

EMFF Guidance for Fisheries Local Action Groups (FLAGS)

1. The European Maritime and Fisheries Fund (EMFF) is the fund for the EU's maritime and fisheries policies for 2014-2020. It has been created to support the objectives of the Common Fisheries Policy (CFP) and to encourage the development of the EU Integrated Maritime Policy. It is one of the five European Structural and Investment (ESI) Funds which complement each other and seek to promote a growth and job based recovery in Europe.

The fund

- Helps fishermen in the transition to sustainable future
- Supports sustainable aquaculture
- Supports coastal communities
- Finances projects that create new jobs and improve quality of life along European coasts

The objectives of the EMFF are to:

- Promote sustainable and competitive fisheries and aquaculture
- Promote a balanced and inclusive territorial development of fisheries areas
- Contribute to the implementation of the CFP
- Foster the development and implementation of the Integrated Maritime Policy so that it complements the Common Fisheries Policy

2. Local Development Strategy (LDS)

Each LDS set out the strategy for both Rural and Coastal areas and is approved by the applicable Managing Authority. The FLAG is responsible for delivering the applicable elements of the LDS through the animation, promotion and facilitation of applicable projects.

The minimum contents of the strategy are defined by EU regulations as:

- the definition of the area and population covered by the strategy;
- an analysis of the development needs and potential of the area, including an analysis of strengths, weaknesses, opportunities and threats;
- a description of the strategy and its objectives, a description of the integrated and innovative features of the strategy and a hierarchy of objectives, including measurable targets for outputs or results. In relation to results, targets may be expressed in quantitative or qualitative terms. The strategy shall be consistent with the relevant programmes of all the ESI Funds concerned that are involved;
- a description of the community involvement process in the development of the strategy;
- an action plan demonstrating how objectives are translated into actions;
- a description of the management and monitoring arrangements of the strategy, demonstrating the capacity of the local action group to implement the strategy and a description of specific arrangements for evaluation;

- the financial plan for the strategy, including the planned allocation from each of the ESI Funds concerned

The LDS is the strategic document for the utilisation of FLAG funds and sets the description of the strategy and its objectives for any project applications. FLAGs will have to demonstrate how projects will contribute to the LDS to be eligible for funding. Selection criteria

Funding Allocation will be based on FLAG performance against three broad criteria:

1. Socio-economic conditions in the FLAG area
2. Fishing activity and dependence
3. Local Development Strategy quality with respect to fisheries

3. EMFF Financial Responsibility and Delivery

The support to fishing communities will be delivered in partnership between FLAGs and Marine Scotland, as the Intermediate Body designated by the UK Audit Authority. Given the complexities of one UK EMFF Operational Programme and the requirement for one consistent Management and Control System, Marine Scotland will be the body with financial responsibility for all expenditure in Scotland under the EMFF programme. All awards will be made by Marine Scotland with all claims being submitted to, and checked by, Marine Scotland. FLAG will be responsible for the day to day operation of the Group, the animation and promotion of the programme, capacity building and co-operation. FLAGs will put in place arrangement to consider application, provide advice and make recommendation on awards. They will also be the first point for all enquiries and complaints.

All project documentation will be submitted through and handled by the EMFF e system which designated FLAG personnel will have access to.

Arrangements will be set out in a Framework Agreement between both bodies.

4. Decision making processes (sub-groups, quorum, scoring, Chairs, amendments)

The FLAG decision making process will be established in the SLA between Marine Scotland and the FLAG. This will confirm the process for making recommendation on projects to Scottish Ministers.

Sub groups will be established as the FLAG sees fit however any recommendations on project support must be made and in line with the EMFF and Common Provisions Regulations;

EMFF regulation 508/2014 states that FLAGs shall:

(a) broadly reflect the main focus of their strategy and the socioeconomic composition of the area through a balanced representation of the main stakeholders, including private sector, public sector and civil society;

(b) ensure a significant representation of the fisheries and/or aquaculture sectors.

Common Provisions Regulation 1303/2013

(b) led by local action groups composed of representatives of public and private local socio-economic interests, in which, at the decision-making level neither public authorities, as defined in accordance with national rules, nor any single interest group represents more than 49 % of the voting rights.

Any FLAG member who has an interest in an applicant project must declare that interest immediately, and remove themselves from the FLAG meeting during the decision making process. They may not attempt to influence the outcome of the decision in any way otherwise the project application may be rejected.

It is crucial that decisions made at all points through the management of the EMFF are made consistently and fair. To this end, there are overarching points that staff need to bear in mind at all times. These are outlined in the attached annex.

5. Fisheries Local Actions Groups (FLAGs)

FLAGs are funded through the Community-Led Local development articles of the EMFF regulation. Their function is to manage a funding budget within the FLAG designated area by promoting the scheme and selecting projects that best meet the needs of their Local Development strategy (LDS).

Project assessment – FLAGs - select projects using the agreed selection criteria set out in the this document and make recommendations to Marine Scotland.

The FLAG must supply any supporting documentation and the FLAG evaluation form which will set out the decision of the FLAG against its LDS and will be signed by the FLAG chair.

Queries from applicants on FLAG projects at any stage of its life should be handled by the FLAG in the first instance.

Appeals – FLAGs – Appeals against decisions should be considered initially by the relevant FLAG. If an appeal is received by the IB it should be forwarded to the FLAG. Once a FLAG has considered the appeal it should be forwarded to the IB and then the appeal procedure should be followed.

Complaints - FLAGs – Complaints made by applicants on FLAG projects at any stage of their lives must be managed by the relevant FLAG. All FLAGs require to put in place a a complaints procedure which must be followed.

Payment of Claims – FLAGs – Claims received for FLAG projects are managed in the same way as EMFF claims.

Post Project monitoring – FLAGs - FLAG projects will be subject to post project monitoring in the same way as all EMFF projects.

6. Application Process

FLAGs will animate the programme and deal with expression of interest.

Applications will be through the on line e system portal which will hold all applications and allow access by designated FLAG personnel. Eligibility validation will be undertaken jointly by MS and FLAGs.

The E-System General Overview

The E-System is a UK platform and is used to manage all applications to the EMFF. The Scottish projects can only be accessed by the IB and FLAGs (for their projects) until the project is approved. After this point the UK Managing Authority, Certifying Authority and Audit Authority will have read only rights.

IB team members using the system will be referred to as 'users' unless their specific role is referenced.

User Login

The application is accessed by using an internet browser to navigate to the website:

<https://eurofish.marinemanagement.org.uk/Eurofish/public/home.aspx>

- Password details will be provided by Lockheed Martin on the receipt of the required eligibility information from MS. FLAGs should therefore contact MS to seek login information
- Username login details will be provided by Marine Scotland separately.

Example of Landing Screen

Login Screen

EMFF

European Maritime & Fisheries Fund Online Applications & Claims

Login

Login Details

Please note the system will automatically log you out of your account after 10 minutes of inactivity.

Username

Password

Request a New Password

If the password cannot be remembered or is not accepted then a new password can be requested from the login screen. The username and the registered Email address must be entered to request a new password. Once the details entered have been validated the new password will be issued directly to the registered email account.

Regenerate Password

Regenerate Password

User Details

Please specify your username and registered email address.
A new password will then be generated and sent via email.

Username (Required)

Email (Required)

Website

Following a successful login, the user will be presented with a standard home page.

Home Page

The screenshot shows the EMFF Home Page. At the top, there is a dark blue header with the EMFF logo and the text "European Maritime & Fisheries Fund Online Applications & Claims". Below the header is a navigation menu with links: Homepage, Applications, Claims, Project Monitoring, Notify Changes, Irregularities, Applicants, My Details, Reports, Maintenance, Test Data, and Logout. The user is logged in as "IB, Penelope Pitstop [Admin] (Marine Management Organisation)".

Quick Access Menu

- Create Application
- My Applications
- My Claims
- My Details

Applications Summary

Received	T&E Reviewed	T&E Checked	Specialist Reports Received	Application Checked
0	0	0	0	0

Claims Summary

Received	Assessed	Specialist Reports Received	Checked
0	0	0	0

Last login date: Tuesday 29 December 2015 at 9:50AM © Crown Copyright. All rights reserved.

The welcome text guides the user to use the Console Functions toolbar (see below) to navigate through the various website pages. Please note that the Console Functions toolbar is dynamic and will only show buttons that are applicable to the role(s) of the current user account.

This screenshot shows the same EMFF Home Page navigation menu as above, but with several items highlighted in yellow: Applications, Claims, Project Monitoring, Notify Changes, Irregularities, Applicants, My Details, Reports, Maintenance, and Logout.

A user can be assigned more than one role unless there would be a conflict, E.g., Administrator could also be an IB User Administrator. However a checker cannot be an approver as there is a conflict of interest.

The EMFF e-system is set up to handle two types of applicants, most applicants will be set up as 'applicant', however Fisheries Local Action Groups (FLAGs) are set up as a FLAG applicant to enable them to apply for Community Led Local Developments. Applications will be completed by the applicant using the EMFF e-system. Once the application is fully complete they will submit it online and the application will appear on the IB users home screen (see Section 0). If the applicant cannot use the e-system, i.e. if the applicant does not have any means of accessing the internet, an applicant may contact the IB and request another format; we can then issue them a paper application form from our website which they will return in the post. Paper application forms are available online

E-System Application

The e-system will validate whether the application is complete by checking that all required fields have been filled out. If the application is complete, the application status will be set to 'submitted'. If the application is incomplete, the applicant will be prompted to revise the application. When an applicant submits an application they are prompted to print a copy and sign and date the form before posting to the FLAG. **In all cases however it will only be necessary for the declaration page to be printed and signed.**

In all instances submitted FLAG applications will be viewed simultaneously by the FLAG and Marine Scotland.

Application Search Screen

Please note that this guide assumes the start point for all users performing a role in the Application Submission or Assessment process to be from the login page. For all IB/FLAG roles, the first step will be to search for the application that has been submitted by an applicant and now requires IB/FLAG assessment to review the application through to a formal offer being issued.

Once the user has logged into the EMFF System they will select the Applications button from the Console Functions toolbar at the top of the screen to access the Application Search screen.

Application Search Screen

Application Search IB, Penelope Pitstop [Admin] (Marine Management Organisation)

Application Search

Application Reference Application Project Title Application Status
Any

Show Advanced Filter

Search for Application

Reference	Title	Status	Applicant Name	Priority							
ENG1001	test 1	In Progress	Applicant Marine Management Organisation -1	1	Overview	Application	Assessment	P.P. Monitoring	Withdraw	Decommit	Documents
ENG1002	Health and safety project	Submitted to IB	Applicant Marine Management Organisation -1	1	Overview	Application	Assessment	P.P. Monitoring	Withdraw	Decommit	Documents

The user can enter any relevant search criteria into the Application Search pane to return 1 or more applications in the results pane below the search pane.

