

«ContactFullName»
«OrganisationName»
«OrganisationStreetAddress1»
«OrganisationStreetAddress2»
«OrganisationCounty»
«OrganisationPostCode»

Brexit Fisheries Co-operative Transition Scheme 2023

Tuesday, October 31, 2023

Application Reference Number: «Reference»
Applicant: «ContactFullName»
Date of Acknowledgement: «DateSubmitted»
Date of Approval: «DateApproved»
Final Offer Acceptance Date: «DateHolding»
Grant Administrator: «CaseOfficer»

Dear «ContactFirstName»,

I refer to the application for grant assistance to BIM submitted by «**OrganisationName**» hereinafter referred to as the Grantee, under the Brexit Fisheries Co-operative Transition Scheme 2023, and wish to confirm that the Grantee has been approved for a grant of «**AmountAwarded**».

This grant is financed by the **European Union's Brexit Adjustment Reserve**.

- Grant approval is subject to you accepting this offer through BIM's online grants portal. Failure to do so may result in the withdrawal of the grant offer. Please note that the onus is on the Grantee to accept the offer in a timely manner.
- Please note that this scheme is being administered under the Terms and Conditions of the Brexit Fisheries Co-operative Transition Scheme 2023 as detailed in Appendix 2 of this letter.
- 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.

To accept this offer of grant aid and the Terms and Conditions detailed in Appendix 1 and 2 of this letter, please follow the steps below:

1. Please click on the following link [Return to Application](#) and go to application «Reference».
2. Click on the "View Offer" button.
3. 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 the Terms and Conditions contained in Appendix 1 and 2 of this letter and confirm that you are authorised to make this acceptance.

Yours sincerely,

The BIM Grant Administration Team



Ref No. «Reference»

Appendix 1
Approved Brexit Fisheries Co-operative Transition Scheme 2023
Grant Payment

Turnover	Difference of the turnover between 2019 and 2022 €	Approved Grant Aid Amount €
2019-2022		«AmountAwarded»
Totals		«AmountAwarded»

The payments under the scheme are calculated based on the reduction in fish sales for the Co-operative's member vessels for 2022 compared to the same period in 2019. The payment is based on 7.5% of the reduction in fish sales (i.e., turnover) for the Co-operative's boats compared to 2019. The sole primary source for fish sales verification will be through the Grantee's recorded sales on the Sea Fisheries Protection Authority (SFPA) Sales Notes Database. Payments are capped at a maximum of €250,000 per qualifying Co-operative.

Grant approval is subject to you accepting this offer through the BIM's online grants portal within 1 week from the date of this letter.

Ref No. «Reference»

Title: Brexit Fisheries Co-operative Transition Scheme 2023

Appendix 2
GRANT OFFER TERMS AND CONDITIONS

WHEREAS:

- a. BIM has been entrusted by the Department of Agriculture, Food, and the Marine (DAFM) with the implementation, management, supervision, and operation of the schemes under the Brexit Adjustment Reserve.
- b. BIM and the Grantee agree that grant-aid will be made available to the Grantee on the terms and subject to the conditions set out herein.
 1. To qualify for grant aid under this scheme the following terms and conditions must be met in all cases. Applicants should please note that these terms and conditions will apply to all applications. Applications that fail to comply with these terms and conditions will be deemed ineligible and will not be considered further.
 2. The implementing authority, with the agreement of the Managing Authority, reserves the right to alter or amend the conditions of this scheme and/or to suspend the scheme or to substitute the scheme for a different scheme, subject to State Aid Notification.
 3. Funding for this scheme is subject to funding being available to the implementing authority. In every case payment of grant aid is contingent on the availability of finance to the implementing authority.
 4. The implementing authority will supply identification details of applicants to the Managing Authority for the purposes of checking compliance with the terms and conditions of this scheme and compliance with information and publicity requirements.

Applications

5. Only applications submitted on an official BIM electronic application form sent via the BIM grants portal will be considered for grant aid approval.
6. Acknowledgement of an application does not constitute any form of entitlement to any form of grant aid whatsoever and neither should the applicant constitute any assistance given by officers of the implementing authority as a form of indication that grant aid will become available.
7. The implementing authority will determine the eligibility of applications and applications that do not meet all the mandatory criteria will be deemed ineligible and will be returned to the applicant with an explanatory memorandum.
8. Aid under this scheme shall not be cumulated with public aid from other sources for the same reduction in turnover.
9. Operations identified as ineligible under Article 13 of Regulation 2021/1139 shall not be eligible for aid under this scheme.
10. Failure to accept the letter of offer in a timely manner may result in non-payment of grant aid.
11. Officers of BIM, the Department of Agriculture, Marine and Food, Office of the Comptroller and Auditor General (OC&AG), auditors appointed by BIM or the European Commission or their agents, must be allowed access to all reports, manuals and official documentation including financial and other records related to the project being grant aided for the audit and verification purposes. All requests for information must be responded to promptly.
12. As the application will be made through the BIM online grants portal, the implementing authority does not require a hard copy of the application. However, any original supporting documentation for all on-line applications, must be made available should it be requested at

any stage by Officers of the implementing authority and the Department of Agriculture, Food and the Marine or their agents.

