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COMMISSION IMPLEMENTING DECISION

of 7 December 2012

on an additional financial contribution towards Member States' fisheries control, inspection and surveillance programmes for 2012

(notified under document C(2012) 8967)

(Only the Bulgarian, Danish, Dutch, English, Finnish, French, German, Greek, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Spanish and Swedish texts are authentic)

(2012/830/EU)

(OJ L 356, 22.12.2012, p. 78)

Corrected by:

- **C1** Corrigendum, OJ L 173, 26.6.2013, p. 71 (2012/830/EU)
- **C2** Corrigendum, OJ L 59, 28.2.2014, p. 43 (2012/830/EU)

**COMMISSION IMPLEMENTING DECISION****of 7 December 2012****on an additional financial contribution towards Member States' fisheries control, inspection and surveillance programmes for 2012***(notified under document C(2012) 8967)***(Only the Bulgarian, Danish, Dutch, English, Finnish, French, German, Greek, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Spanish and Swedish texts are authentic)**

(2012/830/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea ⁽¹⁾, and in particular Article 21 thereof,

Whereas:

- (1) Based upon the requests for Union co-financing that have been submitted by Member States in their fisheries control programmes for 2012, the Commission has adopted Implementing Decision 2012/294/EU of 25 May 2012 on a Union financial contribution towards Member States' fisheries control, inspection and surveillance programmes for 2012 ⁽²⁾, which has left some of the 2012 budget available unused.
- (2) That unused part of the 2012 budget should now be allocated by a new Decision.
- (3) In conformity with Article 21(2) of Regulation (EC) No 861/2006, Member States have been asked to submit programmes related to additional funding in the priority areas defined by the Commission in its letter to Member States of 25 April 2012, i.e. projects aiming at improvements in the control system of a Member State as jointly identified by the Member State and the Commission, measurement of engine power, and traceability of fishery products. Requirements to be met by operators and/or Member States carrying out investments in traceability projects were defined by the Commission in its letter of 14 May 2012.

⁽¹⁾ OJ L 160, 14.6.2006, p. 1.

⁽²⁾ OJ L 150, 9.6.2012, p. 86.

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- (4) On that basis and given budgetary constraints, requests in the programmes for Union funding related to actions such as pilot projects, the construction or modernisation of patrol vessels and aircrafts, and those training projects having no link with improvements to be brought in the control systems of Member States have been rejected since they were not dedicated to the priority areas defined above. Within the priority areas indicated by the Commission, not all the projects in the programmes could be retained, due to budgetary restraints. The Commission had to select the projects to be co-financed on the basis of the improvements to be brought in the control systems of Member States and of the requirements defined by the Commission for traceability. Applications concerning actions listed in Article 8(1)(a) of Regulation (EC) No 861/2006 may qualify for Union funding.
- (5) As to traceability projects, it is important to ensure that they are developed on the basis of internationally recognised standards, as required by Article 67(8) of Commission Implementing Regulation (EU) No 404/2011 ⁽¹⁾.
- (6) The applications for Union funding have been assessed with regard to their compliance with the rules set out in Commission Regulation (EC) No 391/2007 of 11 April 2007 laying down detailed rules for the implementation of Council Regulation (EC) No 861/2006 as regards the expenditure incurred by Member States in implementing the monitoring and control systems applicable to the Common Fisheries Policy ⁽²⁾.
- (7) The Commission has assessed the projects whose cost does not exceed EUR 40 000 VAT excluded, and has retained those for which it is justified to provide for Union co-financing in the light of the improvements they are likely to bring to the control system of the applicant Member States.
- (8) It is appropriate to fix the maximum amounts and the rate of the Union financial contribution within the limits set by Article 15 of Regulation (EC) No 861/2006 and to lay down the conditions under which such contribution may be granted.
- (9) In order to encourage investment in the priority actions defined by the Commission and in view of the negative impact of the financial crisis on Member States' budgets, expenditure related to the abovementioned priority areas should benefit from a high co-financing rate, within the limits laid down in Article 15 of Regulation (EC) No 861/2006.
- (10) In order to qualify for the contribution, projects co-financed on the basis of this Regulation should comply with all the relevant provision of Union legislation and, in particular with Implementing Regulation (EU) No 404/2011.

⁽¹⁾ OJ L 112, 30.4.2011, p. 1.

