

Covid-19 Temporary Fleet Tie-up Scheme

Terms and Conditions

To qualify for grant aid under this scheme the following terms and conditions must be met in all cases. Applicants should please note that these terms and conditions will apply to all applications. Applications that fail to comply with these terms and conditions will be deemed ineligible and will not be considered further.

Managing Authority and Intermediate Body

- 1) The Managing Authority for this scheme is the Marine Programmes Division, Department of Agriculture, Food and Marine (DAFM).
- 2) The implementing Authority for this scheme is Bord Iascaigh Mhara (BIM).
- 3) BIM with the agreement of the Managing Authority, reserves the right to alter or amend the conditions of this scheme and/or to suspend the scheme or to substitute the scheme for a different scheme.
- 4) Funding for this scheme is subject to funding being available to Bord Iascaigh Mhara (BIM). In every case payment of grant aid is contingent on the availability of finance to BIM.
- 5) The Scheme will be reviewed at the end of each month and the Minister for Agriculture, Food and the Marine reserves the right to terminate the Scheme at any time.

General Conditions

- 6) The onus of eligibility lies with the beneficiary, i.e. the beneficiary must ensure that they qualify under the scheme.
- 7) The purpose of this scheme is to reduce the volume of fish entering the market which has been depressed by the Covid-19 Pandemic, while at the same time keeping an adequate number of vessels fishing to maintain a food supply. The scheme will contribute to the fixed costs incurred by fishing vessels while tied-up.
- 8) The grant aided vessels in question must not engage in fishing activity of any sort for the duration of the grant aided period.
- 9) Grant aid is available to owners of Irish Sea-fishing boats as listed on the [Irish Fleet Register](#) that meet the following eligibility criteria:
 - Licensed in the Polyvalent, Beam Trawl or Specific segment of the Irish sea-fishing fleet;
 - Which have carried out fishing activities at sea for at least 120 days in total over the calendar years 2018 and 2019, and
 - Which have made total first sales of fish, to a minimum value of €5,000 in the calendar year 2019, by reference to the Irish Sales Note System administered by the Sea Fisheries Protection Authority (SFPA). Sales recorded outside of this system will not be taken into consideration in meeting this criterion.

Please note:

- In relation to days at sea, for all vessels under 10m a self-declaration will be accepted. For all vessels >10m, the number of days fished will be confirmed by BIM with the SFPA prior to issuing a letter of offer. Where a vessel has been registered in the Irish Register of Sea-fishing boats for less than two years at the date of application, BIM will calculate the minimum number of days of fishing activities in the calendar years 2018/19 required, as a proportion of the 120 days normally required.
- Sales notes requirements will be confirmed by BIM with the SFPA prior to issuing a letter of offer.

10) Eligible Costs:

The following grant aid will be given to eligible grant beneficiaries at a 100% grant rate for all vessel categories.

Size of vessel	Payment for 1-month tie-up period	Payment for 2-month tie-up period	Number of Vessels on the Irish Fleet Register @ 8 May 2020 *	Max no. Boats allowed aid in a given month (66%)*
<6m	€500	€1000	592	391
6 < 8m	€500	€1000	512	338
8 < 10m	€750	€1,500	372	246
10 < 12m	€800	€1,600	229	151
12 < 15m	€1,900	€3,800	68	45
15 < 18m	€2,000	€4,000	20	13
18 < 24m	€4,600	€9,200	78	51
> 24m	€6,000	€12,000	113	75

*Please note: The above figures were calculated, and have been fixed, based on the Irish Fleet Register dated the 8 May 2020.

11) Ineligible Costs:

The following boats are ineligible for grant aid under this scheme

- Boats on the Irish Fleet Register under the segments Aquaculture and RSW Pelagic.
- Boats that have fished for less than 120 days over the calendar years 2018 and 2019. Please note that if you joined the Irish fishing register after January 2018, the 120 days will be calculated on a pro rata basis. Fishing activity days in 2020 will not be taken into account for the purposes of determining eligibility for the scheme.
- Boats that have fish landings less than €5,000 in the calendar year of 2019 as per submitted Sales Notes documents to the SFPA.

12) The scheme will be offered to a maximum of 66% of vessels in each length category each month, for the three months June, July and August. A sea-fishing boat licence holder may only avail of the scheme for a maximum of two months.

13) Applicants will indicate on the application form their first, second and third preference of tie-up period.

Tie-up period options:

- June only
- June & July
- June & August
- July only
- July & August
- August only

If any period of the scheme is oversubscribed in any vessel size category, approval for participation in the scheme will be decided on based on order of submission of the applications. If your selected tie-up period is no longer available for grant aid and you have an eligible application, you will be prioritised for the next available tie up period at the time of submission, based on your second and third preference. You can choose to accept the tie-up period offered or continue to fish. If you decline the period offered your application will be closed.

14) BIM will supply a list of all boats grant aided under this scheme to the SFPA, the Naval Service, the Managing Authority and the Licencing Authority for Sea-fishing boats in DAFM.

15) The Grantee shall indemnify and keep indemnified BIM against all costs, loss, damage and expenses sustained by them and against any claims that may be brought by any partner, employee, agent, sub-contractor or any kind or other party arising out of this project whether by reason of or on account of the breach, default, neglect, non-performance or non-observance by the Grantee or the partners of any of them of the terms and conditions of this Agreement or otherwise.

