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MAC LETTER

Review of the State Aid Framework applicable to the Fishery and Aquaculture Sector

On 28 June 2019, the European Commission launched its online consultation on the review of the State aid framework applicable to the fishery and aquaculture sector.

Apart from informing its members that they can provide input individually, the MAC has developed some common agreed views concerning the review, following a discussion of the topic at a MAC Working Group meeting on 2 September 2019.

Under the Combined Evaluation Roadmap/Inception Impact Assessment, the European Commission proposed a preliminary set of options to better serve the objectives of the review of the State Aid framework. Among the four proposed options, the MAC believes that Option 4 (“align, adapt, and revise”) would be the preferable one, agreeing that the framework should be aligned to the logic of the post-2020 EMFF and that the rules should be revised according to the Commission’s experience. Nevertheless, the MAC believes that the revision should go further than Option 4 and that the evaluation should also take account of an increase of the de minimis thresholds for all the actors of the value-chain involved.

For example, the MAC recommends the adaption of the de minimis Regulation, so that the concession of de minimis aid is provided per vessel instead of per firm, with an overall cap per enterprise if deemed appropriate. The proposed amendments should consider the different fleet segments, taking particularly into account the needs of the small-scale fishing sector.

Furthermore, investments on health, safety, training, welfare and/or accommodation facilities aimed at improving the working conditions in the seafood sector should be eligible for funding under the future de minimis Regulation. In this sense, in line with the new approach proposed by the European Commission for the European Maritime and Fisheries Fund (EMFF) 2021-2027, the state aid provisions must shift away from the current prescriptive eligible measures. The EMFF Regulation will, in principle, lay down principles of exclusion



Market Advisory Council

and leave the possibility of defining the measures to be implemented to Member States.

Therefore, state aid rules should be based essentially on the main principles to ensure the flexibility created by the national definition of the EMFF measures. The Block Exemption and de minimis regulations should account for these changes in order not to be more restrictive than the future EMFF Regulation.

This architecture will ensure consistency and make it easier for beneficiaries to access state aid, allowing them to focus on achieving results, without losing time and energy in burdensome administrative procedures.

The MAC encourages the European Commission to ensure that the eligibility criteria for State aid takes due account of the Brexit impacts, particularly in case of no-deal, allowing the granting of quick and adequate funding for companies in difficulty under this regime.

The MAC will continue to analyse the topic of State aid applicable to the fishery and aquaculture sector and will remain at your disposal to provide further advices.

Best regards,



Guus Pastoor
Chair of the Market Advisory Council