⁽²⁾ OJ L 97, 12.4.2007, p. 30.

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- (11) The measures provided for in this Decision are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION:

*Article 1***Subject matter**

This Decision provides for an additional Union financial contribution towards expenditure incurred by Member States for 2012 in implementing monitoring and control systems applicable to the common fisheries policy (CFP), as referred to in Article 8(1)(a) of Regulation (EC) No 861/2006. It establishes the amount of the Union financial contribution for each Member State, the rate of the Union financial contribution and the conditions on which such contribution may be granted.

*Article 2***Closure of outstanding commitments**

All payments in respect of which a reimbursement is claimed shall be made by the Member State concerned by 30 June 2016. Payments made by a Member State after that deadline shall not be eligible for reimbursement. Unused budgetary appropriations related to this Decision shall be de-committed at the latest by 31 December 2017.

*Article 3***New technologies & IT networks**

1. Expenditure incurred, in respect of projects referred to in Annex I, on the setting up of new technologies and IT networks in order to allow efficient and secure collection and management of data in connection with monitoring, control and surveillance of fisheries activities, shall qualify for a financial contribution of 90 % of the eligible expenditure, within the limits laid down in that Annex.

2. As far as traceability projects are concerned, the EU contribution shall be limited to EUR 1 000 000 in case of investments carried out by Member State authorities, and to EUR 250 000 in case of private investments. The total number of traceability projects carried out by private operators shall be limited to 8 per Member State and per financing decision.

3. In order to qualify for the financial contribution referred to in paragraph 2, all projects co-financed according to this Decision shall satisfy the applicable requirements laid down in Council Regulation (EC) No 1224/2009 ⁽¹⁾ and Implementing Regulation (EU) No 404/2011.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

▼B*Article 4***Automatic localisation devices**

1. Expenditure incurred, in respect of projects referred to in Annex II, on the purchase and fitting on board of fishing vessels of automatic localisation devices enabling vessels to be monitored at a distance by a fisheries monitoring centre through a vessel monitoring system (VMS) shall qualify for a financial contribution of 90 % of the eligible expenditure, within the limits established in that Annex.
2. The financial contribution referred to in paragraph 1 shall be calculated on the basis of a price capped at EUR 2 500 per vessel.
3. In order to qualify for the financial contribution referred to in paragraph 1, automatic localisation devices shall satisfy the requirements laid down in Implementing Regulation (EU) No 404/2011.

*Article 5***Electronic recording and reporting systems**

Expenditure incurred, in respect of projects referred to in Annex III, on the development, purchase, and installation of, as well as technical assistance for, the components necessary for electronic recording and reporting systems (ERS), in order to allow efficient and secure data exchange related to monitoring, control and surveillance of fisheries activities, shall qualify for a financial contribution of 90 % of the eligible expenditure, within the limits laid down in that Annex.

*Article 6***Electronic recording and reporting devices**

1. Expenditure incurred, in respect of projects referred to in Annex IV, on the purchase and fitting on board of fishing vessels of ERS devices enabling vessels to record and report electronically to a Fisheries Monitoring Centre data on fisheries activities, shall qualify for a financial contribution of 90 % of the eligible expenditure, within the limits established in that Annex.
2. The financial contribution referred to in paragraph 1 shall be calculated on the basis of a price capped at EUR 3 000 per vessel, without prejudice of paragraph 4.
3. In order to qualify for a financial contribution, ERS devices shall satisfy the requirements established in Implementing Regulation (EU) No 404/2011.
4. In case of devices combining ERS and VMS functions and fulfilling the requirements laid down in Implementing Regulation (EU) No 404/2011 the financial contribution referred to in paragraph 1 of this Article shall be calculated on the basis of a price capped at EUR 4 500 per vessel.



