



EMFF OP Monitoring Committee 18th May 2016

Minutes

Agenda item 1 - Registration

Attendance: (see Appendix A)

Agenda item 2 - Introduction and Overview

The Chair opened the meeting and welcomed EMFF OP Monitoring Committee (MC) members, observers and invited guests. The Chair invited the EMFF members to declare any conflict of interest - none declared.

The following additional points of business were added to the agenda under AOB:

1. Information on upcoming international events – request by DG Mare.
2. Update on EFF Closure, EMFF Designation, E-Cohesion Project, Communications Strategy and Financial Instruments – addition by Chair.

No further points of business were added and the amended agenda was adopted.

Agenda item 3- Minutes of meeting 26 February 2016 –For Adoption

(Draft) Minutes showing amendments to previously circulated papers, circulated to MC prior to the meeting, were put forward for adoption.

Ed Fahy-(EP) raised a query regarding a previous request by EP for disclosure of results on the OP Consultation process, the replies of which he said should be recorded to complete the minutes. The Chair explained that said results would be published but that they were currently subject to legal advice.

No further queries were raised and the Minutes of the MC meeting held on 26 February 2016 were adopted.

Agenda item 4 – Ex-ante Conditionalities–update

Dr Cecil Beamish (DAFM) briefed MC members on current position regarding the points system for serious infringements required by the EU Commission under the Control and Enforcement Regulation Ex-ante Conditionality.

- The EU points system for Licence Holders was previously implemented in Ireland by way of Statutory Instrument (S.I) No. 3 of 2014. Following two High Court challenges to S.I. No. 3 of 2014, advice was sought from the Attorney General. Both judgments were now subject to an appeal in the Supreme Court and a new amending S.I.* to replace the 2014 S.I. was put in place at the advice of the Attorney General.

*S.I. No. 125 of 2016 was drafted and signed by the previous Minister on 1 March 2016.

Subsequently, the matter was actively debated in the Oireachtas on 4 May 2016.

At the request of the outgoing Minister, the Attorney General recently undertook to examine as a matter of urgency SI No. 125 of 2016 with a view to determining if there was a way to assign points to Licence Holders on conviction, consistent with EU Regulations.

Primary Legislation was required in respect of a points system for Masters. Policies in European Law relating to the Masters points system were not set out as clearly as those for licence holders. Draft Agreement on the Bill was currently being worded for presentation to the Oireachtas.

Some of the requirements of primary legislation may/may not be required to be put into legislation for Licence Holders.

Agenda item 5 – Annual Implementation Report 2014/2015 – For Approval

The Annual Implementation Report 2014/2015 incorporating EU Commission comments, circulated to MC in advance of the meeting, was put forward for approval.

The EP put forward suggestions for the inclusion of page numbers and explanatory table “footnotes” to Result Indicator Table information in the document. Isabelle Garzon (DG Mare) pointed out that the context of the report was determined by the EU Commission and set out in the OP to ensure consistency of reporting across Member States. Therefore the question was a matter for the EU Commission but noted EP comments.

No further comments were made and the Annual Implementation Report 2014/2015 was adopted.

Agenda item 6 – Scheme Selection Criteria – For Approval

Six previously approved Implementation Plans with proposed new amendments and two new Scheme Implementation Plans were put forward for approval.

Implementation Plans with Amendments

1. Aquaculture Knowledge Gateway Scheme
2. Sustainable Aquaculture Scheme
3. Seafood Processing Development Measure
4. Sustainable Fisheries Scheme
5. Inshore Fisheries Conservation Scheme
6. Fisheries Local Development Scheme

New Scheme Implementation Plans

1. Fishing Effort Adjustment (Decommissioning) Scheme
2. New Fishermen Scheme

MC comments/questions on Scheme Selection Criteria:

Sustainable Aquaculture Scheme

- Richie Flynn (IFA) – suggested Bord Bia representation on Selection Board Committee given the importance of market focus.

Sustainable Fisheries Scheme

- Patrick Murphy (ISWFPO) – raised a query regarding specific (sonar) equipment which appeared to be ineligible under the Scheme. Following broad discussion, the Chair advised referral to Agency Experts for bi-lateral discussion as MC meeting was not forum to discuss specific equipment items.

