COMMISSION DECISION

of 16 December 2009

on a Community financial contribution for 2009 towards expenditure incurred by Member States for certain projects in the field of fisheries control, inspection and surveillance

(notified under document C(2009) 9935)

(Only the Danish, German, Greek, Spanish, Italian, Latvian, Dutch, Portuguese, Romanian, Swedish and English texts are authentic)

(2009/977/EU)

THE EUROPEAN COMMISSION,

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

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

Whereas:

(1) Based upon the requests for Community co-finance that have been submitted by Member States in their fisheries control programmes for 2009, the Commission has adopted Decision 2009/746/EC [2], which has left some of the 2009 budget available for fisheries control unconsumed.

(2) That unconsumed part of the 2009 budget should now be allocated by a new Decision.

(3) In conformity with Article 21(2) of Regulation (EC) No 861/2006, Member States have been asked to submit requests for additional funding related to the priority areas defined by the Commission, i.e. automation and management of data, new technologies, and seminars in the area of illegal, unreported and unregulated (IUU) fishing.

(4) On that basis and given budgetary constraints, requests for Community funding related to actions such as pilot projects, as well as the construction of patrol vessels and aircrafts, have been rejected since they were not dedicated to the priority areas defined above.

(5) Applications concerning actions listed in Article 8(a) of Regulation (EC) No 861/2006 may qualify for Community funding.

(6) Applications for Community funding are to comply with the rules set out in Commission Regulation (EC) No 391/2007 [3].

(7) It is appropriate to fix the maximum amounts and the rate of the Community financial contribution within the limits set by Article 15 of Regulation (EC) No 861/2006 and to lay down the conditions under which such contribution may be granted.

(8) In order to encourage investment in the priority actions defined by the Commission and in view of the negative impact of the financial crisis on Member States' budgets, expenditure related to the abovementioned priority areas should benefit from a high co-financing rate, within the limits laid down in Article 15 of Regulation (EC) No 861/2006.

(9) In order to qualify for the contribution, automatic localisation devices should satisfy the requirements fixed by Commission Regulation (EC) No 2244/2003 of 18 December 2003 laying down detailed provisions regarding satellite-based Vessel Monitoring Systems [4].

(10) In order to qualify for the contribution, electronic recording and reporting devices on board fishing vessels should satisfy the requirements laid down by Commission Regulation (EC) No 1077/2008 of 3 November 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 1966/2006 on electronic recording and reporting of fishing activities and on means of remote sensing and repealing Regulation (EC) No 1566/2007 [5].

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

[1] OJ L 160, 14.6.2006, p. 1.
[2] OJ L 267, 10.10.2009, p. 20.
[3] OJ L 97, 12.4.2007, p. 30.
[4] OJ L 333, 20.12.2003, p. 17.
[5] OJ L 295, 4.11.2008, p. 3.

HAS ADOPTED THIS DECISION:

Article 1

Subject matter

This Decision provides for a Community financial contribution for 2009 towards expenditure incurred by Member States for 2009 in implementing certain projects on monitoring and control systems applicable to the common fisheries policy (CFP), as referred to in Article 8(a) of Regulation (EC) No 861/2006. It establishes the amount of the Community financial contribution for each Member State, the rate of the Community financial contribution and the conditions on which such contribution may be granted.

Article 2

Closure of outstanding commitments

All payments in respect of which a reimbursement is claimed shall be made by the Member State concerned by 30 June 2013. Payments made by a Member State after that deadline shall not be eligible for reimbursement. Unused budgetary appropriations related to this Decision shall be de-committed at the latest by 31 December 2014.

Article 3

New technologies and IT networks

1. Expenditure incurred, in respect of projects referred to in Annex I, on the purchase of, installation and technical assistance for, computer technology and setting up of IT networks in order to allow efficient and secure data exchange in connection with monitoring, control and surveillance of fisheries activities shall qualify for a financial contribution of 50 % of the eligible expenditure, within the limits laid down in that Annex.

2. In case of expenditure under Annex I that is related to vessel monitoring system (VMS), electronic recording and reporting systems (ERS) or illegal, unreported and unregulated (IUU) fishing, the co-finance rate referred to in paragraph 1 is set at 95 %.

Article 4

Automatic localisation devices

1. Expenditure incurred, in respect of projects referred to in Annex II, on the purchase and fitting on board of fishing vessels of automatic localisation devices enabling vessels to be monitored at a distance by a fisheries monitoring centre through a VMS shall qualify for a financial contribution of 95 % of the eligible expenditure, within the limits established in that Annex.

