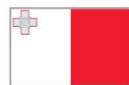


European Maritime and Fisheries Fund (EMFF)

Operational Programme for Malta

Monitoring Committee Meeting

29th May 2015



European Union
European Structural and Investment Funds



***Ex-Ante* Conditionalities (Article 19 CPR)**

- There are two types: **thematic** (specific) *ex-ante* conditionalities, related to a sector or policy (e.g. EMFF, R&D, Active Inclusion) and **general** *ex-ante* conditionalities, which can apply to all sectors and policies (e.g. public procurement, anti-discrimination rules);
- The *ex-ante* conditionalities are set out in the Fund-specific rules and reflect existing commitments or obligations that should be fulfilled as a general rule by programme adoption at the latest;

***Ex-Ante* Conditionalities (Article 19 CPR, contd.)**

- In case applicable *ex-ante* conditionalities are not fulfilled (either completely or partially not-fulfilled), Member States need to indicate in their Programmes and Partnership Agreement, **the actions to be taken**, the responsible bodies and a timetable to ensure that they will be fulfilled at the latest by the end of 2016. Member States thus have to prepare an action plan;
- If the Commission concludes that the applicable *ex-ante* conditionalities have not been fulfilled, then interim payments may be suspended in accordance with Art. 142 (1) (e) of the CPR by Commission Decision.

EMFF-Specific *Ex-Ante* Conditionalities

4 specific *ex-ante* conditionalities applicable to the OP (Section 6)

<i>Ex-ante</i> conditionality	Union priorities to which conditionality applies	Ex-ante Conditionality Fulfilled (Yes/No/Partially)
1 - Report on fishing capacity has been submitted in accordance with Article 22(2) of Regulation (EU) No 1380/2013.	1	Partially
2 - The establishment of a multiannual national strategic plan on aquaculture, as referred to in Article 34 of Regulation (EU) No 1380/2013, by 2014.	2	Yes
3 - Administrative capacity: administrative capacity is available to comply with the data requirements for fisheries management set out in Article 25 of Regulation (EU) No 1380/2013 and Article 4 of Regulation (EC) No 199/2008.	3	Yes
4 - Administrative capacity: administrative capacity is available to comply with the implementation of a Union control, inspection and enforcement system as provided for in Article 36 of Regulation (EU) No 1380/2013 and further specified in Regulation (EC) No 1224/2009.	3	Yes

EMFF-Relevant General *Ex-Ante* Conditionalities

7 general *ex-ante* conditionalities, of which 4 are applicable to the OP (Section 6)

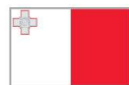
<i>Ex-ante</i> conditionality	Union Priorities (UP) to which conditionality applies	Ex-ante Conditionality Fulfilled (Yes/No/Partially)
G4 – Public Procurement	All	Yes
G5 – State Aid	All: provided that the operations under them fall outside Article 42 of the Treaty	Yes
G6 – Environmental Legislation	UP 1 and UP 2	Yes
G7 – Statistical systems and result indicators	All	Yes*

*Fulfilment of this EAC is already ensured by the data collection framework for fisheries and the EMFF's monitoring and evaluation system with common (result) indicators.





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