Article 7

Total maximum Union contribution per Member State

The planned expenditure, the eligible share thereof, and the maximum Union contribution per Member State are as follows:

(EUR)

Member State	Expenditure planned in the national fisheries control additional programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Belgium	194 250	94 250	84 825
Bulgaria	30 678	30 678	27 610
Denmark	5 055 113	3 522 171	2 941 347
Germany	4 511 100	425 000	382 500
Ireland	52 005 000	1 000 000	900 000
Greece	1 246 750	1 246 750	1 122 075
Spain	10 528 653	7 029 087	6 326 179
France	4 815 437	3 349 587	3 014 628
Italy	9 299 000	2 880 000	2 592 000
Latvia	76 355	76 355	68 719
Lithuania	150 462	150 462	135 416
Malta	1 098 060	951 860	856 674
Netherlands	2 639 439	250 000	225 000
Austria	409 102	128 179	115 361
Poland	4 771 695	1 516 741	1 365 067
Portugal	2 013 500	1 863 500	1 677 150
Finland	2 560 000	2 280 000	2 052 000
Sweden	2 980 000	2 900 000	2 610 000
United Kingdom	1 284 738	545 284	490 755
Total	105 669 332	30 239 904	26 987 307

Article 8

Addressees

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Kingdom of Denmark, the Federal Republic of Germany, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

▼ C2

ANNEX I

NEW TECHNOLOGIES & IT NETWORKS

<i>(EUR)</i>			
Member State & project code	Expenditure planned in the national fisheries control additional programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Belgium:			
BE/12/08	30 000	30 000	27 000
BE/12/09	4 250	4 250	3 825
BE/12/10	100 000	0	0
Subtotal	134 250	34 250	30 825
Bulgaria:			
BG/12/02	30 678	30 678	27 610
Subtotal	30 678	30 678	27 610
Denmark:			
DK/12/20	336 419	0	0
DK/12/22	269 136	0	0
DK/12/23	538 271	0	0
DK/12/24	134 568	134 568	121 111
DK/12/25	95 637	0	0
DK/12/26	158 911	0	0
DK/12/27	275 864	275 864	248 278
DK/12/28	272 500	272 500	245 250
DK/12/29	281 265	281 265	250 000
DK/12/30	282 592	282 592	250 000
DK/12/31	280 439	280 439	250 000
DK/12/32	296 049	296 049	250 000
DK/12/33	262 407	262 407	235 870
DK/12/34	269 136	269 136	242 222
DK/12/35	22 000	22 000	19 800
DK/12/36	405 000	405 000	250 000
DK/12/37	375 000	375 000	250 000
DK/12/38	163 500	163 500	147 150
Subtotal	4 718 694	3 320 319	2 759 681
Germany:			
DE/12/23	400 000	400 000	360 000
DE/12/24	165 000	0	0
DE/12/25	250 000	0	0
DE/12/27	358 000	0	0
DE/12/28	110 000	0	0
DE/12/29	350 000	0	0
DE/12/30	95 000	0	0
DE/12/31	443 100	0	0

▼ C2

(EUR)

Member State & project code	Expenditure planned in the national fisheries control additional programme	Expenditure for projects selected under this Decision	Maximum Union contribution
DE/12/32	650 000	0	0
DE/12/33	970 000	0	0
DE/12/34	275 000	0	0
DE/12/35	420 000	0	0
Subtotal	4 486 100	400 000	360 000
Ireland:			
IE/12/06	20 000	0	0
IE/12/08	70 000	0	0
Subtotal	90 000	0	0
Greece:			
EL/12/11	180 000	180 000	162 000
EL/12/12	750 000	750 000	675 000
EL/12/13	180 000	180 000	162 000
EL/12/14	26 750	26 750	24 075
EL/12/15	110 000	110 000	99 000
Subtotal	1 246 750	1 246 750	1 122 075
Spain:			
ES/12/02	939 263	939 263	845 336
ES/12/03	974 727	974 727	877 255
ES/12/05	795 882	795 883	716 294
ES/12/06	759 305	759 305	683 375
ES/12/08	163 250	163 250	146 925
ES/12/09	72 000	72 000	64 800
ES/12/10	100 000	100 000	90 000
ES/12/11	379 000	379 000	341 100
ES/12/12	490 000	490 000	441 000
ES/12/13	150 000	150 000	135 000
ES/12/15	150 000	0	0
ES/12/18	54 000	54 000	48 600
ES/12/19	290 440	290 440	261 396
ES/12/21	17 500	17 500	15 750
ES/12/22	681 000	0	0
ES/12/23	372 880	372 880	335 592
ES/12/24	415 254	0	0
Subtotal	6 804 501	5 558 247	5 002 423
France:			
FR/12/08	777 600	777 600	699 840
FR/12/09	870 730	870 730	783 656
FR/12/10	229 766	229 766	206 789
FR/12/11	277 395	277 395	249 656
FR/12/12	230 363	230 363	207 327

