

European Maritime and Fisheries Fund (EMFF)
**THIS GUIDANCE NOTE SHOULD BE READ IN
CONJUNCTION WITH THE SUPPORT FOR THE MARINE
ENVIRONMENT AND INLAND FISHING APPLICATION FORM**

SUMMARY

Grant aid is available under the European Maritime and Fisheries Fund (EMFF) programme 2014-2020. The programme shall contribute to the achievement of the following objectives:

- a) promoting competitive, environmentally sustainable, economically viable and socially responsible fisheries;
- b) fostering the implementation of the Common Fisheries Policy (CFP);
- c) promoting a balanced and inclusive territorial development of fisheries areas; and
- d) fostering the development and implementation of the Integrated Maritime Policy (IMP) in a manner complementary to cohesion policy and to the CFP.

The pursuit of those objectives shall not result in an increase in fishing capacity.

This Guidance Note is subject to change. The date of the latest revision is shown in the footer of this document. The general guidance note & business case template mentioned in this guidance will be available in due course.

**USE THIS DOCUMENT FOR DETAILED GUIDANCE ON HOW TO
COMPLETE THE MARINE ENVIRONMENT AND INLAND FISHING
APPLICATION FORM**

You must also read the General Summary as this contains information for all EMFF applications.

We want to give your project the best possible chance at succeeding and

have produced a range of resources and guidance which you might find useful. Links to additional guidance and where to go for further information have been included throughout this guidance.

It is essential that the scheme delivers value for money and that applicants are open and honest when making applications under the scheme.

It is a criminal offence to supply information in the application knowing it to be false or not believing it to be true, and you may be liable for a fine or imprisonment if you do so.

Marine Scotland will scrutinise your application and may from time to time conduct random checks upon your application and the supporting documents, including contacting proposed suppliers and in the event of irregularities may in its absolute discretion refuse applications.

In the event that false or inaccurate information is discovered, the Marine Scotland will give consideration to investigating the matter further and may take such enforcement action, including criminal prosecution as it considers appropriate. In such circumstances Marine Scotland may also seek to recover any grant paid.

You are reminded that if your project is approved and grant offered, specific conditions will apply which will be set out in the Offer Letter.

Any breach of these conditions may lead to recovery of any grant paid, and if necessary Marine Scotland may seek recovery through appropriate criminal or civil action.

If the grant is not used for the purpose for which it was granted Marine Scotland may seek recovery of any grant paid through appropriate criminal or civil action.

Projects that have been physically completed or fully implemented prior to receiving a written acknowledgement from Marine Scotland even though they may meet the scheme objectives and priorities, cannot be funded.

Projects can commence after receiving a written acknowledgement from Marine Scotland.

In exceptional circumstances, costs incurred prior to submission of your application to Marine Scotland and can be considered eligible for reimbursement at the funding rate applied, providing they are directly related to your project you are applying for and essential to bringing the application to submission stage. The eligibility of these costs are at Marine Scotland discretion and are not guaranteed and are subject to the approval of the full project and are undertaken entirely at the

applicant's own risk. Contact Marine Scotland for more details.

It is the responsibility of you as the applicant to ensure that the project which is the subject of this application is technically viable, complies with all relevant health and safety legislation and any other project specific safety requirements. It is not the responsibility of Marine Scotland.

TYPES OF PROJECTS YOU CAN APPLY FOR

The application form should be used for projects relating to: innovation in fisheries; conservation measures and regional cooperation; innovation linked to the conservation of marine biological resources; protection and restoration of marine biodiversity; and inland fishing. This includes:

Innovation in fisheries. This includes:

- developing or introducing new or substantially improved products;
- developing or introducing new or substantially improved equipment;
- developing or introducing new or improved processes;
- developing or introducing new or improved techniques;
- developing or introducing new or improved management systems;
- developing or introducing new or improved organisation systems;
- developing or introducing new or improved processing systems;
- and
- developing or introducing new or substantially improved marketing systems.

