

**Annex 1a. Call for applications.
Example of Galicia (Spain)**

Order of the Council on Fisheries and Maritime Affairs, calling for applications for the selection of Coastal Action Groups, assistance and the corresponding management procedure. (6 February 2008)

The approval of Council Regulation (EU) No. 1198/2006 of 27 July 2006 on the European Fisheries Fund and the corresponding implementing regulations set the framework for a new axis supporting the development of fisheries areas.

To date, all actions carried out with EU funds earmarked for the fisheries sector, mainly FIG resources, were clearly oriented toward the actors and the means they use carry out the professional activity, such as funds to create port infrastructures, aid for the start-up of new industries, modernisation of existing work centres, improvements in commercialisation and other measures established in the call for aid applications published by the Council on Fisheries and Maritime Affairs.

However, in view of the new approach introduced by axis 4 of the EFF, the final use of funds and the beneficiaries thereof are seen in a different light. Although the actions and their end results have not changed, actions are now implemented through the participation of local groups and entities representing public and private actors from different local socio-economic sectors.

The consequences for coastal areas and populations are also different. Although the previous actions and the rest of the measures of the current EFF have a clear sea-land focus, the axis 4 measures have a land-sea focus, seeking the socio-economic improvement of fishing populations and communities.

The social impact of implementing this measure in Galicia is highly important, given that over 70% of the Galician population lives within 50 km of the coast, compared to 50% in the rest of Europe. Consequently, all actions should follow from the initial groundwork carried out by the Council on Fisheries and Maritime Affairs, namely the selection of the geographic areas in which the actions established in axis 4 of the EFF will be carried out.

On the basis of three separate criteria, the Council on Fisheries and Maritime Affairs identified seven areas along the Galician coast which will benefit to some degree from the actions set out in the present order. The selection criteria was as follows: 1) low population density, 2) small fisheries communities, and 3) the application of a coefficient formula of growth in the fisheries sector taking into account the variation of fleet, tonnage, power, disembarkations, and population working in the fisheries sector. The seven Galician coastal areas selected are as follows:

Area 1: A Mariña-Ortegal

Area 2: Golfo Artabro

Area 3: Costa da Morte

Area 4: Seo de Fisterra, Ría Muros-Noia

Area 5: Ría de Arousa

Area 6: Ría de Pontevedra

Area 7: Ría de Vigo-A Garda

Following the selection of these areas, the next step must be to meet the objectives the Council on Fisheries and Maritime Affairs aims to secure through the new measures regulated herein, in line with EU regulations. This may be instrumented through an integrated or global approach for the actions to be carried out, through the active participation of agents in the fisheries sector, social agents, economic agents and local administrations.

The aim of this integrated or global participation is that the actions to be carried out in each area are based on a bottom-up approach, that is, arising from the needs, concerns and initiatives of the residents of the fisheries communities, without the need for the administration to carry out specific actions other than control and application of current legislation.

Consequently, it is necessary to create associations comprising the above-mentioned agents. These associations would be recognised as Coastal Action Groups. The Group recognised for each area (only one per area) would be responsible for integrating all local players, preparing a local strategic plan and performing the actions proposed for each area, from a local socio-economic development standpoint.

In addition to the selection of the Groups and their strategic plans, a procedure must be established for selecting and financing projects to guarantee efficiency and effectiveness of public aid, as well as to achieve the maximum transparency through control and audit procedures for each Group.

In summary, the new axis provides an opportunity for fisheries populations to develop their socio-economic framework with the active participation of organisations representing fisheries sector professionals and from a local perspective taking into account the specific needs of each area. This will give rise to local development, greater organisational capacity of the fisheries sector, stimulated innovation and diversification for sea professionals, while seeking continuity and stability beyond mere funding.

In view of the foregoing, and in accordance with the authority granted by article 34 of Law 1 of 22 February 1983 on the regulations of the Xunta (Galician Regional Government) and the Regional Presidency,

I HEREBY STIPULATE THE FOLLOWING

Article. Objective

The objective of the present order is as follows:

- a) To call for applications from associations seeking recognition as collaborating entities of the Council on Fisheries and Maritime Affairs (Costal Action Groups)
- b) To establish the minimum content of the local strategic plans

Article. Fisheries areas

In accordance with the European Fisheries Fund operational programme, seven areas have been identified in the region of Galicia. These areas constitute the coastal town councils in the following geographic areas and will be the location for the activities to be carried out with the pertinent funds, as established in the present order:

Area 1: A Mariña-Ortegal

Area 2: Golfo Artabro

Area 3: Costa da Morte

Area 4: Seo de Fisterra, Ría Muros-Noia

Area 5: Ría de Arousa

Area 6: Ría de Pontevedra

Area 7: Ría de Vigo-A Garda

Chapter 1. Selection of Coastal Action Groups

Article. Coastal Action Groups

Associations wishing to obtain the status of a Coastal Action Group (hereinafter CAG) must comply with the requirements established in prevailing legislation governing collaborating entities and must have been established in accordance with the law on associations.

