



**Invest NI's Fish Processing and Marketing Support  
May 2016**

**1. Title of Scheme**

Invest NI Fish Processing and Marketing Support

**2. Member State**

United Kingdom

**3. Region**

Northern Ireland

**4. Legal basis**

The Industrial Development (Northern Ireland) Order 1982

The Industrial Development (Northern Ireland) Act 2002

The European Communities Act 1972

**5. State Aid**

Invest NI's Fish Processing and Marketing support will operate in accordance with Commission Regulation (EU) No.1388/2014 (the Regulation) including references to Regulation (EU) No 508/2014 on the European Maritime and Fisheries Fund (EMFF).

**6. Annual expenditure planned under the scheme**

£500,000

**7. Maximum Aid Intensities**

<b>Fishery &amp; Aquaculture Block Exemption Regulation Measure</b>	<b>EMFF Reference</b>	<b>Maximum Aid Intensity*</b>
Article 41 Aid for marketing measures	Article 68	50%
Article 42 Aid for the processing of fishery and aquaculture products	Article 69	50%

\*in conformity with Article 95 of EMFF Regulation

**8. Date of Implementation**

1 May 2016

**9. Duration of Scheme**

Until 31 December 2020

**10. Scope**

Invest NI Fish Processing and Marketing support will assist and medium-sized enterprises (SMEs) active in the processing or marketing of fishery and aquaculture products in Northern Ireland primarily to undertake:

- (a) incremental activities focusing on finding new markets for species with marketing potential, and promoting the quality and value-added of fishery and aquaculture products through improved presentation and packaging of products; and

- (b) investment projects in Northern Ireland which contribute to new or improved products, new or improved processes, or new and improved management and organisation systems.

This Scheme applies to projects which fall outside the budget availability and timing of Northern Ireland's Department of Agriculture & Rural Development (DARD) EMFF programme 2015-2020. Aid will not be paid to projects being supported under that programme.

The scheme **will not** provide:

- (a) aid which is fixed on the basis of price or quantity of products put on the market;
- (b) aid to export-related activities towards third countries or Member States, namely aid directly linked to the quantities exported, to the establishment and operation of a distribution network or to other current costs linked to the export activity;
- (c) aid contingent upon the use of domestic over imported goods;
- (d) aid granted to undertakings in difficulty, with the exception of aid to make good the damage caused by natural disasters;
- (e) aid in favour of an undertaking which is subject to an outstanding recovery order following a previous Commission decision declaring an aid illegal and incompatible with the internal market, with the exception of aid schemes to make good the damage caused by natural disasters;
- (f) ad hoc aid in favour of an undertaking as referred to in point (e);
- (g) aid granted to operations which would have been ineligible for support under Article 11 of Regulation (EU) No 508/2014;
- (h) aid granted to undertakings that cannot apply for support from the European Maritime and Fisheries Fund on the grounds set out in Article 10(1)-(3) of Regulation (EU) No 508/2014.

The scheme will not provide aid which entails, by itself, by the conditions attached to it or by its financing method a non-severable violation of Union law, in particular:

- (a) aid where the grant of aid is subject to the obligation for the beneficiary to have its headquarters in the relevant Member State or to be predominantly established in that Member State. However, the requirement to have an establishment or branch in the aid granting Member State at the moment of payment of the aid is allowed;
- (b) aid where the grant of aid is subject to the obligation for the beneficiary to use nationally produced goods or national services;
- (c) aid restricting the possibility for the beneficiaries to exploit the research, development and innovation results in other Member States.

## **11. Notification threshold**

Invest NI will apply the notification thresholds of EUR 2 million eligible costs or aid amounts in excess of EUR 1 million per beneficiary per year.

## **12. Definitions**

Invest NI will apply the definitions as set out in Article 3 of the Regulation

## **13. Transparency of Aid**

Aid will be transparent and provided in the form of grants.

