

Brexit Voluntary Permanent Cessation Scheme

Name

Address

Date

Application Reference Number

Dear « »,

Bord Iascaigh Mhara (“BIM”), offers « » (referred to in this letter as the “Grantee”) a grant (“Grant”) subject to the Grantee’s agreement to, and compliance with, the terms and conditions of Grant Funding (“Grant Terms and Conditions”) set out or referred to in this letter and its Appendices.

The Grant Terms and Conditions should be read in conjunction with this Letter of Offer, the rules of the Scheme as set out in the Guidelines for Applicants (“Scheme Rules”) which together compromise the “Agreement” on which the Grant is offered by BIM to the Grantee.

The offer (“Offer”) is subject to and conditional on the following:

- a. «[Vessel_Name]» (CFR Number «[EU_Registration_Number]») is permanently removed from the Irish Fleet Register for fishing vessels and put beyond use in accordance with the Scheme Rules;
- b. the Grantee’s acceptance of the Offer through the BIM Flexi-Grant application portal within four weeks of the date of issue of this letter. Failure to do so may result in the withdrawal of the Offer.
- c. the Grantee’s acceptance of the Scheme Rules; and
- d. the Grantee’s acceptance of the Grant Terms and Conditions as detailed in Appendix 1 and 2 of this Letter of Offer.

1. Amount and Payment of Grant

The Applicant has been approved for a maximum grant of « ». This is the total amount of Grant that BIM may pay to the Grantee, and this will not be increased as a result of overspend of otherwise. The detail of how this grant has been calculated is attached at Appendix 2.

The Grant will be paid in accordance with the payment schedule and conditions set out in clause 7 of the Grant Terms and Conditions.



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The final date that payments can be made under this scheme is 31st December 2023. In order to comply with the scheme deadline, grantees must complete the process of permanent cessation (decommissioning) and lodge all claims for grant aid with BIM no later than the 31st October 2023.

2. Permanent cessation of fishing activities

This letter of offer does not constitute any form of entitlement to any form of grant aid whatsoever until the applicant:

- 2a. Accepts the offer in writing, including the terms and conditions attaching to it, within 4 weeks of the date of issue of the letter of offer.
- 2b. Removes the vessel from the fishing vessel register in accordance with the terms of the scheme and
- 2c. Surrenders any sea fishing boat licence (in force on that date in the name of the owner and in respect of the vessel to be withdrawn) within 12 weeks of the date of issue of the letter of offer.

An offer shall only be deemed 'accepted' when all three conditions above have been completed to the satisfaction of BIM. Offers not accepted in full shall be automatically deemed 'rejected'.

Offers accepted in full shall be deemed to have permanently ceased fishing activities and shall be eligible for an initial payment of 50% of the total grant aid in respect of that application, subject to the following:

- 2d. In cases where grant aid for capital items was paid under a BIM capital grant scheme, within a 5 year period from the date of final grant aid payment, the grantee must repay to BIM the proportion of that grant aid pro rata to the full term of 5 years before the withdrawal premium (decommissioning grant) can be released either in part or in full.
- 2e. The applicant has demonstrated that no licence fees or harbour dues are owed to the Department of Agriculture Food and the Marine and that no monies are owed to BIM.
- 2f. The applicant has furnished a transcript of registry showing that no mortgages or other charges have been registered against the vessel, subsequent to the application being made, or, where such charge has been registered, evidence has been supplied that the mortgage providers have been notified in writing of the proposed decommissioning of the vessel.
- 2g. The Vessel must be fully insured up to the time when it is scrapped. If a vessel is lost between the date of the decision to grant a withdrawal premium and the actual date of permanent cessation of fishing activities, the implementing authority shall make a



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financial correction for the amount of the compensation paid by the insurance. In such cases payment will only be made subject to the insurance company paying out on the lost vessel. Uninsured or underinsured vessels will not receive a payment under the scheme.

Grantees shall, on receipt of the initial scheme payment, be required to immediately make payments to crew members and to submit evidence in writing to BIM of these payments within 4 weeks of receipt of the initial scheme payment.

3. Permanent scrapping of fishing vessel

Grantees who have accepted an offer of grant aid and received the initial scheme payment, must permanently scrap the vessel concerned in a manner agreed with the implementing authority. In every case:

- 3a. The grantee must receive written approval of their proposed method of scrapping and the disposal of the residue of such scrapping.
- 3b. The grantee must notify BIM, in writing, of the intended date and place of scrapping at least 21 calendar days prior to the scrapping of the vessel.
- 3c. The vessel must be scrapped, and the residue disposed of in conformity with the method proposed by the grantee and approved by BIM (details of the yards currently registered with BIM can be had by contacting BIM).
- 3d. The grantee must furnish a declaration, signed by an officer authorised by BIM, that the vessel has been scrapped in accordance with the terms and conditions set out in the letter of offer issued in respect of this scheme.

Any person(s) authorised by BIM shall have the right at any reasonable time to inspect the vessel and the carrying out of its scrapping for the purposes of establishing that the provisions of the scheme have been adhered to.

All costs associated with the scrapping of vessels and the disposal of the residue of such scrapping shall be borne by the grantee or their agents.

4. Crew Compensation

- 4a. The grantee shall submit the names of eligible crew members, a copy of their safety card(s), and the Statutory Agreement as required by BIM for governance of the Scheme



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- 4b. The payment to crew members shall be made by the vessel owner by electronic bank transfer to an account held in the name of the crew member. Proof of payment shall be submitted to BIM within 4 weeks of the initial scheme payment to the vessel owner.

Important Information

Please pay particular attention to clause 7.1 of the Grant Terms and Conditions requiring crew payments to be made by electronic funds transfer (EFT) only to an account held in the name of the crew member, with proof of such payments being required. Payments by any other means will not be accepted.

5. Applicants

The applicant must complete a self-declaration confirming that none of the situations specified in article 11 of the European Maritime Fisheries and Aquaculture Fund Regulation (EU) 2021/1139) applies to them, and if they do, provide details. In that declaration, the applicant shall commit to continuing to comply with the rules of the Common Fisheries Policy and with the article 11 provisions during the decommissioning process and for a period of 5 years after payment of the decommissioning premium.

Applications may be deemed inadmissible where BIM determines that any of the situations described in article 11 of Regulation (EU) 2021/1139) apply to them.

Grantees who fail to comply with the CFP and with article 11 of Regulation (EU) 2021/1139) for a 5-year period after payment, or who otherwise breach any of the terms and conditions of this scheme, shall be required by BIM to repay, in whole or in part, aid provided under this scheme.

Payment of grant aid is contingent on the availability of finance to BIM. Payment of grant aid may be delayed pending receipt of funds by BIM from the EU or from the Exchequer. Please note that payments of grant aid will not be made if:

- (i) The SFPA confirms to BIM that the vessel was engaged in fishing after the surrender of fishing boat license by the Applicant.
- (ii) The Applicant is not tax compliant at the time of payment.
- (iii) The vessel is not disposed of in conformity with the method proposed by the grantee and approved by BIM.

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



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To accept this offer of grant-aid and the foregoing conditions detailed in Appendix 1 of this letter please click on the following link [Return to Application](#) and go to application «Reference». Click on the “View Offer” button and then click on either “I accept” or “I reject” and click the “Send Response” button.

Please be advised that by accepting this offer online you confirm that you agree to be bound by all of the conditions contained in Appendices 1 and 2 of this letter and confirm that you are authorised to make this acceptance.

Yours sincerely,

The BIM Grant Administration Team