Candidate associations must have the participation of organisations representing the fisheries sector, social agents, economic agents and town councils of the specific areas. In any event, at least 51% of votes in the governing bodies of these associations must correspond to the fisheries sector.

Article. Minimum requirements for becoming a CAG

1. Only one CAG will be designated for each area.
2. In order to be designated a CAG, associations must meet the following minimum requirements:

One: Associations must admit all associative entities in the regional area and may not allow the participation of individuals or corporations, except local public administrations or foundations.

Two: Associations must meet the requirements established in article 9 and subsequent articles of Law 9 of 13 June 2007 governing aid for collaborating entities in Galicia and other prevailing applicable legislation.

Three: Associations seeking designation as CAGs must be formed by entities representing the following sectors:

- a) The fisheries, shellfish and aquaculture sector: entities with a collective interest in fisheries, shellfish and aquaculture, each with its own legal identity.
- b) Social sector: social-cultural, sporting, recreational and educational ecologists, union organisations and women's associations.
- c) Economic sector: business associations and economic agents.
- d) Public sector: local public administrations.

Four: Associations wishing to obtain CAG status should operate with the following objectives, among others:

- a) To serve the associated entities as a centre for receiving, channelling and distributing all information on local and regional development activities in the scope of national and international action. This would focus mainly on the search for and knowledge of existing aid, resources and the projects that could be carried out by the association or its members.
- b) To raise awareness among public and private entities and administrations, as well as European Community institutions, in order to secure optimised use of resources native to the area for harmonic, balanced, sustainable and integral development.
- c) To promote, drive, program and collaborate in activities aimed at increasing the competitiveness of the fisheries area.
- d) To establish and decide in all the measures under the scope of axis 4 of the EFF for the selection of operations to be carried out by the private and public sector, as part of the local development strategy.
- d) To promote, drive, program and collaborate in actions aimed at diversifying activities by promoting multiple employment for fishers through the creation of additional jobs outside the fisheries sector.
- e) To promote, drive, program and collaborate in activities aimed at seeking added value for fisheries, seafood and aquaculture products.
- F) To participate in area, regional, national and international initiatives contributing to the socio-economic development of the area's fisheries sector.
- g) To facilitate the exchange of experiences and work methodologies among members and their participation in local and regional development.
- h) To promote equal opportunities for women and men and to develop and strictly apply scientific knowledge on equality of human-social opportunities as well as services aimed at meeting the needs and aspirations of women, from a standpoint of equal opportunities.

i) To promote informational, research, prevention and awareness activities, targeted mainly at the fisheries sector and with special focus on women, youth and marginalised groups within the sector.

k) To promote, drive, program and collaborate in activities aimed at protecting the environment in fisheries areas in order to maintain their appeal, regenerate and develop coastal fishing villages, and participate in activities to restore the productive potential of the fishing, shellfish and aquaculture sector in decline as a result of natural or industrial disasters.

l) To promote inter-regional and transnational cooperation with other associations and organisations created under the scope of axis 4 of the European Fisheries Fund.

Five. Representatives of the fisheries, shellfish and aquaculture sector must account for over 50% of votes in the governing bodies of the candidate associations.

Six. During this stage each association shall designate a three-person committee to liaise with the Council on Fisheries and Maritime Affairs in all matters concerning the application.

Article. Applications

Applications to obtain recognition as a collaborating entity (Coastal Action Group) should be submitted to the Council on Fisheries and Maritime Affairs General Secretariat.

The following documents should be submitted with the application:

- a) Documentation accrediting the points set out in Appendix I.
- b) Minutes to previous meetings held
- c) Proposed statutes of the association

d) Undertaking signed by all group participants to duly establish and register the association within fifteen days from the notification referred to in article [...], in the event the association is selected and complies with the conditions established in said article.

Applications and the above-mentioned documentation must be submitted to the Council on Fisheries and Maritime Affairs central services head offices, located in the San Caetano administrative building in Santiago de Compostela, or to the offices listed in article 38.4 of Law 30 of 26 November 1992 on the public administration legal framework and the common administrative procedure.

