



EMFF OP 2014-2020

Monitoring Committee Rules of Procedure

Adopted 26 February 2016

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1. Legal basis

The establishment and composition of the Monitoring Committee for each Operational Programme is provided for in Articles 48 and 49 of the Common Provisions Regulation (CPR) for European Structural and Investment Funds (EU) 1303/2013. In accordance with these, each Monitoring Committee should draw up and adopt its Rules of Procedure within the institutional, legal and financial framework of the Member State concerned.

In addition to the functions outlined in Article 49 of the CPR, Article 113 of the European Maritime and Fisheries Fund (EU) 508/2014 indicates further functions to verify performance of the EMFF OP and effectiveness of its implementation.

The Chair may take a vote and/or rule in any dispute in relation to the interpretation and implementation of these Rules of Procedure.

2. Functions of the Monitoring Committee

The main functions of the EMFF OP 2014-2020 Monitoring Committee and their implementation are set out in the table below:

	Function	Implementation
1	Shall meet at least once a year and shall review implementation of the programme and progress made towards achieving its objectives. In doing so, it shall have regard to the financial data, common and programme-specific indicators, including changes in the value of result indicators and progress towards quantified target values, and the milestones defined in the performance framework, and, where relevant, the results of qualitative analyses.	<p>The EMFF OP Managing Authority intends to hold two meetings a year which will take place in the National Seafood Centre, Clonakilty. See Sections 7-10 of the document in relation to organisation of these meetings.</p> <ul style="list-style-type: none"> • Apr/May – MA will present the Annual Implementation Report (AIR) for the previous year to Monitoring Committee for approval before submission to CION by 31 May. • Nov/Dec – MA with assistance from implementing agencies will provide progress reports and updates for all schemes for the current year. This may be presented to the Monitoring committee through documents submitted as described in Section 11, verbal or PowerPoint presentations to be given on the day of the committee meeting.
2	Shall examine all issues that affect the performance of the programme, including the conclusions of the performance review.	<ul style="list-style-type: none"> • <u>See point 1</u> • In 2019, the Commission, in cooperation with the Managing Authority will undertake a review of the performance of the EMFF OP with reference to the performance framework set out in Section 7 of the EMFF OP 2014-2020. The Managing Authority will consult the Monitoring Committee during the course of this review and present any conclusions of the review for discussion.
3	Shall be consulted and shall, if it considers it to be appropriate, give an opinion on any amendment of the programme proposed by the managing authority.	<p>As a result of any evaluations carried out by the Managing Authority or the performance review (<u>See point 2</u>) it may be necessary to make an amendment to EMFF OP. If this arises then:</p> <ul style="list-style-type: none"> • Managing Authority will present amended EMFF OP to Monitoring Committee for discussion before submission to CION. • This may presented to the Monitoring committee through documents submitted as described in Section 11, verbal or PowerPoint presentations to be given on the day of the committee meeting.
4	May make observations to the managing authority regarding implementation and evaluation of the programme including actions related to the reduction of the administrative burden on beneficiaries. The monitoring committee shall monitor actions taken as a result of its observations.	<ul style="list-style-type: none"> • <u>See point 6</u> • Periodically the MA will table item on the agenda to discuss the reduction of administrative burden on beneficiaries. • This may presented to the Monitoring committee through documents submitted as described in Section 11, verbal or PowerPoint presentations to be given on the day of the committee meeting.
5	Be consulted and shall approve, within six months of the decision approving the programme, the selection criteria for the financed	<ul style="list-style-type: none"> • All selection criteria/implementation plans relating to all schemes to be implemented under the EMFF OP 2014-2020 will be presented to the Monitoring Committee • This may presented to the Monitoring committee through documents submitted as described

