COMMISSION DECISION

of 16 September 1985

concerning applications for reimbursement and the payment of advances in respect of measures to encourage exploratory fishing and cooperation through joint ventures in the fishing sector

(85/475/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2909/83 of 4 October 1983 on measures to encourage exploratory fishing and cooperation through joint ventures in the fishing sector (1), and in particular Article 12 (4) thereof,

Whereas applications for reimbursement and the payment of advances to be submitted by the Member States to the Commission must contain certain particulars which show that the expenditure complies with Regulation (EEC) No 2909/83 and in particular with Article 3 (4) thereof;

Whereas, in order to enable an effective check to be made, Member States must keep the supporting documents on the basis of which the aids were calculated at the disposal of the Commission during a period of three years from the date of payment of the final reimbursement;

Whereas, in order to give effect to the possibility afforded the Commission of making advance payments, detailed rules and procedures must be laid down;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

Article 1

Applications for reimbursement as referred to in Article 12 (1) of Regulation (EEC) No 2909/83 shall comply with the tables and forms contained in Annexes 1, 3, 4 and 5.

Article 2

Member States shall keep at the disposal of the Commission for a period of three years following payment of the final reimbursement all supporting documents or certified copies thereof on the basis of which the aids provided for in Regulation (EEC) No 2909/83 were calculated, and the complete files of the beneficiaries.

Article 3

Applications for the advance payments referred to in Article 12 (3) of Regulation (EEC) No 2909/83 concerning eligible expenditure approved by the Commission shall be submitted by the relevant Member State. Applications shall be drawn up in the form set out in Annex 2.

Article 4

1. Advance payments shall not exceed 25 % of the amount of eligible expenditure approved by the Commission on the basis of the forward plan sent in by the Member State in question.

2. The Commission may require the Member State concerned to reimburse all or part of the advance payment made where the amount concerned has not been used within six months from the date of its payment for the measures approved by the Commission.

Article 5

1. At the end of each year for which advance payments have been made to them Member States shall establish a report on the operations carried out during that year. This report shall reach the Commission by 1 June of the following year.

2. Advance payments for the following year shall not be made until the report referred to in paragraph 1 has been submitted to the Commission.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 16 September 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

(1) OJ No L 290, 22. 10. 1983, p. 9.

ANNEX 1

APPLICATION FOR REIMBURSEMENT OF EXPENDITURE INCURRED IN 19.. UNDER COUNCIL REGULATION (EEC) No 2909/83 OF 4 OCTOBER 1983

SUMMARY TABLE

(in national currency)

Nature of measure	Amount paid by Member State	Amount of eligible expenditure (decision referred to in Article 3 (4)	Eligible reimbursement applied for (3)	Advance payment made by the Community	Balance to be reimbursed
Exploratory fishing voyages (1)					
Cooperation through joint fishing ventures (2)					
Total					
Amount reimbursed by the Member State (4)					
Net total					

(1) See details in Table 1.
(2) See details in Table 2.
(3) 50 % of the amount indicated in column 2.
(4) To be specified in Annex.

It is hereby confirmed that:

Provisions concerning all measures

— the expenditure reimbursement of which has been applied for relates to the measures approved by the Commission in Decision..... of .....,

— beneficiaries are notified in the appropriate manner of the percentage of the Community's financial contribution.

Provisions concerning measures involving exploratory fishing voyages

— reimbursement has been applied for only in respect of vessels that are not less than 24 m long between perpendiculars,

— vessels for which reimbursement of the redeployment premium has been applied for have been engaged in fishing on exploratory fishing voyages, comprising one or more trips, for a period of not less than 30 days,

— the voyages have been monitored by one or more scientific observers.

Provisions concerning cooperative measures involving joint fishing ventures

Reimbursement is applied for only in respect of:

— vessels for which a basic draft understanding drawn up by the beneficiary has been approved by the foreign partner,

— the temporary transfer, for one or more periods of at least three consecutive months, of vessels which have been engaged in fishing for not less than 120 days during the 12 months prior to submission of the basic draft understanding,

— the permanent transfer of vessels which have been engaged in fishing for not less than 120 days during the 12 months prior to submission of the basic draft understanding and which belong to Community nationals whose contribution towards the share capital of the joint venture is more than 40 % or the maximum amount specified by the national law in question.

Vessels which have previously benefited from a definitive laying up premium under Directive 83/515/EEC are excluded from permanent transfer.

This authority has taken the steps necessary to ensure that vessels which have been transferred permanently and are listed in the Annex hereto are permanently barred from fishing in Community waters.

Date, stamp and signature of the competent authority

TABLE 1

APPLICATION FOR REIMBURSEMENT OF EXPENDITURE INCURRED IN 19.. PURSUANT TO ARTICLE 4 OF REGULATION (EEC) No 2909/83 (EXPLORATORY FISHING VOYAGES)

Beneficiaries of measure (1)	Number of vessels (2)			Total number of voyages	Total number of fishing days	Redeployment premium eligible and approved within the meaning of Article 3 (4)	Aid paid by the Member State, eligible for the Community financial contribution (Article 4 (2))	Reimbursement applied for
	24 to 33 m	33 to 55 m	> 55 m			(in national currency)		
Total								

(1) Name or business name.
(2) For each vessel complete the form set out in Annex 3.

TABLE 2

APPLICATION FOR REIMBURSEMENT OF EXPENDITURE INCURRED IN 19. . PURSUANT TO ARTICLE 9 OF REGULATION (EEC) No 2909/83 (COOPERATION THROUGH JOINT FISHING VENTURES)

A. Temporary transfer

Name of vessel	Form No . . . (1)	Aid paid by the Member State	Aid eligible for Community financial contribution	Reimbursement applied for
		(in national currency)		

(1) For each vessel complete the form set out in Annex 4.