2. The financial contribution referred to in paragraph 1 shall be limited to EUR 1 500 per vessel.

3. In order to qualify for the financial contribution referred to in paragraph 1, automatic localisation devices shall satisfy the requirements laid down in Regulation (EC) No 2244/2003.

Article 5

Electronic recording and reporting systems

Expenditure incurred, in respect of projects referred to in Annex III, on the development, purchase, and installation of, as well as technical assistance for, the components necessary for ERS, in order to allow efficient and secure data exchange related to monitoring, control and surveillance of fisheries activities, shall qualify for a financial contribution of 95 % of the eligible expenditure, within the limits laid down in that Annex.

Article 6

Electronic recording and reporting devices

1. Expenditure incurred, in respect of projects referred to in Annex IV, on the purchase and fitting on board of fishing vessels of ERS devices enabling vessels to record and report electronically to a Fisheries Monitoring Centre data on fisheries activities, shall qualify for a financial contribution of 95 % of the eligible expenditure, within the limits established in that Annex.

2. The financial contribution referred to in paragraph 1 shall be limited to EUR 3 000 per vessel, without prejudice to paragraph 4.

3. In order to qualify for a financial contribution, ERS devices shall satisfy the requirements established pursuant to Regulation (EC) No 1077/2008.

4. In case of devices combining ERS and VMS functions, and fulfilling the requirements laid down in Regulations (EC) No 2244/2003 and (EC) No 1077/2008, the financial contribution referred to in paragraph 1 of this Article shall be limited to EUR 4 500.

Article 7

Training and exchange programmes

1. Expenditure incurred, in respect of projects referred to in Annex V, on training and exchange programmes of civil servants responsible for monitoring, control and surveillance tasks in the fisheries area shall qualify for a financial contribution of 50 % of the eligible expenditure, within the limits laid down in that Annex.

2. In case of expenditure under Annex V that takes the form of seminars related to IUU fishing, the co-finance rate referred to in paragraph 1 is set at 95 %.

Article 8

Total maximum Community contribution per Member State

The total planned expenditure, the total expenditure for projects selected under this Decision, and the total maximum Community contribution per Member State allocated under this Decision are as follows:

(in EUR)

Member State	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Community contribution
Denmark	3 638 843	1 143 733	1 057 867
Germany	2 426 282	1 017 000	828 400
Ireland	1 143 000	800 000	300 000
Greece	2 500 000	907 895	525 000
Spain	10 695 000	3 783 000	2 526 000
Italy	4 990 000	3 140 000	2 897 500
Latvia	15 652	15 652	14 869
Netherlands	1 910 000	450 000	427 500
Portugal	7 439 055	4 171 655	2 635 194
Romania	15 600	15 600	7 800
Sweden	1 550 000	700 000	600 000
United Kingdom	1 153 763	911 161	779 870
Total	37 477 195	17 055 696	12 600 000

Article 9

Addressees

This Decision is addressed to the Kingdom of Denmark, the Federal Republic of Germany, Ireland, the Hellenic Republic, the Kingdom of Spain, the Italian Republic, the Republic of Latvia, the Kingdom of the Netherlands, the Portuguese Republic, Romania, the Kingdom of Sweden, and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 16 December 2009.

For the Commission
Joe BORG
Member of the Commission

ANNEX I

NEW TECHNOLOGIES AND IT NETWORKS

(in EUR)

Member State and project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Community contribution
Denmark			
DK/09/08	44 000	0	0
DK/09/09	1 333 333	0	0
Sub-Total	1 377 333	0	0
Germany			
DE/09/12	3 782	0	0
DE/09/15	20 000	0	0
DE/09/16	9 000	0	0
DE/09/25	12 000	0	0
DE/09/26	112 500	0	0
DE/09/27	465 000	0	0
Sub-Total	622 282	0	0
Ireland			
IE/09/03	63 000	0	0
Sub-Total	63 000	0	0
Greece			
EL/09/06	1 500 000	750 000	375 000
EL/09/07	1 000 000	157 895	150 000
Sub-Total	2 500 000	907 895	525 000
Netherlands			
NL/09/18	585 000	0	0
NL/09/19	875 000	0	0
Sub-Total	1 460 000	0	0
Portugal			
PT/09/07	1 500 000	0	0
PT/09/08	1 500 800	0	0
PT/09/09	46 600	0	0
PT/09/10	220 000	0	0
Sub-Total	3 267 400	0	0
Romania			
RO/09/04	15 600	15 600	7 800
Sub-Total	15 600	15 600	7 800
Sweden			
SE/09/15	100 000	0	0
SE/09/16	500 000	0	0
SE/09/18	250 000	0	0
Sub-Total	850 000	0	0
United Kingdom			
UK/09/69	9 879	0	0
UK/09/71	1 395	0	0
UK/09/73	5 811	0	0
UK/09/74	6 973	0	0
UK/09/75	51 578	0	0
UK/09/76	5 811	0	0