	operations; the selection criteria shall be revised in accordance with programming needs;	in Section 11 , verbal or PowerPoint presentations to be given on the day of the committee meeting.
6	Examine the activities and outputs related to the evaluation plan of the programme;	<ul style="list-style-type: none"> The Monitoring Committee will be consulted on the evaluation activities and outputs that have been described in the Evaluation Plan for the EMFF OP 2014-2020 when these activities have been carried out. This may be presented to the Monitoring committee through documents submitted as described in Section 11, verbal or PowerPoint presentations to be given on the day of the committee meeting.
7	Examine actions in the programme relating to the fulfilment of specific <i>ex ante</i> conditionalities;	<ul style="list-style-type: none"> Periodically the MA will table item on the agenda to discuss any outstanding ex-ante conditionalities where actions are required to be carried out to fulfil criteria outlined in Section 6 of the EMFF OP 2014-2020. This may be presented to the Monitoring committee through documents submitted as described in Section 11, verbal or PowerPoint presentations to be given on the day of the committee meeting.
8	Examine actions to promote equality between men and women, equal opportunities, and non-discrimination, including accessibility for disabled persons.	<ul style="list-style-type: none"> Periodically the MA will table item on the agenda to discuss horizontal principles which promote equality between men and women, equal opportunities, and non-discrimination, including accessibility for disabled persons. This may presented to the Monitoring committee through documents submitted as described in Section 11, verbal or PowerPoint presentations to be given on the day of the committee meeting. Agencies and organisations that promote the horizontal principles may be invited to give presentations to Monitoring Committee to promote discussion on these topics. The Managing Authority with the approval of the Committee may establish sub-committees or working groups for the purpose of aiding the Committee in promoting these principles in the EMFF OP.
9	Monitoring Committee will examine and approve the annual implementation reports before they are sent to the Commission;	<ul style="list-style-type: none"> <u>See point 1</u>

The role of Members of the Monitoring Committee is to assist in ensuring the successful implementation of the EMFF OP and its objectives. The time commitment will normally be two days per year to attend Committee meetings with possible further days to undertake related meeting preparation, and approval of documents through written procedures or ad hoc workshops. If unable to attend a particular meeting of the Committee, a member may be represented by an appropriate alternate. A member should advise the secretariat in advance of the name of the alternate attending.

3. Composition of the Monitoring Committee

The composition of the Monitoring Committee for the 2014-2020 programming period is provided for in Article 48 of the Common Provisions Regulation (EU) 1303/2013. It states that the composition of the committee is a matter for the Member State, provided that the committee is composed of representatives of the relevant Member State authorities and intermediate bodies and representatives of the partners referred to in Article 5 of the regulation.

These are elaborated in the European Code of Conduct on Partnership (Article 4) as follows:

- a) competent **regional, local, urban and other public authorities**, including:
 - i. regional authorities, national representatives of local authorities and local authorities representing the largest cities and urban areas, whose competences are related to the planned use of the ESI Funds contributing to the programme;
 - ii. national or regional representatives of higher educational institutions, education, training and advisory services providers and research centres, in view of the planned use of the ESI Funds contributing to the programme;
 - iii. other public authorities responsible for the application of horizontal principles referred to in Articles 4 to 8 of Regulation (EU) No 1303/2013, in view of the planned use of the ESI Funds contributing to the programme, and in particular the bodies for the promotion of equal treatment established in accordance with Council Directive 2000/43/EC, Council Directive 2004/113/EC and Directive 2006/54/EC of the European Parliament and of the Council;
 - iv. other bodies organised at national, regional or local level and authorities representing the areas where integrated territorial investments and local development strategies funded by the programme are carried out;
- b) **economic and social partners**, including:
 - i. nationally or regionally recognised social partners' organisations, in particular general cross-industry organisations and sectoral organisations whose sectors are related to the planned use of the ESI Funds contributing to the programme;
 - ii. national or regional chambers of commerce and business associations representing the general interest of industries or branches, with a view to ensuring balanced representation of large, medium-sized, small and microenterprises, together with representatives of the social economy;
 - iii. other similar bodies organised at national or regional level;
- c) bodies representing **civil society**, such as environmental partners, nongovernmental organisations, and bodies responsible for promoting social inclusion, gender equality and non-discrimination, including:
 - i. bodies working in the areas related to the planned use of the ESI Funds contributing to the programme and to the application of horizontal principles, referred to in Articles 4 to 8 of Regulation (EU) No 1303/2013 based on their representativeness, and taking into account

- geographic and thematic coverage, management capacity, expertise and innovative approaches;
- ii. bodies representing the local action groups referred to in Article 34(1) of Regulation (EU) No 1303/2013;
 - iii. other organisations or groups which are significantly affected or likely to be significantly affected by the implementation of the ESI Funds; in particular, groups considered to be at risk of discrimination and social exclusion.

A further consideration is the provision for cross-representation of Managing Authorities for other Irish ESIF funds, including cross-border programmes. Based on the foregoing, the composition of the EMFF OP Monitoring Committee for the 2014-2020 period is appended to this document.

4. Chair

The Managing Authority shall provide the Chair of the Monitoring Committee. In the event of the nominated Chair being unable to attend for all or part of a Monitoring Committee meeting, he/she may delegate his/her responsibility to another member of the Committee from the Managing Authority.

