

Commission Implementing Regulation (EU) No 771/2014 of 14 July 2014 laying down rules pursuant to Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regard to the model for operational programmes, the structure of the plans for the compensation of additional costs incurred by operators in the fishing, farming, processing and marketing of certain fishery and aquaculture products from the outermost regions, the model for the transmission of financial data, the content of the *ex ante* evaluation reports and the minimum requirements for the evaluation plan to be submitted under the European Maritime and Fisheries Fund

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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 Council⁽¹⁾, and in particular Articles 18(3), 72(3), 98(2), and 115(1) thereof,

Whereas:

- (1) In order to ensure uniform conditions for implementing Regulation (EU) No 508/2014, it is necessary to adopt provisions setting out:
- the model for the presentation of operational programmes concerning measures to be co-financed by the European Maritime and Fisheries Fund (EMFF),
 - the structure of plans for the compensation of additional costs incurred by operators in the fishing, farming, processing and marketing of certain fishery and aquaculture products from the outermost regions referred to in Article 349 TFEU (compensation plans),
 - the model for the transmission by Member States of financial data relating to the forecast of the amount for which they expect to submit payment applications,

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- the elements to be contained in reports on the *ex ante* evaluation of operational programmes, and
 - the minimum requirements for plans concerning the evaluation of operational programmes during the programming period.
- (2) Those provisions are closely linked since they deal with different aspects of the content and presentation of the operational programmes and compensation plans to be submitted by Member States in the framework of the EMFF. In order to ensure the necessary coherence between those provisions, which should enter into force at the same time, and to facilitate their application by the managing authority, it is desirable to include those provisions in this Regulation.
 - (3) The model for operational programmes should harmonise the presentation of data in each section of the operational programme. This is necessary to ensure that data are consistent, comparable and, where necessary, that they can be aggregated.
 - (4) The model for operational programmes will form the basis for the development of the electronic data exchange system referred to in Article 74(4) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council⁽²⁾ as regards operational programmes. That model should therefore establish the manner in which data on operational programmes will be entered into the system for electronic data exchange. However, it should not affect the final presentation of operational programmes, including the layout of text and tables, since the electronic data exchange system is to allow for different structuring and presentation of the data that has been entered into this system.
 - (5) The model for the presentation of operational programmes should reflect the content of the operational programme set out in Article 18 of Regulation (EU) No 508/2014 and Article 27 of Regulation (EC) No 1303/2013. In order to ensure consistent conditions for the entry of data, the model should establish the technical specifications of each field in the electronic data exchange system. In addition to the structured data, the model should provide for the option to submit unstructured information in the form of compulsory or non-compulsory annexes. For such annexes it is not necessary to establish technical specifications.
 - (6) Article 72 of Regulation (EU) No 508/2014 provides that the Member States concerned submit to the Commission a plan for the compensation of the additional costs incurred by operators in the fishing, farming, processing and marketing of certain fishery and aquaculture products from the outermost regions referred to in Article 349 TFEU.
 - (7) Under Article 73 of Regulation (EU) No 508/2014, those compensation plans should also include information on State aid granted by the Member States in the form of additional funding for the implementation of the compensation plans.
 - (8) The structure of the compensation plan should ensure consistency and quality of the information, a minimum level of detail and a standardised format. It should furthermore allow for comparability among the regions concerned as well as between years of implementation.

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- (9) The structure of the compensation plan should include the breakdown by outermost region of the list of eligible fishery and aquaculture products and the type of operators referred to in Article 70 of Regulation (EU) No 508/2014.
- (10) The structure of the compensation plan should also include the level of compensation calculated in accordance with Article 71 of Regulation (EU) No 508/2014..
- (11) Article 98 of Regulation (EU) No 508/2014 provides that Member States transmit to the Commission a forecast of the amount for which they expect to submit payment applications for the current and for the subsequent financial year.
- (12) The model to be used by Member States when submitting that forecast should ensure that uniform information is available to the Commission in a timely manner, in order to allow for the safeguard the Union's financial interests, to provide the means for an effective programme implementation and to facilitate financial management.
- (13) Pursuant to Article 55 of Regulation (EU) No 1303/2013, Member States are required to carry out *ex ante* evaluations in order to improve the quality of the design of each programme. Article 55(2) of Regulation (EU) No 1303/2013 requires that those *ex ante* evaluations be submitted to the Commission at the same time as the programme, together with an executive summary. The elements to be contained in the *ex ante* evaluation reports pursuant to Article 115(1) of Regulation (EU) No 508/2014 should allow the necessary harmonisation of the data to allow the Commission to undertake the synthesis of the *ex ante* reports at Union level required under Article 118 of Regulation (EU) No 508/2014.
- (14) Pursuant to Article 56 of Regulation (EU) No 1303/2013, a plan for the evaluation of the operational programme during the programming period is to be drawn up by the managing authority. Article 18(1)(j) of Regulation (EU) No 508/2014 requires that the evaluation plan be included in the operational programmes. The minimum requirements for the evaluation plan should enable the Commission to verify that the evaluation activities and resources foreseen in the plan are realistic and will allow the Member States to comply with the evaluation requirements contained in Article 54(1) and (2) and Article 56(2) and (3) of Regulation (EU) No 1303/2013.
- (15) In order to allow for the prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (16) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the European Maritime and Fisheries Fund,

HAS ADOPTED THIS REGULATION:

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Article 1

Presentation of the content of operational programmes

The content of the operational programme described in Article 18 of Regulation (EU) No 508/2014 shall be presented in accordance with the model set out in Annex I to this Regulation.

Article 2

Structure of the compensation plan for the outermost regions

The structure for the compensation plan for the outermost regions provided for by Article 72 of Regulation (EC) No 508/2014 is set out in Annex II to this Regulation.

Article 3

Model for transmission of financial data

When submitting the financial data to the Commission in accordance with Article 98 of Regulation (EU) No 508/2014, Member States shall use the model set out in Annex III to this Regulation.

Article 4

Content of the *ex ante* evaluation

The *ex ante* evaluation referred to in Article 55 of Regulation (EU) No 1303/2013 shall be attached to the operational programme in the form of a report which shall contain the following elements:

- (a) an executive summary in English;
- (b) an executive summary in the language or languages of the relevant Member State;
- (c) the specific elements set out in Annex IV to this Regulation.

Article 5

Minimum requirements for the evaluation plan

The minimum requirements of the evaluation plan provided for by Article 56 of Regulation (EU) No 1303/2013 are set out in point 10 of Annex I to this Regulation.

Article 6

This Regulation shall enter into force on the 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.

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