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COVER NOTE

From: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 12 June 2017

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of
the European Union

No. Cion doc.: C(2017) 3881 final

Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 12.6.2017
amending Regulation (EU) No 508/2014 of the European Parliament and of
the Council as regards the distribution of funds under direct management
among objectives of the Integrated Maritime Policy and the Common
Fisheries Policy

Delegations will find attached document C(2017) 3881 final.

Encl.: C(2017) 3881 final



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COMMISSION DELEGATED REGULATION (EU) .../...

of 12.6.2017

**amending Regulation (EU) No 508/2014 of the European Parliament and of the Council
as regards the distribution of funds under direct management among objectives of the
Integrated Maritime Policy and the Common Fisheries Policy**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Article 14(1) of the EMFF Regulation sets out an amount of EUR 647.3 million for directly managed expenditure. This amount includes technical assistance (1.1% of the fund) equal to EUR 70.4 million. The majority of the resources (EUR 576.9 million) are allocated to the implementation of measures enhancing the development and implementation of the Integrated Maritime Policy (IMP) as well as accompanying measures for the IMP and Common Fisheries Policy (CFP). The scope and objectives of these measures are laid down in Article 82 and 85 of the EMFF Regulation respectively. Annex III to the EMFF regulation sets out an indicative distribution of these resources across the different measures.

In the light of the initial period of implementation of this EMFF directly managed expenditure, it has become necessary to adjust the indicative distribution. This will make it possible to maximise the use of resources available, for the remainder of the programming period, in full respect of the indicative distribution. In this respect, resources can be directed away from areas where they have not been fully utilised, and reallocated to areas where resources can be dedicated to actions that can be successfully implemented.

Thus, the delegated act proposes an adjustment of the indicative distribution of resources across measures modifying the percentages of Annex III of the EMFF regulation.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Consultations have been carried out in accordance with paragraph 4 of the Common Understanding on delegated acts between the European Parliament, the Council and the European Commission.

All parts of the act have been discussed at the expert group meeting on 28 February 2017 involving experts from all Member States. The European Parliament and the Council were duly notified of the date of the meeting, agenda and relevant documents to enable them to attend the meetings. In addition, the Advisory Councils (ACs) set up in the context of the CFP were consulted and comments were received from 3 ACs.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Article 14(4) of Regulation (EU) 508/2014 empowers the Commission to adopt delegated acts adjusting the percentages set out in Annex III to the Regulation in question.

COMMISSION DELEGATED REGULATION (EU) .../...

of 12.6.2017

amending Regulation (EU) No 508/2014 of the European Parliament and of the Council as regards the distribution of funds under direct management among objectives of the Integrated Maritime Policy and the Common Fisheries Policy

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council¹, and in particular Article 14(4) thereof,

Whereas:

- (1) Regulation (EU) No 508/2014 provides for the financing of measures which contribute to the achievement of the objectives of the Integrated Maritime Policy and the Common Fisheries Policy.
- (2) Title VI of Regulation (EU) No 508/2014 sets out the measures which may be financed in accordance with the principle of direct management by the Union.
- (3) Annex III to Regulation (EU) No 508/2014 establishes the indicative distribution of funds under direct management among the specific objectives of the Integrated Maritime Policy and the Common Fisheries Policy set out in Articles 82 and 85 of that Regulation
- (4) The programming period for measures financed under Regulation (EU) No 508/2014 covers the years from 2014 to 2020. After the end of the third year of the programming period, and in the light of the experience gained from actions implemented so far across the different spending areas, divergences have emerged in some areas between the appropriate distribution of funds and the percentages set out in Annex III to Regulation (EU) No 508/2014.
- (5) So far it has been possible to deal with these divergences by applying Article 14(3) of Regulation (EU) No 508/2014. That Article allows the Commission to depart from the indicative percentages by no more than 5 % of the value of the financial envelope in each case.
- (6) Article 14(4) of Regulation (EU) No 508/2014 empowers the Commission to adopt delegated acts adjusting the percentages set out in Annex III thereto.

¹ OJ L 149, 20.5.2014, p. 1.

- (7) In order to maximise the use of the available funds for the remainder of the programming period and the contribution of the underlying actions to the achievement of the objectives set out in Articles 82 and 85 of Regulation (EU) No 508/2014, it is necessary to adapt the indicative distribution of funds in Annex III to that Regulation.
- (8) Regulation (EU) No 508/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EU) No 508/2014 is replaced by the text set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12.6.2017

For the Commission
The President
Jean-Claude JUNCKER