Alternatively the user can leave the search criteria blank and select the 'Search button' resulting in all applications being returned.

Application Search Screen: Results Pane

The Application Search Results pane is divided between:

- The 6 static columns that show basic information about an application (Title through to Union Priority); and
- A number of dynamic buttons that appear when relevant to the stage of application and the role of the current user.

Application Search Screen: Results Pane

Reference	Title	Status	Applicant Name	Programme	Axis							
2009/EngCon/40/0011	A.40: Conv. New Markets and Promotions [Private]	In Progress	Applicant E-2	Convergence	3	Overview	Details	Assessment	Withdraw	Decommit	Documents	Delete App
2009/EngCon/41/0005	A.41: Conv. Pilot Operations [Private]	In Progress	Applicant E-2	Convergence	3	Overview	Details	Assessment	Withdraw	Decommit	Documents	Delete App
2014/EngComp/25/0040	Test Application	Application Checked	Applicant E-4	Competitiveness 1		Overview	Details	Assessment	Withdraw	Decommit	Documents	
2014/EngComp/35/0011	Test Application For Desk Instructions	Submitted to IB	Applicant E-4	Competitiveness 2		Overview	Details	Assessment	Withdraw	Decommit	Documents	Record Receipt

[Export](#)

[Create](#)

This guide will refer generally to searching for an application and will provide information on and a screenshot of the button relevant to that stage of the Application Assessment process.

Application Search Screen: Standard Buttons

There are a few standard buttons that appear within the Application Search Results pane that can be selected throughout the Application Assessment process:

- **Overview:** Selecting this button will present the user with a high level overview of the Application from the create application screen. It includes the form and article selected.
- **Application:** Selecting this button will present the user with the Application form.
- **Assessment:** Selecting this button will present the user with a full summary of the checks and actions that have been undertaken against the application by the IB; inclusive of any assessment made by other panel members involved with the assessment of the application.
- **P.P monitoring:** Shows any post project activity. This button is greyed out if there is none.
- **Documents:** Selecting this button will present the Application Panel Member with a list of any documents that have been linked to the application. Note that this button will only be made available once a document has been uploaded to an application.
- **Notes:** Selecting this button will present the application notes screen where notes can be added or viewed. Notes cannot be deleted and therefore a user should take care when making an application note. Whilst an applicant can't view the application notes screen they ask for this information under a freedom of information request.
- **Withdraw:** Selecting this button will formally withdraw the application from the assessment process in the same way that an Applicant is able to delete an application prior to submission.
- **Delete:** An application can be deleted before it has been submit to an IB, selecting this button will delete the application.

Record Receipt of Application

On receipt of an application, the IB/FLAG administrator must take the following actions;

- Date stamp the application form;
- Scan a copy of the application form ready to upload into the EMFF System. If the applicant has submitted a paper form with supporting documents, these documents will need to be scanned too.

- Log into EMFF System and perform a search to see if the application has been submit online. The applicant name or title of the project are good search options. If the form was submit on line the project reference number should be noted for the front of the paper file.
- Create a paper file to hold the original signed form, there is no need to print off any other supporting documents for the paper file as it is acceptable to hold these on-line provided they do not hold a hard copy signature. The paper file should display the following information on the front page;
 - Project reference number
 - The name of the project
 - The name of the applicant
 - The name of the business (if applicable)
 - The date the application was received
- If the application was not submit on line the administrator will need to create an application, type the details on the paper form into the EMFF System and upload the scanned documents. Instructions on how to do this can be found in the 'Applicant' user guide.
- Log into the EMFF System to record receipt of the application (see section below)

If the FLAG Administrator receives the paper of application direct from the applicant, they should ensure that it is submitted to the IB with the necessary original signatures. This is to allow the Start of work to issue from Marine Scotland.

The receipt of an application is recorded on EMFF System by the Administrator.

On logging onto the EMFF System, the IB/FLAG administrator selects the 'Applications' link from the Console Functions toolbar and then searches for a specific application or applications.

Any application that has status of 'Submitted to IB' will have a 'Record Receipt' button available. These are all of the applications that have been submitted by an applicant and are appropriate for this stage of the Application Assessment process.

Selecting the Record Receipt button will navigate the user to the Application Assessment screen.

The User is able to amend the information within the 'Record Receipt of Application' pane (where necessary) and also upload documents to the application (where necessary).

Record Receipt of Application

Application Assessment

Initial Application Information

Title	Test Application For Desk Instructions
Reference	2014/EN/Comp/IS/0011
Version Number	0
Status	Submitted to IS
Applicant	Applicant E-4
Applicant Reference	00100
Programme	England Competitiveness (England excluding Cornwall) and the Isles of Scilly (EPF)
Fund Name	Competitiveness
Intermediate Body	England
Area	England
Application Type	European Fisheries Fund
Axis	Axis 2 (Non-convergence): Aquaculture inland fishing processing and marketing of fishing and aquaculture products
Axis Measure	Fish processing and marketing
Action	Construction, extension, equipment and modernisation of processing units

Record receipt of application

Date Received by IS: 24 Jan 2014
County: Bedfordshire
NUTS Name: UNITED KINGDOM
NUTS Code: UK
Responsible IS User: Dean O'Roughness (England)

Document Upload

Please note that only valid files can be uploaded with the application. The file must be less than 4MB in size and must be in one of the following formats:
doc, docx, xls, xlsx, ppt, pptx, vsd, vsdx, mp3, mpeg, csv, txt, rtf, pdf, png, zip, zip, omd, imag

Add Another File

Upload Clear Files

Record Receipt Cancel

Please note that if the user selects the Cancel button at the bottom of the page at any time the EMFF System will navigate back to the Search screen and disregard all changes that have been made to the Application Assessment screen.

Once the user is happy that the information on this page is correct they will select the 'Record Receipt' button at the bottom of the page. This will change the status of the application to 'Received', automatically send the applicant a notification email and make the application applicable for the Conduct Technical and Eligibility Checks stage of the process.

7. Roles of Local action groups

Common Provision Regulation Article 34 set out the roles of local action groups. These require to be considered in line with the EMFF regulation;

Local action groups shall design and implement the community-led local development strategies.

Member States shall define the respective roles of the local action group and the authorities responsible for the implementation of the relevant programmes, concerning all implementation tasks relating to the community-led local development strategy.

The managing authority or authorities responsible shall ensure that the local action groups either select one partner within the group as a lead partner in administrative and financial matters, or come together in a legally constituted common structure.

The tasks of local action groups shall include the following:

(a) building the capacity of local actors to develop and implement operations including fostering their project management capabilities;

(b) drawing up a non-discriminatory and transparent selection procedure and objective criteria for the selection of operations, which avoid conflicts of interest, ensure that at least 50 % of the votes in selection decisions are cast by partners which are not public authorities, and allow selection by written procedure;

(c) ensuring coherence with the community-led local development strategy when selecting operations, by prioritising those operations according to their contribution to meeting that strategy's objectives and targets;

(d) preparing and publishing calls for proposals or an ongoing project submission procedure, including defining selection criteria;

(e) receiving and assessing applications for support;

(f) selecting operations and fixing the amount of support and, where relevant, presenting the proposals to the body responsible for final verification of eligibility before approval;

(g) monitoring the implementation of the community-led local development strategy and the operations supported and carrying out specific evaluation activities linked to that strategy.

8. Communication and publicity

Day to day communication and publicity will be handled through the FLAG. Communication on the awards and wider scheme publicity will be jointly handled by the FLAG and MS.

9. Publicity of Projects Receiving Grants

It is a requirement of the EU Commission that all beneficiaries of grant aid from the EMFF are publicised. This is called the Transparency Initiative. The following information must be made public on the Marine Scotland website:

- the name of the recipient of the grant;
- the community fleet register identification number (if the project is linked to a fishing vessel);
- the name of the project;
- a brief summary describing the project;
- the start and expected completion date for the project;
- the total of eligible costs;
- the total grant awarded;
- the post code and country that the project is based in; and
- which Union priority the project is related to.

This information will be updated at least twice a year and the updated must be cleared dated. The responsibility to update the Transparency initiative lies with the European Grants Team within Marine Scotland.

This information is included in the General Summary document and in the Conditions of Grant for applicants and acceptance of a grant is deemed acceptance of the requirement for publicity outlined above.

The Transparency initiative can be found here;

<http://www.gov.scot/Topics/marine/grants-subsidies>

10. Applicant publicity requirements

The European Commission and Marine Scotland will publish brief details of all successful projects, including the applicants name or organisation's name as applicable, a description of the project and broad details of any grants awarded; this is called the Transparency Initiative.

All information and communication measures provided by the beneficiary shall acknowledge support from the Funds to the operation by displaying:

1.

(a) the Union emblem in accordance with the technical characteristics laid down in the implementing act adopted by the Commission under Article 115(4), together with a reference to the Union;

(b) a reference to the Fund or Funds supporting the operation.

Where an information or communication measure relates to an operation or to several operations co-financed by more than one Fund, the reference provided for in point (b) may be replaced by a reference to the ESI Funds.

During implementation of an operation, the beneficiary shall inform the public about the support obtained from the Funds by:

2.

(a) providing on the beneficiary's website, where such a website exists, a short description of the operation, proportionate to the level of support, including its aims and results, and highlighting the financial support from the Union;

(b) placing, for operations not falling under point 3, at least one poster with information about the project (minimum size A3), including the financial support from the Union, at a location readily visible to the public, such as the entrance area of a building.

No later than three months after completion of an operation, the beneficiary shall put up a permanent plaque or billboard of significant size at a location readily visible to the public for each operation that fulfils the following criteria:

3. (a) the total public support to the operation exceeds EUR 500 000;

(b) the operation consists of the purchase of a physical object or of the financing of infrastructure or of construction operations.

The plaque or billboard shall state the name and the main objective of the operation.

11. Monitoring and Evaluation

As per point (g) of the Common Provision Regulation Article 34 above, the FLAG shall carry out monitoring the implementation of the community-led local

development strategy and the operations supported, carrying out specific evaluation activities linked to that strategy.

Overall the FLAG will support the monitoring and evaluations process, identifying project issues and delivering the requirements set out in the SLA. The FLAG will be subject to monitoring by Marine Scotland, in line with the MA and CA monitoring of MS.

10. Administration budgets (eligible costs etc)

Administration support for FLAGs shall come from the lead CLLD fund, EAFRD through the LEADER programme. FLAG budgets require to be agreed within that structure. Wider support such as preparatory support requires to be agreed between the FLAG and Marine Scotland prior to any commitments.

The Common Provision Regulation sets out guidance Support from the ESI Funds for community-led local development;

Article 35

Support from the ESI Funds concerned for community-led local development shall cover:

(a) the costs of preparatory support consisting of capacity building, training and networking with a view to preparing and implementing a community-led local development strategy.