Applications and documentation must be submitted within 45 working days from the day after the present order is published in the Official Galicia Gazette.

Article. Evaluation committee

In order to evaluate the applications submitted, the Council on Fisheries shall name a five-person evaluation committee. This committee shall operate in accordance with the regulations for official bodies established in Law 30 of 26 November 1992 on the public administration legal framework and the common administrative procedure. The sub-direction shall be responsible for evaluation [...]

Article. Evaluation criteria

Based on the documentation submitted, the Council will invite associations in the same geographic area to submit a joint proposal. In the event these associations do not reach an agreement for submitting a single application for the area, one association will be selected on the basis of the following criteria:

- a) Organisations representing the fisheries sector in the area: from zero to 20 points, directly proportional (more organisations = more points)
- b) Number of participants and the degree to which they represent the sector: from zero to ten points, directly proportional (more participants and more representation = more points)
- c) Information-sharing and revitalisation activities carried out by entities participating in the association: from zero to ten points
- d) Technical-financial capacity of the association: from zero to ten points
- e) Draft local strategic plan: from zero to 50 points

Article. Proposal

On the basis of the report issued by the evaluation committee, the evaluation body will propose a decision within one month from the finalisation of the term for submitting applications. Entities selected will be duly informed of this proposed decision.

These entities must duly establish and register the association within 15 days, providing the evaluation body with evidence of the registration within five days thereof.

Once compliance with this requirement has been verified, the evaluation body will submit a proposed decision and the corresponding documentation accrediting the establishment and registration of the association to the deciding body.

Article. Decision

In view of the documentation provided, the Council on Fisheries and Maritime Affairs will designate the associations obtaining recognition as Coastal Action Groups. These associations are then considered collaborating entities for the purposes set out in the applicable financial aid regulations.

The decision shall be issued within fifteen days from the proposal submitted by the examining body.

The decision may include a list of runners-up, in the event more than one association has filed an application for the same area.

The Council on Fisheries and Maritime Affairs shall publish the corresponding plan on the Galicia Xunta web site within a 10-day period.

Article. Obligations of Coastal Action Groups

1. CAGs are required to comply with the obligations established in article 12 of Law 9 of 13 June 2007, governing aid in Galicia.
2. CAGs are required to sign a collaboration agreement with the Council on Fisheries in connection with aid procedures, provision of information and other matters addressed in the present order and in any orders governing aid in relation to actions financed under axis 4 of the EFF.

Chapter II. Local Strategic Plan

Article. Presentation of local strategic plans

Associations recognised as Coastal Action Groups are required to submit a local strategic plan for the development of the corresponding coastal areas, within one [...] from the date of notification of the decision granting CAG recognition.

Applications and the pertinent documentation must be submitted to the Council on Fisheries and Maritime Affairs central services head offices, located in the San Caetano administrative building in Santiago de Compostela, or to the offices listed in article 38.4 of Law 30 of 26 November 1992 on the public administration legal framework and the common administrative procedure.

Article. Content

Local strategic plans prepared by each CAG should contain at least the following:

- a) Actions and projects to be carried out
- b) Financial plan
- c) Human resources and materials of the CAG, including the costs thereof
- d) Timeline for execution of the plan
- e) Socio-economic study of the area
- f) Forecasts for job creation
- g) Percentages of each action and project in the total plan
- h) Criteria for selecting projects

The actions and projects proposed in the plans must be eligible in accordance with Council Regulation (EU) No. 1198/2006 of 27 July 2006 on the European Fisheries Fund and the corresponding implementing regulations.

Article. Percentages

The objectives of each plan should represent at the least the following percentages:

- a) To promote, drive, program and collaborate in activities aimed at increasing the competitiveness of the fisheries area.
- b) To promote, drive, program and collaborate in actions aimed at diversifying activities by promoting multiple employment for fishers through the creation of additional jobs outside the fisheries sector. These jobs may or may not be related to the fisheries sector.
- c) To promote, drive, program and collaborate in activities aimed at seeking added value for fisheries, seafood and aquaculture products.
- d) To participate in area, regional, national and international initiatives contributing to the socio-economic development of the area's fisheries sector.
- e) To facilitate the exchange of experiences and work methodologies among members and their participation in local and regional development.
- f) To promote equal opportunities for women and men and to incorporate marginalised groups into the work force.
- g) To promote informational, research, prevention and awareness activities, targeted mainly at women, youth and marginalised groups.
- h) To promote, drive, program and collaborate in activities aimed at protecting the environment in fisheries areas in order to maintain their appeal, improve the ecological and productive capacity of the maritime environment, regenerate and develop coastal fishing villages, and participate in activities to restore the productive potential of the fishing, shellfish and aquaculture sector in decline as a result of natural or industrial disasters.
- i) To promote inter-regional and transnational cooperation with other associations and organisations created under the scope of axis 4 of the European Fisheries Fund.
- j) Promote and drive innovation and use of information and communication technologies.
- k) Maintain operational and administrative costs at a maximum of 10%. 50% of operational and management expenses for the first calendar year will be advanced upon approval of the plans, and during the first fifteen days of each year for

each subsequent year. Once the advanced amounts have been duly justified, the remaining 50% of expenses will be paid upon presentation of invoices and other documents evidencing the expenditures.