16) Grant aid may be revoked, or the amount of grant aid be reduced if any of the following should occur prior to grant payment:

- Failure to surrender your Sea-Fishing Boat Licence to BIM for the period covered by the grant aid;
- Failure for the grant beneficiary(s) to provide required Tax Clearance information;
- Should the Grantee commit any breach of the terms of the agreement;
- Should there be a change in the basis of the undertaking which would obviate in whole or in part the purpose for which the grant was made;
- Should the Grantee, without the prior consent of BIM, sell, transfer, alienate or otherwise dispose of the vessel without the prior consent of BIM.;
- An order is made, or an effective resolution is passed, for the winding up of the grantee's business.
- A receiver is appointed over the vessel of the beneficiary or a distress or execution is levied or served upon the vessel of the Beneficiary and is not paid off.

Applicants

17) The applicant must complete a self-declaration confirming that none of the situations specified in article 10 of the EMFF Regulation (Regulation 508/2014) applies to them, and if they do, provide details. The applicant shall continue to comply with the conditions specified in article 10 throughout the tie-up period and for a period of 5 years after payment of the tie-up premium.

Please note that for on-line applications and claims, by submitting the forms, you are electronically signing all declarations that you have agreed to via a checkbox in the form. This is the legal equivalent to a hand-written signature.

- 18) The applicant will, if required, demonstrate its legal identity to the satisfaction of BIM.
- 19) The applicant must surrender their Sea Fishing Boat Licence to BIM for the tie-up period being grant aided.
- 20) Where appropriate the applicant and any project partner must comply with the provisions of the Data Collection Regulation at the time of financial payment.
- 21) Applicants must notify BIM and make their books and accounts available to the Office of the Comptroller and Auditor General, when 50% or more of their total income (in any 12 months period) is sourced from Exchequer Funds.
- 22) Where required, the lead applicant and any additional boat owners must comply with the Department of Finance tax clearance procedures. The applicant and all other boat owners must provide a Tax Reference Number and Tax Clearance Access Number.
- 23) Applicants must comply with the Department of Public Expenditure and Reform Circular 13/2014 – Management of and Accountability for Grants from Exchequer Funds. Where an applicant is required to file audited accounts with the Companies Registration Office (CRO), these accounts must detail the following information explicitly:
 - Name of Grantor ((Circular 13/2014 Section 5, subsection 21 (a))
 - Name of the Grant Scheme / Programme (Circular 13/2014 Section 5, subsection 21 (b))
 - Purpose of the Grant by appropriate heading (Circular 13/2014 Section 5, subsection 21 (c))
 - Accounting information for the Grant (Circular 13/2014 Section 5, subsection 21 (d))
 - Capital Grant information (if applicable) (Circular 13/2014 Section 5, subsection 21 (e))
 - Employee numbers and benefits categorised, and employer pension contributions (Circular 13/2014 Section 5, subsection 21 (f))

Applications

- 24) Only applications submitted on an official BIM electronic application form sent via the BIM grants portal will be considered for grant aid approval.
- 25) For vessels with multiple owners, one vessel owner must apply on behalf of all owners. The application must be linked to the vessel to be tied-up. A second application for a vessel will only be accepted if the 2-month limit per vessel has not been reached by the vessel in question.
- 26) Acknowledgement of an application does not constitute any form of entitlement to any form of grant aid whatsoever and neither should the applicant constitute any assistance given by officers of BIM as a form of indication that grant aid will become available.
- 27) BIM will determine the eligibility of applications and applications that do not meet all the mandatory criteria will be deemed ineligible and will be returned to the applicant with an explanatory memorandum.
- 28) Failure to accept the letter of offer in a timely manner may result in non-payment of your grant aid.

- 29) Officers of BIM, the Department of Agriculture, Marine and Food, or the European Commission or their agents, must be allowed access to all reports, manuals and official documentation including financial and other records related to the project being grant aided for the audit and verification purposes. All requests for information must be responded to promptly.
- 30) As the application will be made through the BIM on-line Grants Portal, BIM does not require a hard copy of the application. However, any original supporting documentation for all on-line applications, must be made available should it be requested at any stage by Officers of BIM and the Department of Agriculture, Food and the Marine or their agents.

Publicity and Acknowledgement of EMFF Support Requirements

- 31) BIM and the Department of Agriculture Food and the Marine are required to publicly acknowledge the EMFF aid provided via their website or other publications including information such as the applicant/company name, vessel name, the county, grant aid paid, % grant rate and portion funded by the EMFF.

Claims

- 32) Applicants do not have to submit a separate claim form. Payments will be made once the following pre-payment conditions have been met:
- The applicant has accepted a letter of offer.
 - The applicant surrendered their Sea Boat Fishing Licence to BIM for the period covered by the grant aid.
 - The applicant meets all tax clearance requirements and
 - The SFPA has confirmed to BIM that the applicant's vessel was not found to be engaged in fishing during the tie-up period.

Payment will be made automatically into the nominated bank account given on the application form after the tie-up period and the above conditions have been met. BIM will endeavour to expedite payments in a timely manner.

- 33) Payment of grant aid will only be made when all scheme terms and conditions and any special conditions listed in the letter of offer have been fulfilled.
- 34) The grant aid will be paid in one instalment.

Appeals Procedure

- 35) BIM will provide on request a written explanation for award decisions. Following receipt of that explanation, appellants may request that an appeal be considered by an appeals officer appointed for that purpose. Where possible you must appeal a decision prior to the start of the tie-up period in question.