Such costs may include one or more of the following elements:

(i) training actions for local stakeholders;

(ii) studies of the area concerned;

(iii) costs related to the design of the community-led local development strategy, including consultancy costs and costs for actions related to consultations of stakeholders for the purposes of preparing the strategy;

(iv) administrative costs (operating and personnel costs) of an organisation that applies for preparatory support during the preparation phase;

(v) support for small pilot projects.

Such preparatory support shall be eligible regardless of whether the community-led local development strategy designed by the local action group benefitting from the support is selected for funding by the selection committee set up under Article 33(3).

(b) implementation of operations under the community-led local development strategy;

(c) preparation and implementation of the local action group's cooperation activities;

(d) running costs linked to the management of the implementation of the community-led local development strategy consisting of operating costs, personnel costs, training cost, costs linked to public relations, financial costs as well as the costs linked to monitoring and evaluation of that strategy as referred to in point (g) of Article 34(3);

(e) animation of the community-led local development strategy in order to facilitate exchange between stakeholders to provide information and to promote the strategy and to support potential beneficiaries with a view to developing operations and preparing applications.

Support for running costs and animation as referred to in points (d) and (e) of paragraph 1 shall not exceed 25 % of the total public expenditure incurred within the community-led local development strategy.

11. Guidance for Applicants

Guidance on eligibility of costs requires to take into account the EMFF regulation and the wider state aid cover of the fisheries and general block exemptions. It is therefore not possible to provide a list of eligible expenditure as this can be subject to sectoral or financial limitations. Eligibility will be established at either the point of the expression of interest or when the application is entered onto the e system (which will also carry out certain valedictory checks). **All projects must, in the first instance, be assessed against and have a fit within, the Local Development Strategy.**

In general the EMFF regulation identifies the following eligible categories;

Article 63

Implementation of community-led local development strategies

1. Support for the implementation of community-led local development strategies may be granted for the following objectives:

- (a) adding value, creating jobs, attracting young people and promoting innovation at all stages of the supply chain of fishery and aquaculture products;*
- (b) supporting diversification inside or outside commercial fisheries, lifelong learning and job creation in fisheries and aquaculture areas;*
- (c) enhancing and capitalising on the environmental assets of the fisheries and aquaculture areas, including operations to mitigate climate change;*
- (d) promoting social well-being and cultural heritage in fisheries and aquaculture areas, including fisheries, aquaculture and maritime cultural heritage;*
- (e) strengthening the role of fisheries communities in local development and the governance of local fisheries resources and maritime activities.*

Article 64

Cooperation activities

1. Support referred to in Article 35(1)(c) of Regulation (EU) No 1303/2013 may be granted to:

- (a) inter-territorial or transnational cooperation projects;*
- (b) preparatory technical support for inter-territorial and transnational cooperation projects, on the condition that FLAGs can demonstrate that they are preparing the implementation of a project.*

For the purposes of this Article, the term 'inter-territorial cooperation' means cooperation within a Member State, and the term 'transnational cooperation' means

cooperation between territories in several Member States or cooperation between at least one territory of a Member State and one or more territories in third countries.

For the purposes of this Article, apart from other FLAGs, the partners of a FLAG under the EMFF may be a local public–private partnership that is implementing a community–led local development strategy within or outside the Union.

Please see the table below for further general guidance on eligibility. Please note;

- All costs must be directly attributable to the project.
- All costs must be accompanied by evidence that they have been both incurred and paid by the applicant.
- This list is not exhaustive and can be amended at any time by Marine Scotland without notice and with immediate effect.

General Eligibility	
Eligible	Not eligible
Costs directly related to the project including; Hardware, installation including labour, staff time, delivery of items, ancillary work - E.g. pipework necessary for an installation	Costs not directly related to the project
Second hand equipment – where the items provide good value for money, items are suitable for the project and are fit for purpose	Insurance costs/premiums
Construction of buildings and infrastructure within any restrictions imposed by the regulation or policy of the Marine Scotland	Fishing vessel licence or quota costs
Vehicles – where they are directly necessary for the delivery of the project and are not personal transport.	Fuel, transport costs to places of work.
Projects related to the management and processing of fisheries and aquaculture products (In some cases those not	TBC

intended for human consumption are also eligible)	
Waste management costs when directly attributable to the project	Consumables unless directly related to the delivery of the project.
Staff costs including non-pay staff costs accompanied by timesheets, proof of hourly rate, job description and proof of payment	Any costs of items already owned by the applicant or the project.
Project management costs up to a limit of X% per project	Spares or items not intended for direct use or installation
Consumables if directly attributable to the project	The same or very similar item of equipment on the same European Union registered fishing vessel during the EMFF programming period (2014-2020)
Running costs if they are directly attributable to the project and are calculated using an approved apportionment methodology	Items or equipment that increases a vessels capacity to catch fish
Costs relating directly to the development of a project to application stage and prior to applying to the fund up to a value of 10% of the total project cost and if supported by proof they have been incurred and paid and at the discretion of [insert IB]	Items or equipment that increases the ability of a fisherman/vessel to find fish
Removal and appropriate disposal of items within a project E.g. an old engine when replacing	Items on Hire Purchase or lease – items must be owned by the project/applicant unless they are temporary items necessary for the delivery of the project E.g. the hire of a crane
Projects concerned with inland waterways and migratory passes in line with the EMFF regulation	Purchase of buildings and housing costs including living costs associated with housing and land purchase
Commercial at-sea angling	The construction of new fishing vessels or the importation of fishing vessels

	including those used exclusively for inland fishing
Marine engines including outboard engines where they provide the main propulsion for fishing vessels. 1 main propulsion engine or 2 engines if vessel is fitted with 2 currently per vessel during the EMFF scheme. If applying for 2 engines they must be applied for on the same application form at the same time.	The purchase and modernisation of Inland fishing vessels
Deposits made prior to the start date of a project to secure items where a reason is provided to [insert MMO] e.g. to secure a price or discount. % limit of overall item cost and how much before the start date?	Exploratory fishing
	Direct restocking, unless explicitly provided for as a conservation measure by a European Union legal act or in the case of experimental restocking
	Costs/value of items already owned by the applicant
	Personal transport costs including the purchase of cars, vans, motorcycles, bicycles
	Any physical site work, purchases or other expenditure incurred before the project start date. Some
	Temporary works not directly related to the delivery of the project
	Maintenance costs for buildings, plant, equipment or any other items.
	Contingencies.

	Service charges arising on finance leases, hire purchase and credit arrangements.
	Payments for activity of a political nature
	Business costs including those connected with leasing contracts, arranging loans, expropriation, notional expenditure, contingent liabilities, interest charges, costs incurred as a consequence of statutory enforcement action, costs resulting from the deferral of payments to creditors, costs involved in winding up a commercial company, payments for unfunded pensions, compensation for loss of office, bad debts arising from loans to employees, proprietors, partners directors, guarantors, shareholders or a person connected with any of these, dividends to shareholders, the transfer of ownership of a business, profit, working capital, bank charges and interest,
	Depreciation, amortisation and impairment of assets
	Personal entertainments
	Statutory fines and penalties, criminal fines and damages and legal expenses in respect of litigation.
	Consultancy/agent costs E.g. help with completion of EMFF forms. For help with forms and further guidance please contact IB
	The construction, extension or modernisation of hatchery facilities
	Pulse trawling/fishing
	Gear that is demonstrably equal or less selective than the gear already in use.
	Gear that is detrimental to stocks and ecosystems

12. Selection Criteria

Purpose of Selection Criteria

The Selection Criteria is used to ensure that operations which are selected to receive funding under the EMFF scheme support the aims of the OP. UK Selection Criteria has therefore been approved by the UK Programme Monitoring Committee and is set out at Annex B. However, due to the nature of CLLD, agreement has been reached that approved selection criteria will not be applicable CLLD measures, for which specific criteria are established. This therefore provides an option for FLAG to apply the UK selection approach or develop their own approach which is consistent with the guidance below

CLLD Preparatory Support (Article 62(1)(a))

The activities selected under Article 62(1)(a) are deemed to be selected for support if they relate to the development of a Local Development Strategy or other CLLD preparatory support areas which are consistent with section 5 of the EMFF OP.

CLLD Running Costs and Animation (Article 62(1)(d))

The activities selected under Article 62(1)(d) are deemed to be selected where it can be evidenced that the activities support the delivery of an approved CLLD Local Development Strategy (LDS)

CLLD Implementation of CLLD Strategies and Cooperation Activities (Article 63 and Article 64)

The operations selected under Articles 63 and 64 should be assessed in line with Annex II of this document.

Selection Criteria Assessment Rankings

Assessment Rankings for:

- Union priority Specific Objective
- Union priority Specific Result Indicator(s)
- Other Union priorities and other Result Indicators

NOTE: As per guidance from the EC Fisheries and Aquaculture Monitoring and Evaluation (FAME) Unit, the assessment of an operation's contribution to a Result Indicator can be made in absolute or relative terms.

HIGH	Operation delivers significant benefits for the level of investment and/or significantly contributes to the achievement of the Specific Objective and/or Result Indicator.
MEDIUM	Operation delivers reasonable benefits for the level of investment and/or reasonably contributes to the achievement of the Specific Objective and/or Result Indicator.
LOW	Operation delivers poor benefits for the level of investment and/or has limited or no contribution to the achievement of the Specific Objective and/or Result Indicator.

Assessment Rankings for Deliverability

HIGH	The application provides a significant level of assurance that that the operation and the benefits, targets, objectives and outcomes will be achieved. Assurance can be assessed by reviewing evidence such as, but not exclusively, the rationale for the application, the experience of the applicant and the achievability of the targets and outcomes.
MEDIUM	The application provides a reasonable level of assurance that that the operation and the benefits, targets, objectives and outcomes will be achieved. Assurance can be assessed by reviewing evidence such as, but not exclusively, the rationale for the application, the experience of the applicant and the achievability of the targets and outcomes.
LOW	The application provides a poor level of assurance that that the operation and the benefits, targets, objectives and outcomes will be achieved. Assurance can be assessed by reviewing evidence such as, but not exclusively, the rationale for the application, the experience of the applicant and the achievability of the targets and outcomes.

In addition, the operations should also be assessed against their contribution to the achievement of the relevant CLLD LDS. This assessment should be made using the following scoring criteria:

HIGH	Operation significantly contributes to the achievement of the relevant Local Development Strategy.
MEDIUM	Operation reasonably contributes to the achievement of the relevant Local Development Strategy.
LOW	Operation has limited or no contribution to the achievement of the relevant Local Development Strategy.

Role of the Managing Authority and Intermediate Bodies

The functions of the Managing Authority are clearly set out in the Common Provisions Regulation under Article 125. Article 125(3)(b), concerning the selection of operations, states that the Managing Authority shall “ensure that a selected operation falls within the scope of the Fund or Funds concerned and can be attributed to a category of intervention or, in the case of the EMFF, a measure identified in the priority or priorities of the operational programme”

Under the UK EMFF programme, all decisions with regard to the Selection of Operations are delegated by the Managing Authority to the Intermediate Bodies (as allowed for under Common Provision Regulation Article 123(7)).

