

**EXPLANATORY MEMORANDUM TO**  
**THE GRANTS FOR FISHING AND AQUACULTURE INDUSTRIES**  
**REGULATIONS 2015**

**2015 No. 1711**

1. This explanatory memorandum has been prepared by the Department for Environment, Food and Rural Affairs (Defra) and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Purpose of the instrument**

- 2.1 These Regulations put in place the procedures for the management of the European Maritime and Fisheries Fund in England, in particular the payment, advertisement, application approval, and enforcement and penalties conditions associated with the fund.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

- 3.1 None.

4. **Legislative Context**

- 4.1 Regulation (EU) No. 508/2014 of the European Parliament and Council on the European Maritime and Fisheries Fund (“the EMFF”) repeals Council Regulations (EC) No. 1198/2006 and 791/2007 on the European Fisheries Fund (“the EFF”).

- 4.2 These Regulations revoke the Grants for Fishing and Aquaculture Industries Regulations 2007 (2007 No. 3284) that were put in place for the EFF.

5. **Territorial Extent and Application**

- 5.1 This instrument extends to England and Wales but applies in relation to England only.

- 5.2 Scotland, Wales and Northern Ireland will implement the requirements through their own SIs in a way that delivers consistency at a UK level.

## **6. European Convention on Human Rights**

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

- What is being done and why

7.1 The EMFF outlines the funding priorities for the EU's maritime and fisheries policies for 2014-2020, and is a key component of the Common Fisheries Policy ("CFP") and in particular the implementation of the new CFP requirements.

7.2 The EMFF replaces the previous funding programme, the EFF, and will provide financial support to the fishing (catching), aquaculture and processing sectors; marketing of fishery and aquaculture products; community-led local development initiatives; and marine environmental protection. The EMFF will also support the control and enforcement of the CFP, and the collection of data under the data collection framework.

## **8. Consultation outcome**

8.1 A public consultation on the proposals for which measures and policy priorities for the EMFF to support was held from 31 March to 12 May 2014 inclusive. The consultation also outlined the proposed EMFF allocations in each administration, and against the Union Priorities. The consultation on the EMFF was included in a package of CFP consultations together with those on implementing the pelagic landing (discard ban) in England; and the new fish labelling and marketing requirements under the Common Organisation of the Market in fishery and aquaculture products.

8.2 The consultation was circulated to a wide selection of stakeholders and industry with an interest in the proposals, in particular fisheries and aquaculture producer organisations, the fish catching sector, the aquaculture sector, fish processors, fisheries local action groups and coastal communities, environmental organisations, fishermen's organisations, ports and harbours sector, non-departmental public bodies, and Local Authorities.

8.3 Eighteen responses to the consultation were received in total from a wide range of stakeholder organisations. Nine responses related specifically to the questions asked in the consultation, whilst nine were more generic in nature as to the measures and priorities that the EMFF should support.

8.4 After carefully considering the responses received, the Government in its response committed to continue working with the Scottish, Welsh and Northern Irish administrations to finalise the strategic priorities for the fund and the measures it would support, taking into account the final UK budget allocation. The Government and Devolved Administrations would also focus on finalising the SWOT (strengths,

weaknesses, opportunities, threats) analysis and needs assessment, amending these as appropriate to reflect the comments received from stakeholders, and working with the external evaluators appointed to review these.

## **9. Guidance**

9.1 The appropriate bodies are in the process of finalising the application forms and associated guidance for when the fund is launched in the UK.

## **10. Impact**

10.1 The impact on business, charities or voluntary bodies is negligible.

10.2 The impact on the public sector is negligible.

10.3 An Impact Assessment was produced to accompany the public consultation on the proposed measures for EMFF support. This is available on the following link:

[https://consult.defra.gov.uk/fisheries/european-maritime-and-fisheries-fund-in-the-uk/supporting\\_documents/Impact%20Assessment%20%20European%20Maritime%20and%20Fisheries%20Fund.pdf](https://consult.defra.gov.uk/fisheries/european-maritime-and-fisheries-fund-in-the-uk/supporting_documents/Impact%20Assessment%20%20European%20Maritime%20and%20Fisheries%20Fund.pdf).

## **11. Regulating small business**

11.1 The rules have to be applied to all businesses applying for funding in order for the benefits to be realised.

## **12. Monitoring & review**

12.1 A report to review these Regulations must be published before the end of the period of 5 years beginning on the day on which these Regulations come into force.

## **13. Contact**

Paul Little at the Department for Environment, Food and Rural Affairs. Tel: 020 7238 6904, email: paul.little@defra.gsi.gov.uk can answer any queries regarding the instrument.