Inshore Fisheries Conservation Scheme

- Karin Dubsky (EP) – sought clarification on where seaweed fitted in under the scheme and discussion on the broader issue of seaweed cultivation. She queried how well related Annual Implementation Report (AIR) Indicators worked and proposed EP representation on the Evaluation Committee. In response Damien Clarke (EMFF MA) pointed out that the AIR Indicators were all specified in the Operational Programme and tracked through the AIR. Progress reporting to MC on a six monthly basis would take place and additionally it was the intention of the MA to pursue the dissemination of case studies through the website on projects approved and their outcomes. With regard to Selection Committee representation, he emphasized the need for impartiality and that evaluation was best left to Agency Experts. On the boarder issue of seaweed cultivation, the Chair advised bi –lateral discussion.

Fishing Effort Adjustment (Decommissioning) Scheme

- Ed Fahy (EP) -raised a query on whether any attempt had been made to buy up dormant/surplus tonnage on market to avoid mistakes of the past, as discussed in his consultation document, whereby monies received for decommissioned vessels could result in reinvestment in other vessels which drew tonnage from surplus tonnage, providing advantages for some fishers at the expense of others. The Chair stated that the purchase of non active capacity was prohibited under EU Legislation but noted Mr Fahy's comments. In discussion Isabelle Garzon (DG Mare) outlined the process where the permanent cessation of fishing activities could be granted under EU Regulation and stated that the opportunity for creating new fishing capacity was very limited.

New Fishermen Scheme

- Ed Fahy (EP) - queried whether vessel registration in a DCF fleet segment meant quota species fleet under document section **4. Eligible Activities**. The Chair clarified that vessels were required to be one of fleet segment not necessarily one of quota species. Mr Fahy expanded his query to check what the position was regarding mussel fishing. Ian Lawler (BIM) explained that any segment in Fleet Report had to be balanced. Tom Scanlon (BIM) added that the scheme was open to all sectors shown to be imbalanced.
- Patrick Murphy (ISWFPO) – queried the basis of the requirement for a vessel to be 5 years old under section **4. Eligible Activities**. Dr Cecil Beamish (DAFM) informed that the 5 year eligibility requirement was set down in Article 31.2 (c) of EMFF Regulation 508/2014.

All Implementation Plans were approved by majority decision.

Agenda item 7-Scheme implementation progress updates – For Information

Short presentations were given by agency experts on the main areas of progress in implementing schemes. (See Appendix B)

Following the presentations, the Chair opened discussion to the floor for any comments/questions:

- Karin Dubsy (EP) (linking Presentations 1 and 2) queried (1) if there was a plan to have tracking available to all vessels. (2) She raised concern over increased public interest in seaweed and (3) where to find further information regarding seagrass as it was an EU priority habitat. The Chair in reply to (1) confirmed all vessels over 10 m had vessel monitoring. Re (2) and (3) the Chair suggested a bi-lateral discussion with DAFM or SFPA.
- Noel McDonagh (FLAGS) expressed his disappointment with the delay in the FLAGS selection process emphasising BIM Agency understaffing. He drew attention to the issue of Harbours leases/non-leases which he felt was an obstacle that needed to be addressed. The Chair acknowledged a delay in FLAGS formation process but reminded that the process needed building from “bottom up”. In response to the Harbour Licence issue raised the Chair stated that a possible conflict of interest with SFPA could arise and extended an invitation to bi-Lateral discussions, if desired.

Isabelle Garzon (DG Mare) congratulated the presenters on the work of the Agencies. She spoke of the challenges for all Member States, given the increased funding support, for the use of consistent strategy across Union Priorities, particularly in the areas of Control and Enforcement and Data Provision. She advised BIM Agency to better get across what EMFF was used for and pointed out the lack of use of LOGOs which she said had been a weakness in the past.

All presentations would be made available on departmental website.

AOB

Keith Kelleher (EMFF – MA) updated the members on EFF Closure, EMFF designation process, National Eligibility Rules and Communications Strategy.

Margot Dunne (DPER) provided the update on E-Cohesion Project.

EFF Closure

- EFF OP closed on 31st December 2015.
- Verification Checks as per Article 59(b) of Council Regulation (EC) No. 1198/2006 had been completed by MA.
- The Certifying Authority would conduct their checks on expenditure before Final Interim claim submission to EU Commission by 30th June 2016.
- Total EFF claim was approx. €41.37million or approx. 98% of EFF funds available (not inclusive of 10% Top-up available to EU Member States who had difficulties during programming period which could lead to full drawdown of EFF funds available).
- All Closure documents to be submitted to EU Commission before 31st March 2017.

A detailed final Closure Report would be presented to the MC for approval at a future date prior to submission of final closure package to the EU Commission.