(in EUR)

Member State and project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Community contribution
UK/09/77	814	0	0
UK/09/78	2 529	0	0
UK/09/79	465	0	0
UK/09/80	5 113	0	0
UK/09/81	5 100	0	0
UK/09/83	7 670	0	0
UK/09/86	11 622	0	0
Sub-Total	114 760	0	0
Total	10 270 375	923 495	532 800

ANNEX II

AUTOMATIC LOCALISATION DEVICES

(in EUR)

Member State and project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Community contribution
Germany			
DE/09/17	48 000	48 000	24 000
DE/09/18	12 000	0	0
DE/09/19	45 000	0	0
DE/09/20	20 000	0	0
DE/09/28	258 000	258 000	129 000
Sub-Total	383 000	306 000	153 000
United Kingdom			
UK/09/72	197 573	197 573	102 000
Sub-Total	197 573	197 573	102 000
Total	580 573	503 573	255 000

ANNEX III

ELECTRONIC RECORDING AND REPORTING SYSTEMS

(in EUR)

Member State and project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Community contribution
Denmark			
DK/09/11	100 000	0	0
DK/09/12	100 000	0	0
DK/09/13	133 333	0	0
DK/09/14	200 000	0	0
DK/09/15	166 667	0	0
DK/09/16	133 333	0	0
DK/09/17	284 444	0	0
Sub-Total	1 117 777	0	0
Germany			
DE/09/06	350 000	0	0
DE/09/07	50 000	0	0
DE/09/08	60 000	0	0
DE/09/09	30 000	0	0
DE/09/10	100 000	0	0
DE/09/11	120 000	0	0
Sub-Total	710 000	0	0
Ireland			
IE/09/04	80 000	0	0
IE/09/05	200 000	0	0
Sub-Total	280 000	0	0
Latvia			
LV/09/01	15 652	15 652	14 869
Sub-Total	15 652	15 652	14 869
Netherlands			
NL/09/20	450 000	450 000	427 500
Sub-Total	450 000	450 000	427 500
United Kingdom			
UK/09/68	116 220	0	0
UK/09/84	11 622	0	0
Sub-Total	127 842	0	0
Total	2 701 271	465 652	442 369

ANNEX IV

ELECTRONIC RECORDING AND REPORTING DEVICES

(in EUR)

Member State and project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Community contribution
Denmark			
DK/09/10	1 080 000	1 080 000	1 026 000
Sub-Total	1 080 000	1 080 000	1 026 000
Germany			
DE/09/13	84 000	84 000	79 800
DE/09/21	105 000	105 000	99 700
DE/09/29	522 000	522 000	495 900
Sub-Total	711 000	711 000	675 400
Ireland			
IE/09/06	800 000	800 000	300 000
Sub-Total	800 000	800 000	300 000
Spain			
ES/09/36	3 753 000	3 753 000	2 502 000
ES/09/37	6 912 000	0	0
Sub-Total	10 665 000	3 753 000	2 502 000
Italy			
ITA/09/14	4 800 000	2 950 000	2 802 500
Sub-Total	4 800 000	2 950 000	2 802 500
Portugal			
PT/09/11	2 091 635	2 091 635	1 224 000
PT/09/12	1 993 500	1 993 500	1 329 000
Sub-Total	4 085 135	4 085 135	2 553 000
Sweden			
SWE/09/17	700 000	700 000	600 000
Sub-Total	700 000	700 000	600 000
United Kingdom			
UK/09/70	232 439	232 439	220 800
UK/09/82	453 256	453 256	430 572
UK/09/85	27 893	27 893	26 498
Sub-Total	713 588	713 588	677 870
Total	23 554 723	14 792 723	11 136 770

ANNEX V

TRAINING AND EXCHANGE PROGRAMMES

(in EUR)

Member State and project code	Expenditure planned in the national fisheries control programme	Expenditure for projects selected under this Decision	Community contribution
Denmark			
DK/09/19	63 733	63 733	31 867
Sub-Total	63 733	63 733	31 867
Spain			
ES/09/38	10 000	10 000	5 000
ES/09/39	20 000	20 000	19 000
Sub-Total	30 000	30 000	24 000
Italy			
IT/09/16	100 000	100 000	50 000
IT/09/17	90 000	90 000	45 000
Sub-Total	190 000	190 000	95 000
Portugal			
PT/09/13	86 520	86 520	82 194
Sub-Total	86 520	86 520	82 194
Total	370 253	370 253	233 061