Selection and Eligibility Assessment

All applications for EMFF funding are assessed by the Intermediate Bodies against two key areas:

- Eligibility assessment – this is an assessment which seeks to determine whether an application for funding is eligible i.e. meets all of the basic criteria to qualify to be considered for funding under the EMFF scheme. Detailed eligibility rules will be available to applicants.
- Selection Criteria – these enable a qualitative assessment that seeks to determine whether the EMFF application merits being awarded funding from the EMFF scheme based the support for the objectives and results outlined in the OP.
- All applications are assessed by suitably qualified and/or experienced individuals from within the Intermediate Bodies or from other organisations who can add value to the application assessment process. These individuals may form a selection panel. Depending on the financial size and/or the complexity of the

application for funding, the assessment may be supported by a range of individuals which may include external expert input. These processes are set out in the Intermediate Body Desk Instructions.

12. Delineation between FLAG Projects and national EMFF programme

The overall aim for the EMFF programme in Scotland is to deliver a coherent, co-ordinated programme which delivers on the stated priorities. The partnership working between FLAGs and Marine Scotland is therefore crucial to support local projects through the CLLD approach, and where necessary identify projects which are eligible and a priority under the wider national EMFF Programme. Marine Scotland will seek to put in place an appropriate approach to ensure that the necessary advice is available to support this element of the programme.

13. Intervention Rates and Match Funding

In general the EMFF regulation identifies support of **up to 50%** to single commercial businesses and **up to 100%** for projects which have a collective beneficiary or interest. However there are a number of exceptions to this approach. The relevant article (94) in the EMFF regulation identifies public aid intensities;

Member States shall apply a maximum intensity of public aid of 50 % of the total eligible expenditure of the operation.

By way of derogation from paragraph 1, Member States may apply an intensity of public aid between 50 % and 100 % of the total eligible expenditure where:

(a) the operation 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;

(b) the operation is implemented under Chapter III of Title V, fulfils one of the criteria referred to in points (a)(i), (ii) or (iii) of this paragraph and provides public access to its results.

By way of derogation from paragraph 1, additional percentage points of public aid intensity shall apply for specific types of operations as set out in Annex I (of the EMFF Regulation).

The assessment of any project should in the first instance identify what is the minimum public intervention to allow the project to proceed. If the level sought is beyond that available then the project is not eligible.

14. Determination of co-financing rates

The necessary level of Member state co financing (25%) will be provided by the Scottish Government for all projects. Further co financing can be provided by other public bodies, as long as the total public intervention rates are respected. This approach would increase the overall value of the FLAG programme by reducing the

EMFF co financing in certain projects. The minimum level of EMFF assistance requires to be respected.

15. Procurement (number of quotes, thresholds, assessment processes, need to use PCS)

Reviewing Quotes Submitted with Application

The Process

As part of an application for EMFF funding, applicants are required to submit quotes and tenders for the various items/services which will be acquired as part of the project for which funding is being sought and nominate those quotes and tenders which they want to form part of their projects.

Reviewing the quotes and tenders supplied and nominated by applicants will form part of the assessment of the application for grant funding.

Number of Quotes Required

In all cases there are set numbers of quotes required for individual items applied for as part of an application, with the number of quotes or tenders required determined by the cost of the item/service being purchased. These are set out in **Error! Reference source not found.** Users should refer to this when considering whether the requisite quotes have been provided.

Minimum Number of Quotes Required

Individual Items With a Value (excluding VAT) of:	Number of Quotes or Tenders
over £0 and up to £1,500	Single written quote.
£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 as to why.
£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 as to why.
equal to or over £60,000.01	Formal 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.

There may, however, be occasions when fewer than the required number of quotes can be obtained by applicants. For example, the item may be a particularly specialised piece of equipment, which is only produced by one or two suppliers. In such circumstances, the USER should ask the applicant to provide an explanation as to why the requisite number of quotes has not been provided.

A decision will then have to be made on the legitimacy of that explanation. That decision will have to take into account a number of considerations, including the reason for the shortfall and the reasonableness and proportionality of insisting on the correct number of quotes.

Tenders – If an applicant has submitted tenders with their application they should be checked to ensure they contain the information required to be able to make a decision on them. Applicants should be sending in;

- A copy of the advert/request for tenders that was published,
- A copy of the chosen tender
- The scoring mechanism used and a copy of the actual scoring of the tenders concerned.

It is important, both in terms of ensuring high quality and consistent decision making and in terms of minimising so far as possible the risk of legal challenge, that Users record the reasons for the ultimate decision. This should take the form of a file note/report that explains the reasoning underpinning the decision. The decision, accompanied by detailed reasons, should then also be sent to the applicant.

Allowing Additional Time for Submission of Quotes

In some circumstances an applicant may be given time to provide further quotes. A request for further time has to be made by the applicant in writing, with an explanation as to why extra time is being sought. Circumstances which may result in additional time being allowed might include, but are not limited to:

- When the USER is told that another quote can be provided within a short timeframe;
- When a reasonable reason for the delay is given such as holidays, fishing patterns or family issues e.g. bereavement;
- When a quote needs to be sourced from a foreign company;
- When the USER expresses concerns over management of the project and the reliability of the applicant supplying the quotes. For example if an applicant has failed to comply with previous requests for information.

Whether to allow additional time to submit further quotes should be considered carefully to ensure that procedural fairness is maintained. The decision should be made taking into account the following (this list is non-exhaustive):

- The reason for the request for additional time;
- The amount of time requested;
- How pressing the time constraints are in processing the application;
- The prejudice to be caused by the applicant in refusing to grant additional time; and
- Whether additional time has been granted in similar cases.

As above, it is important in ensuring high quality and consistent decision making that USER record the full reasons for making the decision. The decision, along with a statement of the reasons, should be communicated to the applicant via the E system or in writing if the applicant is not registered on the system and does not have an email address and a record kept of the decision and the reasons underpinning it.

If extra time is to be granted to an applicant, applicants should be reminded that this will not necessarily be possible in relation to any future applications they make and is dependent on the circumstances of each case. It is important that applicants do not come to have a legitimate expectation that extensions of time will be given and that they know not to rely on such a possibility in future cases. In other words, the USER must make clear that if an extension of time is to be granted, it is only in this instance and does not indicate that extensions will always be permitted.

Any extensions for submission of quotes should be noted on the e-system or file and should include the timescale of the extension provided and the reason for it.

The applicant should be advised of the decision to allow or reject an extension for submission of claims using either the e-system or in writing if the applicant is not registered on the e-system and does not have an email address.

If extra time for the submission of quotes is allowed and breached by the applicant consideration must be given to allowing further time. It is not recommended that further extensions are allowed. In most cases the applicant should be advised to withdraw their application and reapply when the quotes are available, the applicant should be reminded that this is without prejudice to future applications.

Veracity of Quotes Provided

As well as ensuring that the requisite numbers of quotes or tenders have been included with the application, Users will have to take a view on the veracity of the quotes or tenders provided. This is a particularly important step in order to prevent corruption and illegitimate applications. For example, it may be that the applicant knows the supplier of the quotes or tenders and has had the quotes tailored so that they do not reflect the actual costs involved.

The extent of the investigation of the quotes will be proportionate to the size of the project and value of the quotes or tenders being provided. Quotes or tenders for high value goods/services should undergo detailed scrutiny. Steps that can be taken to determine the legitimacy of quotes or tenders provided may include:

- Spot checks by contacting suppliers who have provided quotes or tenders; This should be done by phone stating that you are calling from [insert IB] and why you are calling. Evidence of the call must be logged on the e-system or file with a date, name of the person contacted, the business name and details of the conversation.
- Internet searches of the company providing the quotes or tenders (e.g. to check they are still operating);
- Searches on the officers of the company stated to have provided the quotes or tenders.

The quotes or tenders themselves should also be scrutinised. Comparing the quotes or tenders provided alongside each other rather than individually will help to highlight inconsistencies or issues regarding their legitimacy. Factors which go to the legitimacy of the quotes or tenders provided may include, but are not limited to:

- Similarities in the format, font and language of the various quotes provided;
- Whether contact details such as a telephone number and address of the company are provided;
- The level of detail provided by the quote; and

- The formality of the language used.

Where, despite reasonable attempts being made by Users, the veracity of the quotes or tenders cannot be verified, for example where there is no record of the company providing the quote or tender on the internet, its existence with Companies House or directory information, Users should refer the matter to the [their line management]. However, before taking that step, it will be useful to identify whether there is any history of collusion or contrivance involving the particular applicant or any provider of quotes or tenders. Marine Scotland should be informed if there is any evidence of a history of abuse.

Selection of Quotes

Applicants will usually be expected to select the lowest quote provided. However, there are exceptions where an applicant may nominate a quote for an item which is not the cheapest available. Applicants are expected to provide a written explanation for the quote nominated. That explanation should be taken into account when deciding whether to allow the quote selected. Circumstances in which a quote which is not the lowest available may be selected include, but are not limited to:

- Where the applicant could save money through utilising a maintenance or repair contract which they currently hold with the nominated supplier;
- The location of the supplier: for example if the supplier is close to the town in which the project is based thereby reducing travel time if problems occur;
- If a particular company provides an aftercare service deemed desirable for the item; or
- If a company is offering a make or model which is already utilised by the applicant and the cheaper quotes cannot. This may be important in processing and marketing where an entire factory uses one particular make of machinery throughout and integration with existing equipment is key to the project.

In deciding whether it is appropriate for a higher priced quote to be nominated, Users should have regard to general procurement policy and the focus on value for money, which means “the optimum combination of whole-life cost and quality to meet the user’s requirements.”

Other factors to be taken into account when considering the suitability of the quote nominated include:

- Quality;
- Price;
- Technical merit;
- Aesthetic and functional characteristics;
- Environmental characteristics;
- Running costs;
- Cost effectiveness;
- After sales service;
- Technical assistance;
- Delivery date and period; and
- Period of completion.

If an **USER** disagrees with the quote nominated by the applicant, they should write to the applicant within a reasonable time frame, normally 14-21 days from receipt of the application, giving reasons why the **USER** is of the opinion that an alternative quote should have been selected. The applicant will then have an opportunity to make further representations, if they so wish, on the quote nominated.

If further representations are made these should be considered by the **USER** and a final written decision issued to the applicant including a statement of the reasons for that decision.

If an applicant appeals the decision made above the FLAG appeal process should apply.

Public procurement

Where an applicant to the EMFF scheme is a public body EU procurement rules must be followed and fully evidenced. Evidence of tendering includes;

- The advertisement
- The scoring mechanism and evidence of scoring
- The chosen tender

Leases

On land or buildings – where an applicant has leased land or buildings within their project for example the fitting out of a leased building into a processing unit. The land or building must have a lease remaining of at least 10 years.