These projects shall be carried out by, or in collaboration with, a scientific or technical body, recognised by Marine Scotland. The scientific or technical body shall validate the results of your project.

Support for the design and implementation of conservation measures and regional cooperation. This includes:

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

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

Innovation linked to the conservation of marine biological resources.

The EMFF may support;

- operations aimed at developing or introducing new technical or organisational knowledge that reduces the impact of fishing activities on the environment, including improved fishing techniques and gear selectivity, or aimed at achieving a more sustainable use

of marine biological resources and coexistence with protected predators.

- These projects shall be carried out by, or in collaboration with, a scientific or technical body recognised by Marine Scotland which shall validate the results of projects.
- Projects which do not qualify as fishing for scientific purposes and which consist of testing new fishing gear or techniques must be carried out within the limits of the fishing opportunities allocated to Marine Scotland.
- The income of fishermen from the first sale of the fish or shellfish caught during the introduction and testing of the new technical or organisational knowledge less the selling costs such as auction hall fees, will be deducted from the eligible expenditure of your project in accordance with Article 65(8) of the Common Provision Regulation.

Protection and restoration of marine biodiversity and ecosystems in the framework of sustainable fishing activities. This includes;

- the collection of waste by fishermen from the sea such as the removal of lost fishing gear and marine litter;
- the construction, installation or modernisation of static or movable facilities intended to protect and enhance marine fauna and flora, including their scientific preparation and evaluation;
- contributions to a better management or conservation of marine biological resources;
- the preparation, including studies, drawing-up, monitoring and updating of protection and management plans for fishery-related activities relating to NATURA 2000 sites and spatial protected areas referred to in the Marine Strategy Framework Directive and relating to other special habitats;
- the management, restoration and monitoring of NATURA 2000 sites in accordance with prioritised action frameworks established in the Habitats Directive and the Birds Directive.
- the management, restoration and monitoring of marine protected areas with a view to the implementation of the spatial protection measures referred to in Article 13(4) of the Marine Strategy Framework Directive;
- increasing environmental awareness, involving fishermen, with regard to the protection and restoration of marine biodiversity; and
- the participation in other actions aimed at maintaining and enhancing biodiversity and ecosystem services, such as the restoration of specific marine and coastal habitats in support of sustainable fish stocks, including their scientific preparation and evaluation.
- Projects described above may be implemented by scientific or technical public law bodies, Advisory Councils, fishermen or organisations of fishermen which are recognised by the Member State, or by non-governmental organisations in partnership with organisations of fishermen or in partnership with FLAGs.

Inland fishing. This includes:

- the management, restoration and monitoring of NATURA 2000 sites which are affected by fishing activities;
- the rehabilitation of inland waters in accordance with the Water Framework Directive, including spawning grounds and migration routes for migratory species, without prejudice to the protection and restoration of marine biodiversity and ecosystems sustainable fishing activities; and
- Construction, modernisation or installation of static or movable facilities intended to protect and enhance aquatic fauna and flora, including their scientific preparation, monitoring and evaluation.

Where relevant your project should be undertaken with the participation of inland fishermen. **For projects relating to inland fishing, vessels must operate and continue to operate exclusively in inland waters.**

Funding for the purchase of inland fishing vessels is not available.

It is the responsibility of the applicant to ensure that gear purchased with EMFF funding meets all necessary legal requirements. If a gear 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.

Applicants must comply with all relevant legal requirements of their projects.

ELIGIBLE COSTS

Please note this table is for guidance only and is not exhaustive or binding. If you are unsure whether an item is eligible please check the **General Summary** and if you are still unsure contact Marine Scotland.

Scheduled or preventive maintenance costs of any piece of equipment which keeps a device in working order shall not be eligible for support.

Only those costs necessary for and directly related to the installation of items to be funded shall be eligible for support.