5. Secretary

The Secretary to the Monitoring Committee shall be designated by the Managing Authority. Support services shall be provided by the staff of the Managing Authority as required.

The Secretary will be responsible for ensuring an agenda, minutes together with any necessary papers, are despatched to members in good time. Meeting papers etc will be issued in electronic format only. Documents will normally be issued at least 2 weeks before a Committee meeting

The Secretary will have responsibility for the specific meeting and venue arrangements.

The Secretary will normally communicate with members through email.

All communication relating to the business of the Committee should be addressed to the Secretary using a single mailbox – sdp2014@agriculture.gov.ie.

Any member wishing to communicate with the full membership should do so through the Secretary.

6. Communications

All communications relating to the business of the Committee shall be addressed to the Secretary to the Monitoring Committee.

7. Meetings

The Monitoring Committee will normally meet twice per year. Additionally meetings may be arranged as the business of the Committee requires, and in particular in the first year or two of the Programme.

All meetings shall be called by the Chair and notified by the Secretary. Where decisions are required to be made between meetings, the Managing Authority, with the approval of the Monitoring

Committee Chairperson may convene additional meetings; or, request that the decision be made by means of a written procedure.

8. Venue for meeting

All meetings of the Committee will take place in the National Seafood Centre, Clonakilty, Co. Cork, unless otherwise proposed by the Chair.

9. Notice of meeting

At least four weeks' notice of a meeting shall be given by the Secretary. Every notice shall specify the date, time and place of the meeting and the business to be transacted.

Notice shall be in writing, which shall include fax or e-mail.

Exceptionally and for urgent reasons, the Chair may reduce the period of notice and may authorise notice to be given by telephone, subject to confirmation in writing.

10. Agenda

All business to be transacted shall be specified in the draft Agenda, which shall be circulated with the notice of the meeting. The draft Agenda shall be prepared by the Secretary and authorised by the Chair. Any member may propose an item for inclusion on the draft Agenda with the approval of the Chair.

At the commencement of business, the Committee shall approve its Agenda. Other items may be considered under "Any other business" at the request of the Chair, or any member. After consideration by the Committee, any such proposal by a member shall be subject to the Chair's ruling as to its admissibility at that meeting. The decision of the Chair shall be final.

11. Documents

Documents relating to the business of the meeting will be supplied by Implementing Departments and Bodies at the request of the Managing Authority. Implementing Departments and Bodies to whom such a request is directed will be responsible for ensuring that all documents relating to the business of the Committee shall be given to the Secretary in sufficient time to enable the Secretary to circulate them to the members with the notice of the meeting. Documents shall normally be circulated in sufficient time so that they will be received by members at least ten working days in advance of a meeting.

The work of the Committee will not be confidential. Members should have regard to this in their contributions to the work of the Committee.

Documents shall be treated as confidential until the conclusion of the meeting to which they relate. Adopted minutes of the meetings of the Committee shall be published by the secretariat on the website of the Department.

12. Monitoring and Evaluation Arrangements

The Annual Implementation Report (AIR) which is submitted to the EU by the 31st May annually beginning in 2016 will form the main basis for monitoring & evaluation of the EMFF OP 2014-2020. The Managing Authority will prepare the AIR with the support of the Intermediate Bodies (An Bord Iascaigh Mhara and Údarás Na Gaeltachta) and certain Beneficiary Bodies which include (Marine Institute, Bord Bia, SFPA, Department of Defence) who will provide the relevant information to allow for a complete report being developed. The Managing Authority will then submit the proposed AIR to the Monitoring Committee as described in section 11 for discussion and finally their approval.

The AIR will contain a description of any changes in the general operational environment e.g. socio-economic trends, changes in national/regional or sectoral policies, the progress in the implementation of priorities and measures or major projects with reference to indicators, progress on expenditure, steps taken by the Managing Authority and Monitoring Committee to address problems arising, changes in implementation arrangements, the use of technical assistance and measures taken in respect of publicity and compliance with EU policies.

The Intermediate Bodies will also compile a twice-yearly report on performance indicators in respect of projects, each priority axis generally, setting out progress against initial objectives and targets. Progress reports will cover financial management details and qualitative information, where appropriate. These reports will form the basis of Committee meetings which will be held in the last quarter of each year. These reports may be discussed in the form of verbal or PowerPoint presentations.