Article. Plan review committee

In order to evaluate the applications submitted, the Council on Fisheries shall designate a seven-member committee to review the plans. This committee shall be subject to the regulations of official bodies established in Law 30 of 26 November 1992 on the public administration legal framework and the common administrative procedure. The sub-direction shall be responsible for evaluation [...].

Three representatives of the General Secretariat (one from each of the three general directorates) shall participate in the committee, along with a representative of the council for the economy.

This committee's main function shall be to verify that the plans submitted comply with the percentages established in the present order and that the actions proposed in the plans are eligible under axis 4 of the EFF.

After evaluating each and every action set out in the plans, the committee will submit a proposed decision to the General Secretary, indicating the actions which could be approved as well as the monetary amount which could be earmarked for each action.

Article. Modifications

After the committee has reviewed the plans, it may open a 10-working day consultation period with the corresponding CAG. At the end of this period, the CAG may submit a modified plan, making express reference to all newly-incorporated or modified portions. In the event no modification is made, the plan will be submitted to the plan review committee.

In the case of any incomplete or missing documentation, the Council on Fisheries may submit a writing request to the CAG for any data, supplementary documents or clarifications necessary for reaching a decision, indicating that if no response is received within ten (10) days, the Committee will consider the application to be abandoned, subject to a resolution which must be issued in the terms set out in article 42 of Law 30 of 26 November 1992 on the public administration legal framework and the common administrative procedure.

Without prejudice to the above, at any time the plan review committee may require any supplementary documents or data necessary for the application to be processed and the decision to be issued.

Article. Approval of plans

After a proposed decision is issued by the Committee, a formal decision fully approving, partially approving or rejecting plans will be issued in a 10-day period.

Rejection will be provisional, as any outstanding requirements mentioned in the decision may be adopted within an extraordinary fifteen (15) day period. In the event the plan is not adapted as required or the modifications are not

considered sufficient, the decision will become final. If a plan is not approved, the corresponding association will no longer be considered a collaborating entity.

In this latter case, a new period will be opened for the association heading the runners-up list established article [...] to comply with the stipulations of this order, and so on and so forth.

In the event no association complies with the above or that there is no runners-up list, the amounts assigned in the corresponding call for applications will increase the efficiency reserve regulated in the orders governing aid.

Article. Resources

The decision issued is the last stage of the administrative procedure. However, applicants whose requests have been denied may file an appeal with the Council on Fisheries and Maritime Affairs within one (1) month **or** a contentious-administrative appeal with the corresponding legal body within two (2) months, both from the date following that of notification of the decision, which will always be expressly stated.

Article. Publishing of plans

Within ten (10) days of approval of plans, the Council on Fisheries and Maritime Affairs will post the plans on the Xunta de Galicia web site.

Article. Obligations of the CAG

1. CAGs must notify the Council within five days of any modifications of the conditions taken into account when recognition was granted.
2. CAGs shall be subject to review, verification and inspection by the Council, to financial control by the Autonomous Community General Audit Department, and to any other control measures entrusted by prevailing legislation to official bodies within the Autonomous Community.
3. CAGs shall also be subject to the obligations established in Law 9/2007.

First additional provision

Model CAG statutes are published as an attachment to the present order.

Second additional provision

All matters not specifically established in this order shall be governed by Law 30 of 26 November 1992 on the public administration legal framework and the common administrative procedures; Law 9 of 13 June 2007 on aid in Galicia; Decree 287 of 21 November 2000 governing aid and public subsidies in the Galicia Autonomous Community, where no conflicts arise with Law 9/2007; and by the basic regulations of General Subsidies Law 38 of 17 November 2003.

Final provisions

One. The general secretary is authorised to issue any necessary provisions for the implementation of this order.

Two. The present order shall enter into force on the day following its publication in the Official Galicia Gazette.

Santiago de Compostela, on
Carmen Gallego Calvar
Council on Fisheries and Maritime Affairs

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