Table A: Table of Eligible Costs

| Item/Area | Eligible Costs | Ineligible Costs | |
|--|---|------------------|--|
| For operations relating to the collection of waste by fishermen from the sea, costs relating | The removal of lost fishing gear from the sea, in particular in order to combat ghost fishing. | | |
| | The purchase and, if applicable, the installation of equipment on board for the collection and storage of litter. | | |

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| to the actions: | The creation of schemes of waste collection for participating fishermen | | |
| | The purchase and, if applicable, the installation of equipment based in fishing port facilities for the storage and recycling of litter. | | |
| | Communication, information, awareness raising campaigns, to encourage fishermen and other stakeholders to participate in projects to remove lost fishing gear. | | |
| | Training for fishermen and port agents. | | |
| For operations relating to the construction, installation or modernisation of static or movable facilities, costs relating to the actions: | The purchase and, if applicable, the installation of facilities to protect marine areas from trawling. | Acquisition of a vessel to be submerged and used as an artificial reef. | |
| | The purchase and, if applicable, the installation of facilities to restore degraded marine ecosystems. | Costs relating to the construction and maintenance of fish aggregating devices. | |
| | Costs relating to preliminary work such as prospecting, scientific studies or evaluations. | | |
| For operations that are aimed at a better management or conservation of marine biological resources. costs relating to the purchase or, if applicable, the installation of the items: | Circular hooks. | | |
| | Acoustic deterrent devices on nets. | | |
| | Turtle excluder devices ('TEDs'). | | |
| | Streamer lines. | | |
| | Other tools or devices proven efficient in preventing accidental catches of protected species. | | |
| | Training for fishermen on better management or conservation of marine biological resources. | | |
| | Projects focussing on coastal habitats of importance for fish, birds and other organisms. | | |
| | Projects focusing on areas of importance for fish reproduction, such as coastal wetlands. | | |
| For operations consisting of the preparation of | For the replacement of existing fishing gear with low impact fishing gear, costs related to fish pots and traps, jigging and hand-lining. | | |
| For operations consisting of the preparation of | Carrying out studies, in particular for the monitoring and surveillance of species and habitats including mapping, and risk management. | | |

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| protection and management plans for fishery-related activities and costs relating to the actions: | Mapping fishing activity and intensity and interactions with protected species and habitats. | | |
| | Consulting stakeholders during the preparation of management plans. | | |
| | Developing and applying indicators for pressures and for impacts and performing conservation status assessments. | | |
| | Training for fishermen and other persons working for or on behalf of the bodies responsible for the management of marine protected areas ('MPAs') relevant for the preparation of protection and management plans for fishery-related activities. | | |
| | Demarcation of MPAs. | | |
| | Surveillance including salaries of personnel involved in surveillance activities. | | |
| | Carrying out publicity and awareness raising measures in relation to MPAs. | | |
| | Assessing the impacts of the management plans on Natura 2000 areas and on the fisheries areas affected by the management plans. | | |
| For operations relating to the management, restoration and monitoring of Natura 2000 sites and Marine Protected Areas and to increasing environmental awareness, costs related to the actions: | Consultation of stakeholders during the preparation of management plans. | | |
| | Development and application of indicators for pressures/impacts and conservation status assessments. | | |
| | Surveillance of Natura 2000 sites and MPAs. | | |
| | Training for persons working for or on behalf of the bodies responsible for the management of Natura 2000 sites and MPAs. | | |
| | Training of fishermen on conservation and restoration of marine ecosystems and related alternative activities such as eco-tourism in Natura 2000 sites and MPAs. | | |
| | Mapping fishing activity and monitoring its intensity and | | |

