



EMFF POST 2020

Admissibility of applications by beneficiaries

EMFF Expert Group

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Why such provisions on admissibility of applicants to the EMFF?

- In order to ensure **continuity and transition** between programming periods, as this **already exists** in the current EMFF!
- The EMFF impact-assessment confirmed that, **for stakeholders, operators should continue to comply with CFP rules** to be able to get support through the EMFF.
- This **principle** is also **included in the CFP Regulation 1380/2013**, which lays down in its Art. 42 that “Union financial assistance to operators shall be conditional upon compliance with the CFP rules by operators”.

In which case shall an applicant be considered as inadmissible to the EMFF?

4 cases are set out in Art. 12 of the EMFF Proposal:

- a) If he/she **has committed serious infringements,**
- b) If he/she has been involved in operations with fishing vessels listed in the **Union IUU vessel** list or with a vessel flagged to a **non-cooperating third country;**
- c) If he/she applies for aquaculture and has committed **environmental offences** referred to in Directive 2008/99/EC;
- d) If he/she has committed a **fraud to the Union's financial interests.**

Art. 12 is very similar to the current Art. 10. However, it is simpler and ensures more proportionality.

For which period?

There are actually 2 periods to be considered:

- 1) The compliance period:** as in the current period, the compliance principle is applicable for the whole implementation period of the EMFF as well as 5 years after the last payment.
- 2) The ineligibility period:** as in the current period, the period of ineligibility related to each case of admissibility will be **determined in a delegated act**, together with the threshold triggering the inadmissibility period.

However, the ineligibility period will have to be of **at least 1 year**.

What are the consequences for beneficiaries?

As in the current period, they will have to:

- Provide a **signed statement** stating that he/she complies with admissibility rules.
- **Continue to comply** with these rules during the whole programming period and for 5 years after the last payment.

What are the consequences for Member States' Managing Authorities?

1. They will have to **check the veracity** of the statement provided by the applicant.
2. If a beneficiary fails to comply with CFP rules, they will have to apply **financial corrections**, but this correction will have to be **proportionate**.

There is **no change** to rules applicable in the current period.

What will be the role of the Commission?

- The Commission will have to **prepare a delegated act regarding the threshold** triggering the inadmissibility, the **length of period** of inadmissibility and the relevant **starting and ending dates**.
- The principle of **proportionality** will have to be taken on board.
- COM intends to propose a rollover of existing rules in order to ensure stability and continuity with systems currently in place in Member States.

Thank you for your attention!

Do you have questions?