be received no later than 30 June 2023 in order for Welsh Government to be able to meet the payment. Failure to submit claims may result in the grant paid to date being recovered.
138. During the lifetime of the grant, when claims are submitted, they may be scrutinised to ensure expenditure is eligible and in line with that approved in the original application. During the project, the project sponsor may be visited and a detailed assessment of the project undertaken, this may include a review of all original supporting documentation. For capital investments, on completion of the physical works, the project may be visited and a detailed assessment of the project undertaken. The information that will be required at the visit could include but not be limited to; original invoices; serial/plant numbers; Building Regulations completion certificate (where appropriate); Health & Safety system including risk analysis; Fire Risk Assessment documents in accordance with the Regulatory Reform (Fire Safety) Order 2005; Cleaning Regime records; Pest control records and Quality Control records. The release of grant will be conditional upon adequate progress having been made.

### **Incorrect claims**

139. You have a responsibility to make sure that each claim submitted is arithmetically correct; that it is only for defrayed expenditure (the money has gone from bank account); that all the items and costs are eligible and that the claim is on time.
140. 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.

141. If you have any doubts about the eligibility of any expenditure you must check before you incur the costs.

## **Offences**

142. The European Maritime and Fisheries Fund (Grants) (Wales) Regulations 2016 No. 665 (W. 182) establishes criminal offences and penalties in relation to certain aspects of European Maritime and Fisheries Funding. Examples of offences include; knowingly or recklessly providing false or misleading information in relation to European Maritime and Fisheries Funding; obstructing an inspector or official; and refusing to provide information when requested to do so.

## **MONITORING OF PROJECTS**

143. It is a European Commission requirement that the progress of your project is monitored and its success evaluated following completion. You will be asked to provide regular updates on its progress and three months following completion, a final report on its performance, when the project will be evaluated against the objectives and targets set out in the approved application. If the project should fail to meet these targets and, on the basis of progress actually made, would not have qualified for grant aid under the scheme, action may be taken to recover the grant paid.

144. It will be a requirement of the grant award that equipment purchased with the aid of a EMFF grant and any buildings on which grant is paid, must be kept in situ, operational and in good repair, and used for the same purpose as set out in the original application, for five years from the project end date. This is to ensure the longevity of the project and, where applicable, to guarantee primary producers a lasting share of the project's benefits.

145. For capital investments, a further monitoring form may be required to be completed two years following completion and again five years following completion. Site visits will be made on a percentage of the capital investment projects approved within five years of the project end date to ensure the applicant still has and is still using the buildings and / or equipment purchased with the grant for the same purposes and that the business is performing as expected.

146. You must allow officials from Welsh Government and the European Commission, or their representatives, to inspect the project at any reasonable time within this five year period.

## **END OF EMFF PROGRAMME**

147. All claims must be submitted to the Welsh Government by no later than 30 June 2023. All project activity must be completed in time for accounts and records to be audited and claims to be prepared and submitted by this date.

### **APPEALS PROCEDURE**

148. If an application is rejected, the reasons for rejection will be explained. We will be prepared to discuss any modifications which might be needed to make the project acceptable.

149. If an application is still rejected an appeals procedure will be established which will take the form of an oral or written submission to persons appointed by and independent of the Welsh Ministers.

### **COMPLAINTS PROCEDURE**

150. If you consider that we have failed to follow the correct procedure in the handling of your request you may wish to make a complaint in accordance with Welsh Government's Complaints procedure which is available by post or via the website at:

[https://gov.wales/contact\\_us/makeacomplaint/?lang=en](https://gov.wales/contact_us/makeacomplaint/?lang=en)