## **14. Incentive Effect**

Invest NI's Fish Processing and Marketing support will have an incentive effect. Beneficiaries must submit a written application for the aid to Invest NI before work on the project or activity starts. The application shall contain at least the following information:

- (a) undertaking's name and size;
- (b) description of the project or activity, including its start and end dates;
- (c) location of the project or activity;
- (d) list of eligible costs;
- (e) type of aid (grant, loan, guarantee, repayable advance or other) and amount of public funding needed for the project or activity.

## **15. Aid intensity and eligible costs**

For the purpose of calculating aid intensity and eligible costs, all figures used shall be taken before any deduction of tax or other charge. The eligible costs shall be supported by documentary evidence which shall be clear, specific and contemporary.

Aid payable in several instalments shall be discounted to its value on the date of granting the aid. The eligible costs shall be discounted to their value on the date of granting the aid. The interest rate to be used for discounting purposes shall be the discount rate applicable on the date of granting the aid.

The eligible costs shall comply with the requirements of Articles 7 of the Regulation.

## **16. Cumulation**

In determining whether the notification thresholds or maximum aid intensities are respected, the total amount of public support measures for the aided activity or project or undertaking shall be taken into account, regardless of whether that support is financed from local, regional, national or Union sources.

Aid may be cumulated with:

- (a) any other State aid, as long as those measures concern different identifiable eligible costs;
- (b) any other State aid, in relation to the same eligible costs, partly or fully overlapping, only if such cumulation does not result in exceeding the highest aid intensity or aid amount applicable to this aid under this Regulation.

Invest NI Fish Processing and Marketing aid will not be cumulated with any de minimis aid in respect of the same eligible costs if such cumulation would result in an aid intensity exceeding those set out in Chapter III of the Regulation.

## **17. Publication and information**

Invest NI will, within two years of the Regulation's publication, ensure the publication on a comprehensive State aid website of:

- (a) the summary information referred to in Article 11 of the Regulation in the standardised format or a link providing access to it;
- (b) the full text of each aid measure as referred to in Article 11 or a link providing access to the full text;
- (c) the information referred to in Annex III of the Regulation on each individual aid award exceeding EUR 30 000.

The information will be organised and accessible in a standardised manner, as described in Annex III, and shall allow for effective search and download functions. The information will be published within six months from the date the aid was granted

Each individual aid shall contain an explicit reference to the Regulation, by citing its title and publication reference in the Official Journal of the European Union, and to the specific provisions of Chapter III concerned by that act, or where applicable, to the national law which ensures that the relevant provisions of this Regulation are complied with. It shall be accompanied by its implementing provisions and its amendments.

## **18. Monitoring**

Invest NI will maintain detailed records with the information and supporting documentation necessary to establish that all the conditions laid down in the Regulation are fulfilled. Such records shall be kept for 10 years from the date on which the ad hoc aid was granted or the last aid was granted under the scheme.

Invest NI will provide the Commission within a period of 20 working days or such longer period as may be fixed in the request, with all the information and supporting documentation which the Commission considers necessary to monitor the application of the Regulation.

### **Specific Support Measures**

#### **(a) Aid for marketing measures (Article 41)**

Aid for Marketing will fulfil the conditions of Article 68 of Regulation (EU) No 508/2014. In particular Invest NI will assist enterprises to:

- find new markets for species with marketing potential; and
- promote quality and value added by facilitating the presentation and packaging of products.

The amount of the aid will not exceed, in gross grant equivalent, the maximum intensity of public aid fixed by Article 95 of Regulation (EU) No 508/2014 and the implementing acts adopted on the basis of Article 95(5) of that Regulation, i.e. 50%.

**(b) Aid for the processing of fishery and aquaculture products (Article 42)**

Aid for the processing of fishery and aquaculture products will fulfil the conditions of Article 69 of Regulation (EU) No 508/2014. Invest NI support will focus on support towards investments in the processing of fishery and aquaculture products that:

- lead to new or improved products, new or improved processes, or new or improved management and organisation systems.

The amount of the aid will not exceed, in gross grant equivalent, the maximum intensity of public aid fixed by Article 95 of Regulation (EU) No 508/2014 and the implementing acts adopted on the basis of Article 95(5) of that Regulation, i.e. 50%.