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| | <p>recording fishery interactions with protected species such as seals, sea turtles, dolphins, seabirds.</p> <p>Supporting the development of fisheries management measures in Natura 2000 sites and MPAs, such as IA studies and risk assessment, including actions fostering the improvement of their coherence.</p> <p>Support to measures increasing environmental awareness, involving fishermen, with regard to the protection and restoration of marine biodiversity.</p> <p>Cooperation and networking of managers of Natura 2000 sites and MPAs.</p> | | |
| For operations relating to the participation in other actions aimed at maintaining and enhancing biodiversity and ecosystem services, costs related to the actions: | <p>Costs relating to schemes to test novel monitoring techniques, and in particular:</p> <ul style="list-style-type: none"> remote electronic monitoring systems, such as CCTV, for the monitoring and recording of incidental catches of protected species; the recording of oceanographic data such as temperature, salinity, plankton, algae blooms or turbidity; the mapping of invasive alien species (IAS); and actions, including studies, to prevent and control the expansion of IAS. <p>Financial incentives for the installation on board of automatic recording devices for monitoring and recording oceanographic data such as temperature, salinity, plankton, algae blooms or turbidity.</p> <p>Costs for chartering of commercial fishing vessels for environmental observation at a rate proportional to the activity.</p> <p>Costs for other scientific actions related to the mapping and assessment of marine and coastal ecosystems and their services.</p> | | |
| For operations | Actions reducing physical and | | |

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| aiming at restoring specific marine and coastal habitats in support of sustainable fish stocks: | chemical pollution. | | |
| | Actions reducing other physical pressures, including anthropogenic underwater noise that negatively affect biodiversity. | | |
| | Positive conservation measures to protect and conserve flora and fauna, including the re-introduction of or stocking with native species, and applying Green Infrastructure principles referred to in the Commission Communication on Green Infrastructure. | | |
| | Actions to prevent, control or eliminate IAS. | | |

Support will only be granted once for the same type of investment on the same vessel during the EMFF programming period.

See the **General Summary** for a list of ineligible costs for all EMFF projects.

To Note

Article 39 Innovation linked to the conservation of marine biological resources

Net Revenue

The net revenue generated by the participation of the fishing vessel in the project funded under this article must be deducted from the eligible expenditure of the project.

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

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

INFORMATION REQUIRED TO COMPLETE THE FORM

Before you proceed with creating an application you may wish to have the following items at hand or be aware that they will be necessary to accompany your application when it is submitted.

- A business case – if the total cost of your project is £25,000 or more then you will need to write a business case using the template provided in the Business Case Template document.

- Financial information - current and expected turnover and balance sheets.
- Quotes for costs to be incurred.
- If the eligible cost quote is over £0 and up to £1,500 – At least one quote must be provided.
- If the eligible cost quote is £1,500.01 and up to £5,000 – At least two quotes must be provided. If at least two quotes have not been provided, then a comment must be entered explaining why.
- If the eligible cost quote is £5,000.01 and up to £60,000 – At least three quotes must be provided. If at least three quotes have not been provided, then a comment must be entered explaining why.
- If any single eligible cost quote is equal to or over £60,000.01 –
Public applicants – A formal tender is required, you can contact us for advice on this before you go to tender. Evidence must be provided that a tender has taken place, including evidence of the evaluation system used, details of the chosen tender and scoring. The tendering must follow EU procurement rules.
Private applicants - 3 quotes or evidence of tender including evidence of the evaluation system used, details of the chosen tender and scoring.
- Company/charity and Value Added Tax (VAT) Registration numbers if applicable to your circumstances.
- Organisation headcount numbers if applicable to your circumstances.

DEFINITIONS

In these notes:

- **You** means the applicant. You can employ an agent or consultant to help you complete your application form but you must sign the form. You will be responsible for ensuring that all of the terms and conditions for grant are fulfilled. Responsibility for the content of the application and any supporting information and documentation rests with you and cannot be transferred to your consultants. In particular, this means that you will be expected to retain ownership of the work which is being grant aided.
- **We** means Marine Scotland.
- **Fisherman** means any person engaging in commercial fishing activities, as recognised by the Member State.
- **Fisheries area** means an area with a sea, river or lake shore, including ponds or a river basin, with a significant level of employment in fisheries that is functionally coherent in geographical, economic and social terms and is designated as such by a Member State.
- **Inland fishing** means fishing activities carried out for commercial purposes in inland waters by vessels or other devices.
- **Vessels operating exclusively in inland waters** means vessels engaged in commercial fishing in inland waters and not included in the Union fishing fleet register.
- **A public law body** is an organisation financed, managed or

supervised by the government.