The Monitoring Committee will be consulted on the evaluation activities and outputs that have been described in the Evaluation Plan for the EMFF OP 2014-2020 when these activities have been carried out. This may be presented to the Monitoring Committee through documents submitted as described in section 11, verbal or PowerPoint presentations to be given on the day of the committee meeting.

13. Decisions

The chair may deem a quorum to have been reached when half or more of the membership of the Committee (by number) is present at the beginning of the meeting. The chair will seek to achieve decisions of the Committee on the basis of consensus, but may, if necessary, obtain a decision by majority vote of those present and eligible to vote. In the event of a tied vote, the chair will have the casting vote.

The Committee can also reach decisions by way of written procedure to all members of the Monitoring Committee.

At the initiative of the Chair or with the agreement of the Chair, proposals may be submitted to the Committee for action through written procedure.

Members will normally be asked to give their written opinion on any such proposal within 10 working days. Proposals shall be deemed to have been agreed by the Committee in the absence of any written objections within that period.

Where written objections to a proposal are received by the Secretariat from any member within the 10 working days, the secretariat may discuss the objection with the member in order to achieve consensus. A member may withdraw their own written objection to a proposal at any time after submission. Where an objection is not withdrawn, the chair shall determine whether:

- A. the proposal should be amended and re-submitted to the Committee;
- B. the proposal should be withdrawn;

- C. the proposal may be deemed to be approved on the basis of positive responses from a majority of members.

Following the 10 working day period, the Secretary shall advise the Committee of the outcome of the written procedure.

The chair may, with the approval of the Committee, establish sub-committees or working groups for the purpose of aiding the Committee in the performance of its functions. The members of sub-committees or working groups, their responsibilities and tasks shall be decided by the Committee. The Committee shall be kept informed about the work of such groups. The secretariat will provide support as necessary for sub-committees and working groups.

Members of the Committee are required to declare any personal conflict of interest (beyond the obvious function of their nominating organisation) that they may have in a particular agenda item before discussion of the item begins.

Any member declaring such an interest may be asked by the chair to withdraw from the meeting for the duration of that discussion and/or otherwise asked not to participate in that item of business.

14. Minutes

The Secretary shall ensure that minutes are kept of all meetings. The minutes shall record the business discussed and the decisions of the Committee. The minutes shall be circulated by the Secretary in draft to the members present at the meeting for comments within one month of a meeting. The Secretary may accept amendments of a factual or drafting nature.

The draft minutes of a meeting together with any proposed amendments not accepted by the Secretary, shall be placed on the Agenda for the next meeting for formal approval of the Committee. The minutes as so approved shall be signed by the Chair and Secretary and circulated to all the members.

15. Changes to the Rules of Procedure

The Committee may at any time amend these rules of procedure. Copies of any revised text as amended will be forwarded to the members in writing.

The ruling of the Chair will determine any disputes in relation to interpretation of the Rules of Procedure.

Annex A

Membership of the EMFF OP 2014-2014 Monitoring Committee

Managing Authority
DAFM (chair)
DAFM
Social Partners
IFA Aquaculture
Irish Shellfish Association
Irish Salmon Growers Association
Irish Fish Processors & Exporters Association
Killybegs Fishermens Organisation
Irish Fish Producers Organisation
Irish South & East Fish Producers Organisation
Irish South & West Fish Producers Organisation
Enterprise Ireland
Fisheries Local Action Groups
Fisheries Local Action Groups
National Inshore Fisheries Forum
National Inshore Fisheries Forum
Irish Business & Employers Confederation
Horizontal Principles
Environmental Pillar
Environmental Pillar
Department of Environment, Community & Local Government
Department of the Arts, Heritage & the Gaeltacht - NPWS

Other ESIF Managing Authorities
Northern & Western Regional Assembly (ERDF Managing Authority)
Southern Regional Assembly (ERDF Managing Authority)
Eastern and Midlands Regional Assembly (ERDF Managing Authority)
Department of Education & Skills (ESF Managing Authority)
DAFM (EAFRD Managing Authority)
Department of Public Expenditure and Reform
Non-voting Members
DG MARE
DG MARE
Certifying Authority, DAFM
Audit Authority, DAFM
Intermediate Bodies and Implementing Agencies
BIM (Fisheries & CLLD)
BIM (Aquaculture)
BIM (Processing)
Marine Institute (Data Collection)
Marine Institute (NATURA,MSFD, IMP)
Sea Fisheries Protection Authority (control)
Dept. Of Defence (control)
Bord Bia
Údarás Na Gaeltachta
DAFM IMT (control)