In certain exceptional circumstances the lease period can be reduced however this is at the IBs discretion and the file/e-system must be updated to show the decision and reasons.

Leased items E.g. Hire Purchase – items that comprise part of a project for which funding is being applied for must be paid for in full by the applicant before claiming. Items applied for which have payments remaining on them are not eligible for reimbursement. Payments on leased goods are not eligible for reimbursement

Case Appraisal

A business case must only be submitted with certain applications. This is the case for all projects relating to support for new aquaculture farmers, support for diversification and new forms of income or if the applicant is an entrepreneur entering the aquaculture sector, regardless of the cost of the project.

Additionally, all projects over £25,000 will need to submit a business case. The level of detail to be expected from a business case will be proportionate to the size, cost and complexity of the project proposed.

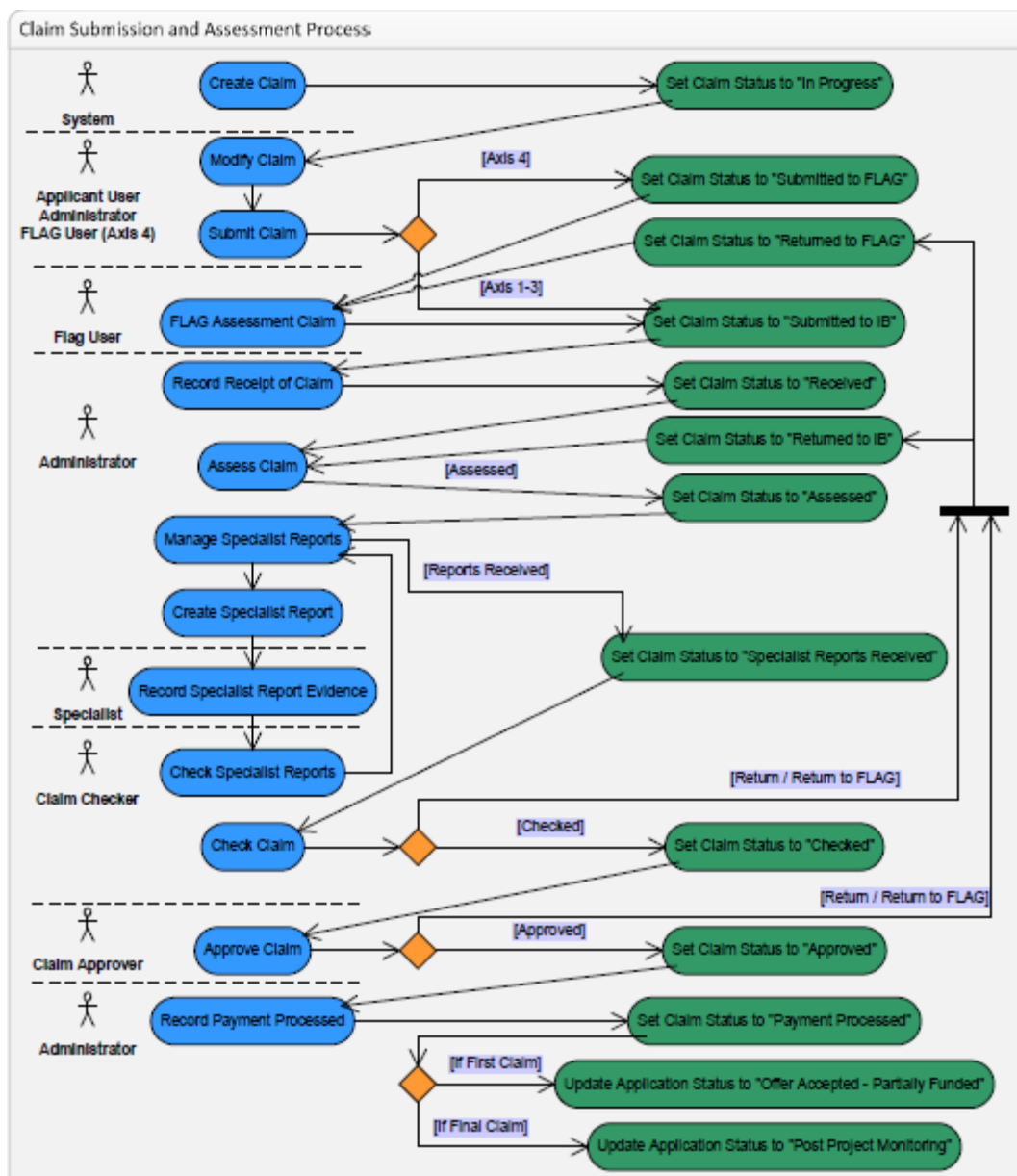
16. Claim Submission and Assessment Process

Applicants need to submit a claim form (through the e system) to receive funding. They will only be able to do this once they have paid for some or all of the items outlined in the grant offer letter.

The claim submission and assessment process map is shown below.

In most cases it is expected that the applicant will identify that the claim is ready to submit and it will be forwarded to Marine Scotland. Encouragement should be given by FLAG administrators for the applicant to clear the claim through them before submission. This will ensure that all the necessary documentation is provided and minimise any delays. However this is not a requirement and claims can be submitted direct to Marine Scotland for approval and payment.

Overview of Claim Submission and Assessment Process



The Process

Once an offer of funding has been accepted for a project and work has commenced on that project, claims for payment of items purchased or works completed on the

project can be made by applicants, these claims are **interim claims**. When all of the works proposed have been completed on a project a **final claim** for payment can be submitted.

Claims made whilst the project is progressing will be treated as interim. Interim claims are a useful mechanism by which the Marine Scotland can manage its financial exposure to the fund period and which enable applicants to avoid the need to take out large amounts of bridging finance whilst a project is progressing to the final claim stage. Applicants are therefore encouraged to make claims for interim payment of project costs which have been incurred.

Final claims are those claims which arise at the completion of a project. In addition, where payment of an interim claim would amount to more than 80% of the total project costs having been claimed, the application should be treated as a final claim for payment.

Dates for interim claim will be set out in the award letter and should be followed in all cases unless a modification to the claim dates has been submitted to Marine Scotland, and granted. Modification can be requested and these should be submitted through the FLAG.

Refusal to Pay the Claim

Circumstances may arise that result in a refusal to pay the amount claimed. This may take the form of a reduction in the total claimed or the withholding of all or part of the payment. This may occur in three broad cases:

- 1) Failure to provide sufficient evidence;
- 2) Suspect applications for interim payment; and
- 3) Errors or irregularities in claims.

In these circumstances the applicant can appeal. If the FLAG has blocked the claim, the appeal will be to the FLAG, and if Marine Scotland has blocked the claim then the appeal is to them.

17. Failure to Comply with Conditions

The offer of grant funding is made conditional on compliance with General Conditions which are attached to all offers of funding and Specific Conditions which particularly relate to the individual project funded.

Failure to comply with General Conditions may constitute, for example:

- Failure to use the grant for the purpose for which it was given;
- Failure to meet any legal obligations imposed under Scots, UK or EU law, statutory instrument or bye-law;
- Failure to obtain any necessary consents, rights and way leaves;
- Failure to keep the required documentary evidence;
- Failure to give any necessary notices or meet any specific rules, regulations and/or standards that may be relevant to the project; or
- Failure to comply with publicity requirements.

Please note this list is not exhaustive.

Not all projects will have been subject to Specific Conditions. However, where Specific Conditions are attached these may relate to, for example, the method of

disposal of a vessel engine which is being replaced. Whether there has been compliance with the Specific Conditions to which the funding was subject will depend on the individual project and the type of conditions imposed.

18. Durability of Operations

Article 71 of the [Common Provisions Regulations](#) requires the UKMA to ensure that operations which have been financed are not subject to any of the following within 5 years of the date of the final payment to the beneficiary:

“(a) a cessation or relocation of a productive activity outside the programme area;

(b) a change in ownership of an item of infrastructure which gives to a firm or a public body an undue advantage;

(c) a substantial change affecting its nature, objectives or implementation conditions which would result in undermining its original objectives.”

Users carrying out durability of operations monitoring should therefore check whether the project has undergone substantial modification as described above. For example:

- Have funded assets been disposed of?
- Have any funded assets/activities been stopped or relocated?

Sometimes information concerning the durability of a project may come from intelligence gathered from new applications for funding. For example a new application for funding may be made in relation to a fishing vessel which was previously granted funding but has been sold to the new applicant within five years of the date of final payment of the previous grant

Document retention

Applicants must retain their documentation relating to their project or projects until xxxx This includes but is not limited to;

- The application form and associated application documents
- Invoices
- Proof of payment
- Acceptance of Offers
- Quotes and/or tenders

If it is discovered that substantial modifications of this sort have occurred, beneficiaries will be required to explain the reason for the modification. Each case will need to be treated on its own merits. However, the European Commission will generally require that the funding which has been granted is repaid.

In certain very limited circumstances the UK Managing Authority may challenge the European Commission’s requirement for funding to be repaid. This is usually only in exceptional circumstances such as where a vessel has sunk and there has been loss of life.

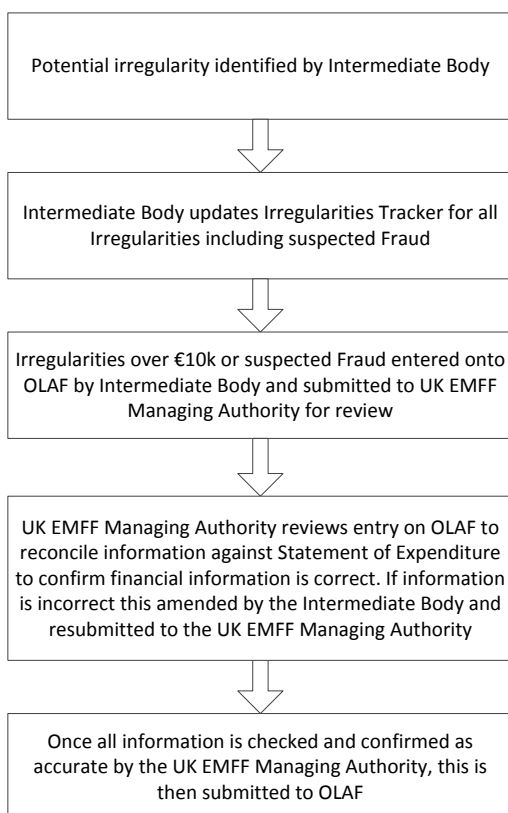
- Reporting requirements (frequency, templates)
- Audit requirements (certification, document requirements/retention, file structures/formatting)
- Monitoring and compliance (inspection requirements/templates/reporting, irregularities, record keeping requirements)
- Relevant regulations (list and links)

19. Irregularities and recoveries

Irregularities are defined as ‘any breach of Union law, or of national law relating to its application, resulting from an act or omission by an economic operator involved in the implementation of the EMFF, which has, or would have, the effect of prejudicing the budget of the Union by charging an unjustified item of expenditure to the budget of the Union.