EMFF designation process

- An EMFF designation process ensuring all Management and Financial controls in place were effective needed to be completed before submission of first Interim claim to EU Commission.
- An Independent Audit Body (IAB) – Internal Audit Unit, DAFM – who will work with MA, Intermediary Bodies and Certifying Authority to ensure robust control systems are in place, was designated in April 2016.
- Projected date for process completion is September 2016 dependent on the development of E-Cohesion IT System.

E-Cohesion Project

- The E-Cohesion IT Systems project was progressing with a dedicated team in place. A Project Board with external expertise covering governance matters was also in place. The Project Board met on a monthly basis and the EU Commission was being kept apprised of developments.

National Eligibility Rules

- An examination of the possible use of Financial Instruments had been included in the New Programme for Government and it was proposed that an ex-ante assessment would be carried out to ascertain the suitability of Financial Instruments in EMFF OP. As part of this process EMFF OP MA had consulted with colleagues from Rural Development Programme under the EAFRD to examine the possibility and viability of undertaking a joint REQUEST FOR TENDER for both funds.
- Further detail would be made available to MC at next meeting.

Communications Strategy

- An advanced draft Communications Strategy was available but not yet fully completed due to the political situation/formation of a new government. The draft would be submitted to Minister's Press Office for their input and once completed a copy of the Strategy would be issued to the MC.
- Other actions progressing included Website/Portal structure development, design of specific EMFF promotional stand and the identification of suitable events to promote the EMFF.

Tara McCarthy – CEO BIM addressed the meeting to extend an invitation to all to the BIM National Seafood Conference and "Seafest" Festival events taking place in Galway from 30th June 2016.

Isabelle Garzon – DG Mare informed the meeting of international events taking place the following week – Maritime Day in Finland and European Day on Aquaculture in Brussels. She said that part of the EU Agenda was to launch a new EU website on aquaculture and she encouraged the MC to become active on social media, to avail of the EU social media platform which was reaching out to Member States and to follow DG Mare on Twitter.

As there were no other matters arising, the Chair thanked the attendees and concluded the meeting.

ENDS

Appendix A

In Attendance

Name	Organisation
Adrian Antonescu	DG Mare
Alex Crowley	NIFF
Breda Hennessy	EMFF MA DAFM
Catherine Morrison	BIM
Cecil Beamish	DAFM
Conor O'Shea	SFPA
Damien Clarke	EMFF MA DAFM
David Brennan	Irish Salmon Growers Association
David Lyons	Department of Arts, Heritage & the Gaeltacht - NPWS
Declan Coppinger	Bord Bia
Ed Fahy	Environmental Pillar
Felix McKendry	Enterprise Ireland
Francis O'Donnell	IFPO
Geraldine Hinchion	EMFF MA DAFM
Hugh Geoghegan	Dept of Education & Skills(ESF MA)
Hugo Boyle	ISEFPO
Ian Lawler	BIM
Isabelle Garzon	DG Mare
Jennifer Melia	Enterprise Ireland

Name	Organisation
Jerry Kelliher	Dept of Defence
Jim Conway	EMRA (ERDF MA)
Karin Dubsy	Coastwatch Europe
Keith Kelleher	EMFF MA DAFM
Kevin Flannery	FLAGS
Mairéad Ni Oistín	Údarás na Gaeltachta
Margot Dunne	DPER
Mick Quirke	EMFF Audit Authority
Noel McDonagh	FLAGs
Oliver Tully	Marine Institute
Paschal Hayes	EMFF MA DAFM (CHAIR)
Patrick Murphy	ISWFPO
Richard Guildea	NIFF
Richie Flynn	IFA Aquaculture
Sean O'Donoghue	Killybegs Fishermens Organisation
Sonja Maurus	SRA (ERDF MA)
Tara McCarthy	BIM
Tom Scanlon	BIM

Apologies

Name	Organisation
Lorcán Ó Cinneide	IFPEA
Paul Kelly	IBEC

Appendix B

1. Control and Enforcement - presented by Mr Conor O'Shea, SFPA.
2. Data Collection and Marine Biodiversity Schemes – presented by Mr Oliver Tully, MI.
3. Sustainable Aquaculture Scheme and Knowledge Gateway Scheme – presented by Ms Catherine Morrison, BIM.
4. Seafood Processing Measure – presented by Mr Tom Scanlon, BIM.
5. Sustainable Fisheries Scheme, Inshore Fisheries Conservation Scheme and FLAG Scheme – presented by Mr Ian Lawler, BIM.