The information provided in this Guidance Note must only be taken as a guide to the grants which are available. The legal basis for the grants is Articles 26, 37, 38, 39, 40 & 44 of Council Regulation (EC) 508/2014, which can be found at <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0508&from=EN>

Grant Rates

Total public money in the tables below is the maximum grant rate for each category, the grant rate is variable up to this maximum and there is no guarantee of assistance. The next columns are for information and show how the maximum grant is split between European funds and national funds. The Private column shows the minimum amount of private money applicants will have to contribute to the project.

Most commercial projects will be eligible for a maximum of 50% grant support; the exceptions are detailed in the table below. Also some projects which can show they meet all 3 criteria in the last row may be eligible for higher rates of assistance, again these are maximums and there are no guarantees.

Some projects may have other national funding from bodies such as local authorities, coastal communities fund, enterprise companies. This is encouraged and must be entered on applications.

Grant Rates Key;

SSCF – Small scale coastal Fishing – vessels 11.99m or less not using towed gear

PO – Producer Organisation

SME – Micros, small and medium enterprises – see General Guidance note for further advice

| Article 26 Innovation in Fisheries | | | | |
|--|--|--------|------------------------------|-----------|
| Article 37 Design and implementation of conservation measures and regional cooperation | | | | |
| Article 39 Innovation linked to the conservation of marine biological resources | | | | |
| Article 40 Protection and restoration of marine biodiversity and ecosystems and compensation regimes in the framework of sustainable fishing activities | | | | |
| Article 40 Protection and restoration of marine biodiversity and ecosystems and compensation regimes in the framework of sustainable fishing activities – | | | | |
| Collection of lost fishing gear and marine litter | | | | |
| Type of Applicant | Grant Rates as Percentages of Eligible Costs | | | |
| | Total public money % | EMFF % | National % (SG and/or Other) | Private % |
| Public | 100 | 75 | 25 | 0 |
| Private | 50 | 37.5 | 12.5 | 50 |
| Private (non-SME) – 20% | 30 | 22.5 | 7.5 | 70 |
| Private (SSCF) + 30% | 80 | 60 | 20 | 20 |
| Private (organisations of fishermen/collective) +10% | 60 | 45 | 15 | 40 |
| Private (POs) +25% | 75 | 56.25 | 18.75 | 25 |

| | | | | |
|---|----------|-------|------|------|
| <p>If any of the types of applicant above has a project in which meets the criteria below, the grant rates above will be superseded by the rates below; * Projects can also have other national funds, if these exceed the max grant rate then they will substitute for national IB.</p> | | | | |
| Projects which meet all the following three criteria – see General Guidance for details; 1. Project has collective interests 2. Project has collective beneficiaries 3. Project has innovative features | 50 - 100 | 0- 50 | 0-50 | 0-50 |

| Article 44 Inland fishing and inland aquatic fauna and flora Article 44.6 Inland fishing and inland aquatic fauna and flora – Construction, modernisation or installation of static or moveable facilities & Management and restoration of NATURA 2000 sites | | | | |
|---|--|--------|------------------------------|-----------|
| Type of Applicant | Grant Rates as Percentages of Eligible Costs | | | |
| | Total public money % | EMFF % | National % (SG and/or Other) | Private % |
| Public | 100 | 75 | 25 | 0 |
| Private | 50 | 37.5 | 12.5 | 50 |
| Private (non-SME) – 20% | 30 | 22.5 | 7.5 | 70 |
| Private (organisations of fishermen/collective) +10% | 60 | 45 | 15 | 40 |
| Private (POs) +25% | 75 | 56.25 | 18.75 | 25 |
| <p>If any of the types of applicant above has a project in the category below, the grant rates above will be superseded by the rates below;</p> | | | | |
| Projects which meet all the following three criteria – see General Guidance for details; 1. Project has collective interests 2. Project has collective beneficiaries 3. Project has innovative features (if applicable) | 50 - 100 | 0- 50 | 0-50 | 0-50 |

Contact details

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