Marine Scotland will manage the reporting of irregularities and overall recovery of grant paid, including interest if it is deemed appropriate to do so. The FLAG is required to support the facilitation of this element of the EMFF programme by providing any information it has regarding possible irregularities.

Description of the procedure to comply with the obligation to notify irregularities to the Commission in accordance with Article 122(2) of Regulation (EU) No 1303/2013.



20. Annual control report, annual opinion and closure declaration

Details of the procedures for preparation for annual closure, annual control report and opinion will be outlined in the EMFF Audit Strategy. FLAG will support the annual closure process, liaising with successful projects and providing necessary claim information where required.

21. Complaints

Scotland Intermediate Body

The Scottish Intermediate Body Complaint Handling Process (CHP) is broken down into 3 stages. At each stage of the process the Scottish Intermediate Body will acknowledge receipt of concerns within five working days giving an applicant a named contact point and telephone number for the complaint. The Scottish Intermediate Body will then aim to provide a full response to the complaint within 20 working days.

Stage one: complaint received and frontline resolution sought

Stage two: formal investigation carried out

Stage three: external review by Scottish Public Services Ombudsman SPSO

The CHP aims to get it right first time but if early resolution can't be achieved a streamlined investigation process will be conducted by well-trained staff. As well as helping meet the customer needs, this helps reduce the burden on staff dealing with complaints.

Front line resolution should take no longer than five working days - dealing with straightforward issues and would involve little investigation. Formal investigation should be undertaken by a trained Investigating Officer (IO) who will report their recommendations to a senior member of staff in the relevant business area.

The complainant can, at any stage, ask any Member of the Scottish Parliament to raise the appropriate issues with the Scottish Government.

FLAGs will be required to develop a Complaint Handling process to deal with complaints that arise, but if the complaint is not resolved by the FLAG then it will fall into the first stage mentioned above.

22. Regulations

Links to EMFF and CPR: http://ec.europa.eu/fisheries/cfp/emff/legislation/doc/emff-compilation-vol-1_en.pdf

Equality and Non-Discrimination

Section 149 of the *Equality Act 2010* places a duty on public authorities (the **public sector Equality Duty**), in exercising their functions, to have due regard to the need to:

- Eliminate **discrimination, harassment, victimisation** and other prohibited conduct;
- Advance **equality of opportunity** between persons who share a relevant protected characteristic and persons who do not share it; and
- **Foster good relations** between persons who share a relevant protected characteristic and persons who do not share it.

The Equality Duty applies to the following ‘protected characteristics’:

- Age;
- Disability (physical or mental impairment which has a substantial and long-term adverse effect on the individual’s ability to carry out normal day-to-day activities);
- Gender reassignment;
- Marriage and civil partnership (except the second and third strands of the Equality Duty);
- Pregnancy and maternity;
- Race (including colour, nationality and ethnic or national origins);
- Religion and belief;
- Sex; and
- Sexual orientation.

‘**Having due regard**’ means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making; general regard to the Duty is not sufficient. This means that consideration of equality issues must influence the decisions reached by public bodies and cannot be complied with by justifying a decision after it has been taken.

Having due regard to the need to advance **equality of opportunity** involves having due regard, in particular, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

This aspect of the Equality Duty will be particularly important in circumstances where persons with relevant protected characteristics are particularly under-represented in areas. For example, equality of opportunity between men and women is of particular concern in the fisheries sector.

- Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- tackle prejudice; and
- promote understanding.

The practical effect of the duty is that public bodies will have to consider how their policies, programmes and service delivery will affect people with the protected characteristics listed above and identify potential mitigating steps to reduce or remove adverse impacts and promote positive ones. Grant team members must comply with this duty when carrying out any of their public functions. This is not just a matter of box-ticking, but must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision. In this regard it is important that the decision maker considers what information he/she has and what further information may be needed in order to give proper consideration to the Equality Duty.

The Equality Duty, however, does not mean that public bodies have to examine equality issues where they are not relevant to the matter in hand. Where it is clear from an initial consideration that a matter will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary. The Equality Duty is likely to be particularly relevant when the body is imposing conditions/requirements on individuals whether they are procedural or as part of the award of a licence or grant. It will also be relevant when the body is setting out eligibility criteria for certain programmes/procedures.

Public bodies should take a proportionate approach when complying with the Equality Duty (see Section 0). In practice, this will mean giving greater consideration to the Equality Duty where a function or policy has the potential to have a substantial effect on discrimination or equality of opportunity and less consideration where the potential effect on equality is slight.

Whilst it is not a legal requirement that records of consideration of the Equality Duty are kept when making decisions, it is good practice to do so. In the event that a challenge is brought it will be difficult for the body in question to demonstrate that it has had due regard to the aims of the Equality Duty if records are not kept.

Discrimination

Discrimination can either be **direct** or **indirect** discrimination. **Direct discrimination** is when A discriminates against B if, because of a protected characteristic, A treats B less favourably than A treats or would treat others. The definition is broad and would cover cases where the less favourable treatment is because of the person's association with someone who has a protected characteristic or because the victim is wrongly thought to have a protected characteristic e.g. religious belief.

The **Equality Act 2010** provides certain qualifications on direct discrimination:

- If the protected characteristic is age, A does not discriminate against B if A can show A's treatment of B to be a proportionate means of achieving a legitimate aim (see Section 0);
- A person discriminates against a disabled person if (a) they are treated unfavourably because of something arising in consequence of a disability; and (b) it cannot be shown that the treatment is a proportionate means of achieving a legitimate aim (see Section 0);
- A person will not be discriminating against someone on grounds of disability if they did not know and could not reasonably have been expected to know that the person had the disability;
- Non-disabled persons are not discriminated against because disabled persons are treated more favourably than non-disabled persons;
- In relation to race, less favourable treatment includes segregation; and
- In relation to the sexual discrimination of men, no account is to be taken of special treatment afforded to a woman in connection with pregnancy or childbirth.

Indirect discrimination is when A discriminates against B if A applies to B a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of B's. A provision, criterion or practice is discriminatory in relation to a relevant protected characteristic (except pregnancy and maternity) if:

- A applies/would apply it to persons with whom B does not share the characteristic;
- It puts/would put persons with whom B shares the characteristic at a particular disadvantage when compared with persons with whom B does not share the characteristic;
- It puts/would put B at that disadvantage; and
- A cannot show it to be a proportionate means of achieving a legitimate aim (see Section 0).

Reasonable adjustments

In exercising its public functions, the body in question is under a duty to make reasonable adjustments where a disabled person is placed at 'a substantial disadvantage in comparison with non-disabled people'. The duty comprises three requirements:

1. Where a provision, criterion or practice puts a disabled person at that disadvantage, the organisation is required to take such steps as it is reasonable to have to take to avoid the disadvantage;
2. Where a physical feature puts a disabled person at that disadvantage, the organisation is required to take such steps as it is reasonable to have to take to avoid the disadvantage, including by removing, altering or providing reasonable means of avoiding the feature in question; and
3. Where a disabled person would, but for the provision of an auxiliary aid, be put at that disadvantage, the organisation is required to take such steps as it is reasonable to have to take to provide the auxiliary aid.

Where those requirements relate to the provision of information, steps which are reasonable to have to take include ensuring that, in the circumstances concerned, the information is provided in an accessible format.

It should also be noted that, where the body in question is under this duty, it is not entitled to require a disabled person to pay, to any extent, the costs of complying with the duty.

Harassment

There are three types of harassment:

1. Unwanted conduct which is related to a relevant characteristic and has the purpose/effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant or of violating the complainant's dignity;
2. Sexual harassment which is unwanted conduct of a sexual nature with the same purpose/effect described in (1); and
3. Treating someone less favourably because he/she has either submitted to or rejected sexual harassment or harassment related to gender reassignment.

Victimisation

Victimisation takes place where one person treats another badly because he or she in good faith has done/is suspected of having done/intending to do a protected act. For example, taken or supported any action taken for the purpose of the Equality Act e.g. made a complaint of sexual discrimination/harassment or brings a discrimination claim. However, a person is not protected from victimisation where he/she maliciously makes or supports an untrue complaint.

Further Guidance

The Equality and Human Rights Commission has published new non-statutory guidance on the Equality Duty which is available [online](#).

Selection Criteria for the European Maritime and Fisheries Fund (EMFF) in the United Kingdom

Date of approval of this Selection Criteria by the UK EMFF PMC: 14 December 2015

1. Overview of the EMFF Scheme in the UK

- The EMFF scheme in the UK is one of the European Structural Investment Funds (ESIF) which seek to support a broad range of priorities across the European Union (EU).
- The UK EMFF scheme has a total budget of €243m which will be used to contribute to the Europe 2020 strategy and to the implementation of Common Fisheries Policy (CFP).
- The UK EMFF scheme will pursue the following Union priorities for the sustainable development of fisheries and aquaculture:
 - Union Priority 1 - Promoting environmentally sustainable, resource-efficient, innovative, competitive and knowledge-based fisheries by pursuing the following specific objectives
 - Union Priority 2 - Fostering environmentally sustainable, resource-efficient, innovative, competitive and knowledge-based aquaculture by pursuing the following specific objectives
 - Union Priority 3 - Fostering the implementation of the CFP by pursuing the following specific objectives:
 - Union Priority 4 - Increasing employment and territorial cohesion by pursuing the following specific objective: the promotion of economic growth, social inclusion and job creation, and providing support to employability and labour mobility in coastal and inland communities which depend on fishing and aquaculture, including the diversification of activities within fisheries and into other sectors of maritime economy.

- Union Priority 5 - Fostering marketing and processing by pursuing the following specific objectives
 - Union Priority 6 - Fostering the implementation of the IMP.
- In pursuing the above Union priorities, the UK has agreed the UK EMFF Operational Programme (OP) with the European Commission (EC). This OP is a description of the strategy for the use of EMFF funding in the UK as well as a description of the desired outputs and results that will be achieved throughout, and by the end of, the EMFF programming period.
 - All of the Union priorities are underpinned by Specific Objectives and Result Indicators (listed in Annex III). The Objectives and Indicators provide a clear framework to which EMFF supported operations should contribute. The Objectives and Indicators each have a different focus and support the three pillars of sustainability (Economic, Social and Environmental) in different ways and to different degrees.