▼ C2

(EUR)

Member State & project code	Expenditure planned in the national fisheries control additional programme	Expenditure for projects selected under this Decision	Maximum Union contribution
FR/12/13	197 403	197 403	177 663
FR/12/14	450 000	450 000	405 000
FR/12/15	211 500	0	0
FR/12/16	274 330	274 330	246 897
FR/12/17	254 350	0	0
Subtotal	3 773 437	3 307 587	2 976 828
Italy:			
IT/12/13	135 000	135 000	121 500
IT/12/15	125 000	125 000	112 500
IT/12/16	withdrawn	0	0
IT/12/17	250 000	250 000	225 000
IT/12/18	250 000	0	0
IT/12/19	630 000	630 000	567 000
IT/12/21	1 500 000	1 500 000	1 350 000
IT/12/22	311 000	0	0
IT/12/23	38 000	0	0
IT/12/26	1 900 000	0	0
Subtotal	5 139 000	2 640 000	2 376 000
Latvia:			
LV/12/02	6 732	6 732	6 058
LV/12/03	58 350	58 350	52 515
Subtotal	65 082	65 082	58 573
Lithuania:			
LT/12/04	150 462	150 462	135 416
Subtotal	150 462	150 462	135 416
Malta:			
MT/12/04	30 000	30 000	27 000
MT/12/07	261 860	261 860	235 674
Subtotal	291 860	291 860	262 674
Netherlands:			
NL/12/07	250 000	250 000	225 000
NL/12/08	278 172	0	0
NL/12/09	277 862	0	0
NL/12/10	286 364	0	0
NL/12/11	276 984	0	0
NL/12/12	129 398	0	0
NL/12/13	129 500	0	0
NL/12/14	200 000	0	0
NL/12/15	230 000	0	0
NL/12/16	136 329	0	0

▼ C2

(EUR)

Member State & project code	Expenditure planned in the national fisheries control additional programme	Expenditure for projects selected under this Decision	Maximum Union contribution
NL/12/17	19 300	0	0
NL/12/18	36 120	0	0
NL/12/19	89 860	0	0
NL/12/20	299 550	0	0
Subtotal	2 639 439	250 000	225 000
Austria:			
AT/12/01	128 179	128 179	115 361
AT/12/02	280 923	0	0
Subtotal	409 102	128 179	115 361
Poland:			
PL/12/02	103 936	0	0
PL/12/04	41 028	0	0
PL/12/06	15 955	0	0
PL/12/07	40 500	0	0
PL/12/08	1 000 000	1 000 000	900 000
PL/12/09	172 600	0	0
PL/12/10	1 505 000	0	0
PL/12/11	208 760	0	0
PL/12/12	227 350	0	0
PL/12/13	240 300	0	0
PL/12/14	323 000	323 000	290 700
PL/12/15	181 000	0	0
PL/12/16	416 000	0	0
Subtotal	4 475 429	1 323 000	1 190 700
Portugal:			
PT/12/08	25 000	25 000	22 500
PT/12/10	150 000	150 000	135 000
PT/12/11	150 000	0	0
Subtotal	325 000	175 000	157 500
Finland:			
FI/12/11	1 000 000	1 000 000	900 000
FI/12/12	1 000 000	1 000 000	900 000
FI/12/13	280 000	280 000	252 000
FI/12/14	280 000	0	0
Subtotal	2 560 000	2 280 000	2 052 000
Sweden:			
SE/12/07	850 000	850 000	765 000
SE/12/08	750 000	750 000	675 000
SE/12/09	300 000	300 000	270 000
SE/12/10	1 000 000	1 000 000	900 000

▼ C2

(EUR)

Member State & project code	Expenditure planned in the national fisheries control additional programme	Expenditure for projects selected under this Decision	Maximum Union contribution
SE/12/11	80 000	0	0
Subtotal	2 980 000	2 900 000	2 610 000
United Kingdom:			
UK/12/51	122 219	122 219	109 997
UK/12/52	564 086	0	0
UK/12/54	50 141	50 141	45 127
UK/12/55	43 873	43 873	39 486
UK/12/56	122 219	122 219	109 997
UK/12/73	12 535	12 535	11 282
UK/12/74	162 958	162 958	146 662
Subtotal	1 078 032	513 945	462 551
Total	41 397 816	24 615 360	21 925 217