B. Permanent transfer

Name of vessel	Form No . . . (2)	Aid paid by the Member State	Aid eligible for Community financial contribution	Reimbursement applied for
		(in national currency)		

(2) For each vessel complete the form set out in Annex 5.

ANNEX 2

APPLICATION FOR AN ADVANCE PAYMENT FOR 19.. PURSUANT TO REGULATION (EEC) No 2909/83

A. Exploratory fishing voyages

1	2	3
Vessels (number)	Total duration of voyages (month)	Total eligible expenditure (Decision referred to in Article 3 (4)) (in national currency)

1. Eligible expenditure expected to be incurred in 19.. = ... (in national currency)
2. Amount of advance payment applied for (maximum 25 % of 1) = ... (in national currency)

B. Cooperation through joint fishing ventures

1	2	3			
Vessels (number)	Total expected gross registered tonnage	Expected end-use in tonnage percentages			
		Temporary transfer		Permanent transfer	
		%	quarters	%	GRT

1. Eligible expenditure expected to be incurred in 19.. = ... (in national currency)
2. Amount of advance payment applied for (maximum 25 % of 1) = ... (in national currency)

Date, stamp and signature of competent authority

ANNEX 3

EXPLORATORY FISHING VOYAGES

(Form No .....)

1. Name of vessel: ..... LOA: .....

   Year of construction: ..... LBP: .....

   Port of registration: ..... GRT: .....

   Fishing method used: ..... HP or kW: .....

2. Name of beneficiary: .....

3. Commission Decision of: .....

4. Characteristic features of voyage:

   — fishing zones: .....

   — species caught: ..... (tonnes), of which (1): .....

   — date of actual commencement of voyage: .....

   — date of completion of voyage: .....

   — scientific observer: .....
   (Name)

   .....
   (Address)

5. Financial results of voyage:

   — revenue: ..... (in national currency)

   — operating costs: ..... (in national currency)

   — difference: ..... (in national currency)

6. Redeployment premium paid by Member State: ..... (in national currency)

It is hereby certified that:

— the above information concerning the vessel in question is accurate and complies with the forward plan on the basis of which the Commission approved the measures and expenditure proposed,

— a detailed report pursuant to Article 8 (1) of Regulation (EEC) No 2909/83 has been forwarded to the Commission / will be forwarded (2) to the Commission as soon as possible.

Date, stamp and signature of competent authority

---

(1) Specify main species.
(2) Delete as appropriate.

ANNEX 4

TEMPORARY TRANSFER

(Form No .....)

1. Name of vessel or registration No: ..... Type of vessel: .....
   LOA: .....
   LBP: .....
   Year of construction: ..... GRT: .....
   Port of registration: ..... HP or kW: .....

2. Period for which fishing has been carried on during the 12 months prior to submission of the basic draft understanding:

   120 days or more (contractual associations), i.e. ..... days.

3. Companies with share capital:

   (a) share capital: ..... (reference currency)

   (b) contribution of Community partner:
   (share capital in excess of 40 % in respect of (a) or the maximum amount specified by national law,

   i.e.: ..... %)

4. Business name of joint venture:

   — name of Community partner: .....

   — name of non-member country partner: .....

5. Country of transfer: .....

6. Fishing zones: .....

7. Main caught: ..... (tonnes), of which (1): .....

8. Cooperation premium paid by the Member State:

   — period from ..... to ....., i.e. ..... quarters × 25 ECU = ...
   (in national currency) (2)

   — period from ..... to ....., i.e. ..... quarters × 25 ECU = ...
   (in national currency) (2)

   — period from ..... to ....., i.e. ..... quarters × 25 ECU = ...
   (in national currency) (2)

It is here certified that:

— the above information concerning the vessel concerned is accurate and complies with the forward plan on the basis of which the Commission approved the measures and expenditure proposed (see Commission Decision of .....),

— the vessel has not been used during the transfer period for fishing in areas extending up to 200 nautical miles off the coasts of Member States and subject to Community fishing regulations or in other areas coming under the sovereignty and jurisdiction of Member States.

Date, stamp and signature of competent authority

(1) Indicate main species.
(2) Conversion rate used 1 ECU = ... (in national currency).

ANNEX 5

PERMANENT TRANSFER

(Form No .....)

1. Identification prior to transfer:

Name of vessel or last registration No:	Radio code (if available): .....
.....	LOA: .....
Year of construction:	LBP: .....
Shipyard:	GRT: .....
Type of vessel:	HP or kW: .....

2. Date of removal from register of fishing vessels

3. Permanent transfer to (non-member country of destination): .....

   Period for which fishing has been carried on during the 12 months prior to the submission of the basic draft understanding:

   100 days or more, i.e.: ..... days.

4. Share capital of joint venture: ..... (reference currency)

   comprising:

   Contribution of Community partner: .....
   (more than 40 % of share capital or the maximum amount specified by national law, i.e. ..... %)

5. Business name of joint venture:

   — name of Community partner: .....

   — name of non-member country partner: .....

6. Premiums paid by Member State: Total = ... (in national currency) (1)

   i.e.: 400 ECU per gross registered tonne

   (up to 300 GRT): ..... = ... (in national currency) (1)

   200 ECU per gross registered tonne

   (in excess of 300 GRT): ..... = ... (in national currency) (1)

It is hereby certified that:

— with the forward plan on the basis of which the Commission has approved the measures and expenditure proposed (see Commission Decision of .....).

Date, stamp and signature of competent authority

(1) Conversion rate used: 1 ECU = ... (in national currency).