2. Legal basis for the UK EMFF scheme and the Selection Criteria

- The UK EMFF scheme is underpinned by three key EU regulations:
 - The Common Provisions Regulation – EU 1303/2014.
 - The EMFF Regulation – EU 508/2014
 - The Financial Regulation – EU 966/2015
- The EU regulations are enacted into domestic legislation through Statutory Instruments in the UK Parliament, and also in the Devolved Administrations.
- Article 125(3) of Common Provisions Regulation detail that:

“As regards the selection of operations, the managing authority shall:

 - (a) draw up and, once approved, apply appropriate selection procedures and criteria that:
 - (i) ensure the contribution of operations to the achievement of the specific objectives and results of the relevant priority;
 - (ii) are non-discriminatory and transparent;
 - (iii) take into account the general principles set out in Articles 7 and 8”
- Article 113 of the EMFF Regulations detail that the monitoring committee shall

“be consulted and shall approve, within six months of the decision approving the programme, the selection criteria for the financed operations; the selection criteria shall be revised in accordance with programming needs”

3. Purpose of Selection Criteria

- The Selection Criteria are used to ensure that operations which are selected to receive funding under the EMFF scheme support the aims of the OP.
- As per section 2, the Selection Criteria must be approved by the EMFF Programme Monitoring Committee (PMC). This is to ensure that the bodies approving funding applications (i.e. the Intermediate Bodies) have a clear direction from the PMC as to the criteria against which EMFF funding applications should be assessed in the pursuit of achieving the objectives of the OP.

4. Role of the Managing Authority and Intermediate Bodies

- The functions of the Managing Authority are clearly set out in the Common Provisions Regulation under Article 125. Article 125(3)(b), concerning the selection of operations, states that the Managing Authority shall “ensure that a selected operation falls within the scope of the Fund or Funds concerned and can be attributed to a category of intervention or, in the case of the EMFF, a measure identified in the priority or priorities of the operational programme”
- Under the UK EMFF programme, all decisions with regard to the Selection of Operations are delegated by the Managing Authority to the Intermediate Bodies (as allowed for under Common Provision Regulation Article 123(7)).

5. Selection and Eligibility Assessment

- All applications for EMFF funding are assessed by the Intermediate Bodies against two key areas:
 - Eligibility assessment – this is an assessment which seeks to determine whether an application for funding is eligible i.e. meets all of the basic criteria to qualify to be considered for funding under the EMFF scheme. Detailed eligibility rules will be available to applicants.

- Selection Criteria – these enable a qualitative assessment that seeks to determine whether the EMFF application merits being awarded funding from the EMFF scheme based the support for the objectives and results outlined in the OP.
- All applications are assessed by suitably qualified and/or experienced individuals from within the Intermediate Bodies or from other organisations who can add value to the application assessment process. These individuals may form a selection panel. Depending on the financial size and/or the complexity of the application for funding, the assessment may be supported by a range of individuals which may include external expert input. These processes are set out in the Intermediate Body Desk Instructions.

6. Selection Criteria

6.1. The selection criteria will be applicable to all measures, except the following for which specific criteria are established: CLLD (Articles 62-64); Production and Marketing Plans (Article 66); Control and Enforcement (Article 76); Data Collection (Article 77) and technical assistance (Article 78).

- The Selection Criteria are broken down into four areas:
 - Assessment against relevant Union priority Specific Objective supported by the non exhaustive list of aims of the measures outlined in the section 3.3 of the EMFF OP
 - Assessment against Union priority Specific Result Indicator(s)
 - Assessment against other Union priorities and other Result Indicators
 - Assessment of Deliverability of the operation
- The list of EMFF Article specific Selection Criteria is outlined in Annex I
- All four areas of the Selection Criteria are assessed on a High, Medium or Low basis which is further outlined in Annex II
- The list of EMFF OP Result Indicators is listed in Annex III
- The assessment against the Selection Criteria will support a summary decision either to provide EMFF financial assistance to the operation, or not.

6.2. Specific selection criteria

6.2.1 Production and Marketing Plans (Article 66)

6.2.2.1 Support is granted to the recognised Producers Organisation for the preparation and implementation of their production and marketing plans (PMP) referred to in article 28 of Regulation no 1379/2013 (CMO Regulation).

6.2.2.2 The approval by the competent national authorities of the production and marketing plans overrides the need for an operation to be assessed against OP Objectives and Result Indicators when assessing support for the PMPs and implementation of activities included in these plans.

6.2.2.3 These operations will also to be assessed against the Deliverability Criteria outlined in Annex I

6.2.3. Control and enforcement (Article 76)

The operations for the Control and enforcement activities are designed and assessed against the following areas:

- coherence with the EU priorities, as set out in COM decision 2014/464/EU
- coherence with the UK's strategy on control, as set out in the EMFF OP in section 12, in particular with reference to the list of selected types of operations set-up in section 12.4 of the OP .

6.2.4. Data Collection (Article 77)

The data collection activities to be selected under the EMFF OP will be those foreseen under the National Programme for data collection 2014-2016 (approved by COM Dec C(2013) 5568 of 30 August 2013) and thereafter under the Work Plans for data collection as referred to in Art 21 of the EMFF Regulation.

The applications will be assessed having regard to the objectives of the intervention and the coherence with UK's strategy on data collection as set out in the EMFF OP under section 13.

6.2.5 Community Led Local Development (CLLD)

6.2.5.1 CLLD Preparatory Support (Article 62(1)(a))

The activities selected under Article 62(1)(a) are deemed to be selected for support if they relate to the development of a Local Development Strategy or other CLLD preparatory support areas which are consistent with section 5 of the EMFF OP.

6.2.5.2 CLLD Running Costs and Animation (Article 62(1)(d))

The activities selected under Article 62(1)(d) are deemed to be selected where it can be evidenced that the activities support the delivery of an approved CLLD Local Development Strategy (LDS)

6.2.5.3 CLLD Implementation of CLLD Strategies and Cooperation Activities (Article 63 and Article 64)

The operations selected under Articles 63 and 64 should be assessed in line with Annex II of this document.

In addition, the operations should also be assessed against their contribution to the achievement of the relevant CLLD LDS. This assessment should be made using the following scoring criteria:

HIGH	Operation significantly contributes to the achievement of the relevant Local Development Strategy.
MEDIUM	Operation reasonably contributes to the achievement of the relevant Local Development Strategy.
LOW	Operation has limited or no contribution to the achievement of the relevant Local Development Strategy.

6.2.6 Technical Assistance (Article 78)

These operations will be assessed to confirm their compliance with section 4.8 of the EMFF OP which outlines how the UK will use EMFF Technical Assistance.

7. Rates of Public Aid Intensity

- The maximum levels of Public Aid which can be awarded to operations under the EMFF scheme are set out in Article 95 of the EMFF Regulation. These maximum levels may be reduced depending on National Policy priorities. The maximum levels of Public Aid which are available in the UK are set out in the Guidance Notes of each Intermediate Body.
- When assessing an application for EMFF funding, the Intermediate Body may decide to award less funding than is set out in the National Guidance Notes if it is assessed that the proposed project does not warrant the maximum level of funding available.

8. Future amendments to Selection Criteria document

- Revisions can be made to the EMFF Selection Criteria at any point during the programming period, but all revisions must be approved by the PMC.

Annex I - EMFF Article specific Selection Criteria

Measures to assess against Specific Objectives and Specific Result Indicators	Specific objectives, as set out in the EMFF OP supported by the aims of the action in EMFF OP section 3.3	Specific Result Indicators, as set out in the EMFF OP
Union Priority 1		
Article 26 Innovation (+ art. 44.3 Inland fishing)	5. Provision of support to strengthen technological development and innovation, including increasing energy efficiency, and knowledge transfer	1.3
Article 27 Advisory services (+ art. 44.3 Inland fishing)	4. Enhancement of the competitiveness and viability of fisheries enterprises, including of small scale coastal fleet, and the improvement of safety or working conditions	1.3, 1.5, 1.8, 1.9a or 1.9b
Article 28 Partnerships between fishermen and scientists (+ art. 44.3 Inland fishing)	5. Provision of support to strengthen technological development and innovation, including increasing energy efficiency, and knowledge transfer	1.3
Article 29.1 + 29.2 Promoting human capital and social dialogue - training, networking, social dialogue; support to spouses and life partners (+ art. 44.1.a Inland fishing)	6. Development of professional training, new professional skills and lifelong learning	1.3
Article 29.3 Promoting human capital and social dialogue – trainees on board of SSCF vessels / social dialogue	6. Development of professional training, new professional skills and lifelong learning	1.3
Article 30 Diversification and new forms of income (+ art. 44.4 Inland fishing)	4. Enhancement of the competitiveness and viability of fisheries enterprises, including of small scale coastal fleet, and the improvement of safety or working conditions	1.3, 1.5, 1.8, 1.9a or 1.9b
Article 31 Start-up support for young fishermen (+ art. 44.2 Inland fishing)	4. Enhancement of the competitiveness and viability of fisheries enterprises, including of small scale coastal fleet, and the improvement of safety or working conditions	1.3, 1.5, 1.8, 1.9a or 1.9b

Article 32 Health and safety (+ art. 44.1.b Inland fishing)	4. Enhancement of the competitiveness and viability of fisheries enterprises, including of small scale coastal fleet, and the improvement of safety or working conditions	1.3, 1.5, 1.8, 1.9a or 1.9b
Article 33 Temporary cessation of fishing activities	4. Enhancement of the competitiveness and viability of fisheries enterprises, including of small scale coastal fleet, and the improvement of safety or working conditions	1.3, 1.5, 1.8, 1.9a or 1.9b
Article 34 Permanent cessation of fishing activities	3. Ensuring a balance between fishing capacity and available fishing opportunities	1.3 or 1.6
Article 35 Mutual funds for adverse climatic events and environmental incidents	4. Enhancement of the competitiveness and viability of fisheries enterprises, including of small scale coastal fleet, and the improvement of safety or working conditions	1.3, 1.5, 1.8, 1.9a or 1.9b
Article 36 Support to systems of allocation of fishing opportunities	3. Ensuring a balance between fishing capacity and available fishing opportunities	1.3 or 1.6
Article 37 Support for the design and implementation of conservation measures and regional cooperation	1. Reduction of the impact of fisheries on the marine environment, including the avoidance and reduction, as far as possible, of unwanted catches;	1.4.b or 1.5
Article 38 Limiting the impact of fishing on the marine environment and adapting fishing to the protection of species (+ art. 44.1.c Inland fishing)	1. Reduction of the impact of fisheries on the marine environment, including the avoidance and reduction, as far as possible, of unwanted catches;	1.4.b or 1.5
Article 39 Innovation linked to the conservation of marine biological resources (+ art. 44.1.c Inland fishing)	1. Reduction of the impact of fisheries on the marine environment, including the avoidance and reduction, as far as possible, of unwanted catches;	1.4.b or 1.5
Article 40.1.a Protection and restoration of marine biodiversity – collection of lost fishing gear and marine litter	1. Reduction of the impact of fisheries on the marine environment, including the avoidance and reduction, as far as possible, of unwanted catches;	1.4.b or 1.5