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ANNEX II

AUTOMATIC LOCALISATION DEVICES

<i>(EUR)</i>			
Member State & project code	Expenditure planned in the national fisheries control additional programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Germany:			
DE/12/22	25 000	25 000	22 500
Subtotal	25 000	25 000	22 500
Spain:			
ES/12/17	1 256 340	0	0
ES/12/20	326 124	0	0
Subtotal	1 582 464	0	0
Italy:			
IT/12/12	240 000	240 000	216 000
IT/12/14	130 000	0	0
IT/12/20	3 400 000	0	0
Subtotal	3 770 000	240 000	216 000
Malta:			
MT/12/03	146 200	0	0
MT/12/05	400 000	400 000	360 000
Subtotal	546 200	400 000	360 000
Total	5 923 664	665 000	598 500

▼ C1

ANNEX III

ELECTRONIC RECORDING AND REPORTING SYSTEMS

<i>(EUR)</i>			
Member State & project code	Expenditure planned in the national fisheries control additional programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Belgium:			
BE/12/07	60 000	60 000	54 000
Sub-Total	60 000	60 000	54 000
Denmark:			
DK/12/19	201 852	201 852	181 666
DK/12/21	134 567	0	0
Sub-Total	336 419	201 852	181 666
Ireland:			
IE/12/05	1 000 000	1 000 000	900 000
Sub-Total	1 000 000	1 000 000	900 000
Spain:			
ES/12/04	1 207 352	1 207 352	1 086 617
ES/12/07	263 488	263 488	237 139
Sub-Total	1 470 840	1 470 840	1 323 756
France:			
FR/12/18	42 000	42 000	37 800
Sub-Total	42 000	42 000	37 800
Latvia:			
LV/12/01	11 273	11 273	10 146
Sub-Total	11 273	11 273	10 146
Malta:			
MT/12/06	260 000	260 000	234 000
Sub-Total	260 000	260 000	234 000
Poland:			
PL/12/03	170 948	170 948	153 853
PL/12/05	22 793	22 793	20 514
Sub-Total	193 741	193 741	174 367
Portugal:			
PT/12/09	75 000	75 000	67 500
Sub-Total	75 000	75 000	67 500
Total	3 449 274	3 314 706	2 983 235

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ANNEX IV

ELECTRONIC RECORDING AND REPORTING DEVICES

(EUR)

Member State & project code	Expenditure planned in the national fisheries control additional programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Portugal:			
PT/12/07	1 613 500	1 613 500	1 452 150
Total	1 613 500	1 613 500	1 452 150

▼ C1

ANNEX V

TRAINING & EXCHANGE PROGRAMMES

<i>(EUR)</i>			
Member State & project code	Expenditure planned in the national fisheries control additional programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Ireland:			
IE/12/07	15 000	0	0
Sub-Total	15 000	0	0
Spain:			
ES/12/16	40 000	0	0
Sub-Total	40 000	0	0
United Kingdom:			
UK/12/58	2 507	0	0
UK/12/59	14 416	0	0
UK/12/60	1 253	0	0
UK/12/61	877	0	0
UK/12/62	2 507	0	0
UK/12/63	3 384	0	0
UK/12/64	11 282	0	0
UK/12/65	17 549	0	0
UK/12/66	11 282	0	0
UK/12/67	9 401	9 401	8 461
UK/12/68	9 401	0	0
UK/12/69	11 281	0	0
UK/12/70	9 401	9 401	8 461
UK/12/71	9 401	0	0
UK/12/72	12 536	12 536	11 282
Sub-Total	144 030	31 338	28 204
Total	199 030	31 338	28 204

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ANNEX VI

AMOUNTS RELATED TO PILOT PROJECTS AND TO THE ACQUISITION OR MODERNISATION OF PATROL VESSELS AND AIRCRAFT THAT WERE REJECTED

(EUR)

Type of expenditure	Expenditure planned in the national fisheries control additional programme	Expenditure for projects selected under this Decision	Maximum Union contribution
Pilot projects:			
<i>Subtotal</i>	<i>693 523</i>	<i>0</i>	<i>0</i>
		<i>0</i>	<i>0</i>
Patrol vessels and aircraft			
<i>Subtotal</i>	<i>52 392 525</i>	<i>0</i>	<i>0</i>
<i>Total</i>	<i>53 086 048</i>	<i>0</i>	<i>0</i>