Applicants

13. Applicants must be a Fisheries Co-operative, must be registered with the Registrar of Friendly Societies, and must have a premises approved by the Sea-Fisheries Protection Authority under Regulation (EC) No 853 / 2004. Applicants must be primarily focused on TCA quota stocks. For the purposes of this scheme a Co-operative is considered to be primarily focused on TCA quota stocks if the total of its members landings is comprised of 75% or more TCA quota stocks.
14. The applicant must complete a self-declaration confirming that none of the situations specified in Article 11 of the EMFAF Regulation (Regulation 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 throughout the project period and for a period of 5 years after payment. Applications will be deemed inadmissible for a specified period of time where the implementing authority determines that any of the situations described in Article 11 apply to them. Beneficiaries of aid under this scheme who fail to comply with the CFP and with Article 11 during the period of implementation of the aided project and for a 5-year period after payment shall be required to repay aid provided under this scheme.
15. An applicant who has benefited from earlier unlawful aid declared incompatible by a Commission Decision (either as an individual aid or an aid under an aid scheme being declared incompatible) shall not be eligible for aid under this scheme until that applicant has reimbursed or paid into a blocked account the total amount of unlawful and incompatible aid and the corresponding recovery interest.
16. Applicants must comply with the Department of Public Expenditure and Reform Circular 13/2014 - Management of and Accountability for Grants from Exchequer Funds. Where an applicant is required to file audited accounts with the Companies Registration Office (CRO), these accounts must detail the following information explicitly:
 - Name of Grantor ((Circular 13/2014 Section 5, subsection 21 (a))
 - Name of the Grant Scheme/Programme (Circular 13,20214 Section 5, subsection 21 (b))
 - Purpose of the Grant by appropriate heading (Circular 13/2014 Section 5, subsection 21 (c))
 - Accounting information for the Grant (Circular 13/2014 Section 5, subsection 21 (d))
 - Capital Grant Information (if applicable) (Circular 13/2014 Section 5, subsection 21 (e))
 - Employee numbers and benefits categorised, and employer pension contributions (Circular 13/2014 Section 5, subsection 21 (f))
17. The applicant must demonstrate to the satisfaction of the implementing authority its legal identity.
18. The applicant must demonstrate financial viability (at an organisation or individual level as appropriate) and that it is not an 'undertaking in difficulty' as defined in Section 2.2 of the European Commission's 'Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty'.
19. The applicant must comply with the Department of Finance tax clearance procedures. The applicant must provide a Tax Reference Number and Tax Clearance Access Number.
20. Where appropriate the applicant must comply with the provisions of the Data Collection Regulation.
21. The applicant shall indemnify and keep indemnified the implementing authority against all costs, loss, damage and expenses sustained by them and against any claims that may be

brought by any partner, employee, agent, sub-contractor or any kind or other party arising out of this project whether by reason of or on account of the breach, default, neglect, non-performance or non-observance by the Grantee or the partners of any of them of the terms and conditions of this Agreement or otherwise.

22. Grant aid may be revoked, or the amount of grant aid be reduced if any of the following should occur:
- Failure by the grant beneficiary(s) to provide required Tax Clearance information.
 - Should the Grantee commit any breach of the terms of the agreement.
 - Should there be a change in the basis of the undertaking which would obviate in whole or in part the purpose for which the grant was made.
 - An order is made, or an effective resolution is passed, for the winding up of the grantee's business.
 - Should the grantee transfer the vessel concerned outside the Union within 5 years of the payment of support under this scheme.

Claims

23. Applicants do not have to submit a claim form. Payments will be made once the following pre-payment conditions have been met:
- The applicant has accepted a letter of offer.
 - The applicant continues to meet the admissibility requirements of Article 11 EMFAF.
 - The applicant meets all tax clearance requirements.
24. Payment will be made automatically into the nominated bank account given on the application form after the tie-up period and the above conditions have been met. BIM will endeavour to expedite payments in a timely manner.
25. Payment of grant aid will only be made when all scheme terms and conditions and any special conditions listed in the letter of offer have been fulfilled.
26. Applicants must settle any outstanding debts owed to the Department of Agriculture Food and Marine before grant aid may be paid.

Appeals

27. BIM will provide on request a written explanation for award decisions. Following receipt of that explanation, appellants may request that an appeal be considered by an appeals officer appointed for that purpose. An appeals mechanism shall be put in place to adjudicate on appeals from applicants dissatisfied with the determination of their application.

Declarations

28. The applicant must complete a self-declaration confirming that they meet all criteria of the scheme and are compliant with the terms and conditions of the scheme. Please note that for on-line applications and claims, by submitting the forms, you are electronically signing all declarations that you have agreed to via a checkbox in the form. This is the legal equivalent to a hand-written signature.

Publicity and Acknowledgement of Support Requirements

BIM and the Department of Agriculture Food and the Marine will within six (6) months of payment publicly acknowledge the aid provided via their website or other publications. This may include information such as the applicant/company name, vessel name, the county, NUTS 2 Region, enterprise size (SME etc), economic sector, grant aid paid, % grant rate and portion funded under the scheme, date of payment, form of aid. This information will be made available to the general public without restriction and will be maintained for at least ten (10) years.

How BIM will use your information

Any personal data you provide to Bord Iascaigh Mhara ("BIM") will be retained and processed by us for solely the purpose described in this form and as described in further detail in the BIM Data Protection Policy. Our Policy describes in detail how BIM, as a state agency, is required to collect, process and transfer personal data for the purposes set out in various Irish and EU fisheries and marine legislation. These purposes include the administration of grants, conducting surveys and performing services for those working in the marine sector, for example, training, education and ice services. Your personal data may be disclosed to third-parties where it is necessary and relevant to those purposes, for example, national or EU agencies with responsibility for the marine, grant administration or training awards or accreditation. While BIM does not engage in unsolicited direct marketing, BIM or its agents may contact you in relation to relevant events or initiatives and you can unsubscribe from such communications at any time. You have a right to access and rectify your personal data which can be exercised by writing to the Data Protection Officer, BIM, Crofton Road, Dún Laoghaire, Co. Dublin. The BIM Data Protection Policy is available on the BIM.ie website www.bim.ie.