<p>Article 40.1.b-g, i Protection and restoration of marine biodiversity – contribution to a better management or conservation, construction, installation or modernisation of static or movable facilities, preparation of protection and management plans related to NATURA2000 sites and spatial protected areas, management, restoration and monitoring marine protected areas, including NATURA 2000 sites, environmental awareness, participation in other actions aimed at maintaining and enhancing biodiversity and ecosystem services (+ art. 44.6 Inland fishing)</p>	<p>2. Protection and restoration of aquatic biodiversity and ecosystems</p>	<p>1.5, 1.10a or 1.10b</p>
<p>Article 40.1.h Protection and restoration of marine biodiversity – schemes for the compensation of damage to catches caused by mammals and birds</p>	<p>4. Enhancement of the competitiveness and viability of fisheries enterprises, including of small scale coastal fleet, and the improvement of safety or working conditions</p>	<p>1.3, 1.5, 1.8, 1.9a or 1.9b</p>
<p>Article 41.1.a, b, c Energy efficiency and mitigation of climate change – on board investments; energy efficiency audits and schemes; studies to assess the contribution of alternative propulsion systems and hull designs (+ art. 44.1.d Inland fishing)</p>	<p>5. Provision of support to strengthen technological development and innovation, including increasing energy efficiency, and knowledge transfer</p>	<p>1.3</p>
<p>Article 41.2 Energy efficiency and mitigation of climate change - Replacement or modernisation of main or ancillary engines</p>	<p>5. Provision of support to strengthen technological development and innovation, including increasing energy efficiency, and knowledge transfer</p>	<p>1.3</p>
<p>Article 42 Added value, product quality and use of unwanted catches (+ art. 44.1.e Inland fishing)</p>	<p>4. Enhancement of the competitiveness and viability of fisheries enterprises, including of small scale coastal fleet, and the improvement of safety or working conditions</p>	<p>1.3, 1.5, 1.8, 1.9a or 1.9b</p>

Article 43.1 + 3 Fishing ports, landing sites, auction halls and shelters - investments improving fishing port and auctions halls infrastructure or landing sites and shelters; construction of shelters to improve safety of fishermen (+ art. 44.1.f Inland fishing)	4. Enhancement of the competitiveness and viability of fisheries enterprises, including of small scale coastal fleet, and the improvement of safety or working conditions	1.3, 1.5, 1.8, 1.9a or 1.9b
Article 43.2 Fishing ports, landing sites, auction halls and shelters – investments to facilitate compliance with the obligation to land all catches	1. Reduction of the impact of fisheries on the marine environment, including the avoidance and reduction, as far as possible, of unwanted catches;	1.4.b or 1.5
Union Priority 2		
Article 47 Innovation	1. Provision of support to strengthen technological development, innovation and knowledge transfer	2.1, 2.2 or 2.3
Article 48.1.a-d, f-h Productive investments in aquaculture	2. Enhancement of the competitiveness and viability of aquaculture enterprises, including improvement of safety or working conditions, in particular of SMEs	2.1, 2.2 or 2.3
Article 48.1.e, i, j Productive investments in aquaculture - resource efficiency, reducing usage of water and chemicals, recirculation systems minimising water use	3. Protection and restoration of aquatic biodiversity and enhancement of ecosystems related to aquaculture and promotion of resource-efficient aquaculture	2.4, 2.5, 2.6 or 2.7
Article 48.1.k Productive investments in aquaculture - increasing energy efficiency, renewable energy	3. Protection and restoration of aquatic biodiversity and enhancement of ecosystems related to aquaculture and promotion of resource-efficient aquaculture	2.4, 2.5, 2.6 or 2.7
Article 49 Management, relief and advisory services for aquaculture farms	1. Provision of support to strengthen technological development, innovation and knowledge transfer	2.1, 2.2 or 2.3
Article 50 Promoting human capital and networking	5. Development of professional training, new professional skills and lifelong learning	2.9
Article 51 Increasing the potential of aquaculture sites	3. Protection and restoration of aquatic biodiversity and enhancement of ecosystems	2.4, 2.5, 2.6 or 2.7

	related to aquaculture and promotion of resource-efficient aquaculture	
Article 52 Encouraging new sustainable aquaculture farmers practising sustainable aquaculture	2. Enhancement of the competitiveness and viability of aquaculture enterprises, including improvement of safety or working conditions, in particular of SMEs	2.1, 2.2 or 2.3
Article 53 Conversion to eco-management and audit schemes and organic aquaculture	3. Protection and restoration of aquatic biodiversity and enhancement of ecosystems related to aquaculture and promotion of resource-efficient aquaculture	2.4, 2.5, 2.6 or 2.7
Article 54 Aquaculture providing environmental services	4. Promotion of aquaculture having a high level of environmental protection, and the promotion of animal health and welfare and of public health and safety	2.1, 2.2, 2.4, 2.5, 2.6, 2.7
Article 55 Public health measures	4. Promotion of aquaculture having a high level of environmental protection, and the promotion of animal health and welfare and of public health and safety	2.1, 2.2, 2.4, 2.5, 2.6, 2.7
Article 56 Animal health and welfare measures	4. Promotion of aquaculture having a high level of environmental protection, and the promotion of animal health and welfare and of public health and safety	2.1, 2.2, 2.4, 2.5, 2.6, 2.7
Article 57 Aquaculture stock insurance	4. Promotion of aquaculture having a high level of environmental protection, and the promotion of animal health and welfare and of public health and safety	2.1, 2.2, 2.4, 2.5, 2.6, 2.7
Union Priority 4		
Article 63 Implementation of local development strategies (incl. running costs and animation)	Promotion of economic growth, social inclusion and job creation, and providing support to employability and labour mobility in coastal and inland communities which depend on fishing and aquaculture, including the diversification of	4.1 or 4.3

	activities within fisheries and into other sectors of maritime economy	
Article 64 Cooperation activities	Promotion of economic growth, social inclusion and job creation, and providing support to employability and labour mobility in coastal and inland communities which depend on fishing and aquaculture, including the diversification of activities within fisheries and into other sectors of maritime economy	4.1 or 4.3
Union Priority 5		
Article 67 Storage aid	1. Improvement of market organisation for fishery and aquaculture products	5.1a, 5.1b, 5.1c or 5.1d
Article 68 Marketing measures	1. Improvement of market organisation for fishery and aquaculture products	5.1a, 5.1b, 5.1c or 5.1d
Article 69 Processing of fisheries and aquaculture products	2. Encouragement of investment in the processing and marketing sectors	5.1a, 5.1b, 5.1c or 5.1d
Union Priority 6		
Article 80.1.a Integrating Maritime Surveillance	Development and implementation of the Integrated Maritime Policy	6.1, 6.2a or 6.2b
Article 80.1.b Promotion of the protection of marine environment, and the sustainable use of marine and coastal resources	Development and implementation of the Integrated Maritime Policy	6.1, 6.2a or 6.2b
Article 80.1.c Improving the knowledge on the state of the marine environment	Development and implementation of the Integrated Maritime Policy	6.1, 6.2a or 6.2b

Annex II – Selection Criteria Assessment Rankings

Assessment Rankings for:

- Union priority Specific Objective
- Union priority Specific Result Indicator(s)
- Other Union priorities and other Result Indicators

NOTE: As per guidance from the EC Fisheries and Aquaculture Monitoring and Evaluation (FAME) Unit, the assessment of an operation’s contribution to a Result Indicator can be made in absolute or relative terms.

HIGH	Operation delivers significant benefits for the level of investment and/or significantly contributes to the achievement of the Specific Objective and/or Result Indicator.
MEDIUM	Operation delivers reasonable benefits for the level of investment and/or reasonably contributes to the achievement of the Specific Objective and/or Result Indicator.
LOW	Operation delivers poor benefits for the level of investment and/or has limited or no contribution to the achievement of the Specific Objective and/or Result Indicator.

Assessment Rankings for Deliverability

HIGH	The application provides a significant level of assurance that that the operation and the benefits, targets, objectives and outcomes will be achieved. Assurance can be assessed by reviewing evidence such as, but not exclusively, the rationale for the application, the experience of the applicant and the achievability of the targets and outcomes.
MEDIUM	The application provides a reasonable level of assurance that that the operation and the benefits, targets, objectives and outcomes will be achieved. Assurance can be assessed by reviewing evidence such as, but not exclusively, the rationale for the application, the experience of the applicant and the achievability of the targets and outcomes.
LOW	The application provides a poor level of assurance that that the operation and the benefits, targets, objectives and outcomes will be

	achieved. Assurance can be assessed by reviewing evidence such as, but not exclusively, the rationale for the application, the experience of the applicant and the achievability of the targets and outcomes.
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Annex III – UK EMFF Operational Programme (Version 1.0 approved December 2015) Result Indicators

Result indicator	Target value for 2023	Measurement unit
1.3 - Change in net profits	893	thousand Euros
1.4.b - Change in unwanted catches	-12%	%
1.5 - Change in fuel efficiency of fish capture	-13	litres fuel/tonnes landed catch
1.6 - Change in the % of unbalanced fleets	0	%
1.8 - Employment maintained (FTE) in the fisheries sector or complementary activities	280	FTE
1.9.a - Change in the number of work-related injuries and accidents	-3	Number
1.9.b - Change in the % of work-related injuries and accidents in relation to total fishers	-5	%
1.10.a - Change in the coverage of Natura 2000 areas designated under the Birds and Habitats directives	25,000	Km ²
1.10.b - Change in the coverage of other spatial protection measures under Art. 13.4 of the Directive 2008/56/EC	10,000	Km ²
2.1 - Change in volume of aquaculture production	3100	Tonnes
2.2 - Change in value of aquaculture production	7900	thousand Euros
2.3 - Change in net profit	3290	thousand Euros
2.4 - Change in the volume of production organic aquaculture	0	Tonnes
2.5 - Change in the volume of production recirculation system	0	Tonnes
2.6 - Change in the volume of aquaculture production certified under voluntary sustainability schemes	0	Tonnes

2.7 - Aquaculture farms providing environmental services	25	Number
2.9 - Employment maintained	26	FTE
3.A.1 - Number of serious infringements detected	0.01	Number
3.A.2 - Landings that have been the subject to physical control	12	%
3.B.1 - Increase in the percentage of fulfilment of data calls	0	%
4.1 - Employment created (FTE)	55	FTE
4.3 - Businesses created	22	Number
5.1.a - Change in value of first sales in POs	16500	thousand Euros
5.1.b - Change in volume of first sales in POs	0	Tonnes
5.1.c - Change in value of first sales in non-POs	0	Tonnes
5.1.d - Change in volume of first sales in non-POs	0	Tonnes
6.2.a - Change in the coverage of Natura 2000 areas designated under the Birds and Habitats directives	25,000	Km ²
6.2.b - Change in the coverage of other spatial protection measures under Art. 13.4 of the Directive 2008/56/EC	10000	Km ²