**1.2**

**Supplementary information sheet on   
aid to make good the damage caused by adverse climatic events which can be assimilated to a natural disaster**

*This form must be used by Member States for the notification of any State aid to make good the damage caused by adverse climatic events which can be assimilated to a natural disaster as described in Section 1.2 of Chapter 1 of Part II of the Guidelines for State aid in the fishery and aquaculture sector[[1]](#footnote-1) ('the Guidelines').*

1. Is the measure an *ex ante* framework scheme to compensate for the damage caused by adverse climatic events which can be assimilated to a natural disaster?

*If the answer is yes, please disregard questions 10 and 11.*

yes no

*Please note that pursuant to point 167 of the Guidelines aid granted to compensate the damage caused by other types of adverse climatic events which can be assimilated to a natural disaster not mentioned in point (161) of the Guidelines must be separately notified to the Commission.*

1. In the case of *ex ante* framework schemes, please confirm that the Member State will comply with the reporting obligation set out in point (345) of the Guidelines.

yes  no

1. Please identify the type of adverse climatic event which can be assimilated to a natural disaster that caused – or, in the case of an *ex ante* framework scheme, could cause – the damage for which compensation is provided for?

(a) storms

(b) gusts of wind causing exceptionally high waves

(c) heavy and persistent rainfall

(d) floods

(e) exceptionally elevated water temperatures over a longer period

(f) frost

(g) hail

(h) ice

(i) severe droughts

(j) other adverse climatic events which can be assimilated to a natural disaster

* 1. Please describe in detail the adverse climatic event in question.

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1. Please confirm that the measure prescribes that the damage caused by the adverse climatic event which can be assimilated to a natural disaster must amount to more than 30 % of the average annual production, calculated on the basis of the preceding three calendar years, or a three-year average based on the five-year period preceding the adverse climatic event which can be assimilated to a natural disaster, excluding the highest and lowest entry

yesno

* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. Please confirm that the measure prescribes that there must be a direct causal link between the adverse climatic event which can be assimilated to a natural disaster and the damage suffered by the undertaking.

yesno

* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. Please demonstrate the direct causal link between the adverse climatic event which can be assimilated to a natural disaster and the damage suffered by the undertaking.

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1. In the case of losses caused by adverse climatic events which can be assimilated to a natural disaster that could be covered under mutual funds financed through Regulation (EU) 2021/1139, please justify why it is intended to grant aid rather than financial compensation being paid through such mutual funds.

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1. Please confirm that the aid must be paid directly to:

(a)the undertaking concerned

(b)a producer group or organisation of which that undertaking is a member.

1. Where the aid is paid to a producer group and organisation, please confirm that the amount of aid must not exceed the amount of aid to which that undertaking is eligible.

yes  no

* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. Please explain when the event occurred, including its starting and ending dates (as applicable).

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1. Please confirm that the measure is established within three years from the date of the occurrence of the event?

yes  no

* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. Please confirm that the measure prescribes that aid will be paid out within four years of the date of the occurrence of the event.

yesno

* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. Please confirm that the eligible costs are the costs of the damage incurred as a direct consequence of the adverse climatic event which can be assimilated to a natural disaster.

yes  no

* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. Please confirm that the damage will be assessed by:

(a) a public authority

(b) an independent expert recognised by the granting authority

(c) an insurance undertaking

* 1. Please identify the body(ies) assessing the damage.

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* 1. Please confirm whether the damage includes:

(a) material damage to assets (such as buildings, vessels, equipment, machinery, stocks, and means of production)

(b) loss of income due to the full or partial destruction of fishery or aquaculture production or the means of such production

(c) both, i.e., the damage includes (a) and (b).

* 1. Please identify the provision(s) of the legal basis that reflect the box selected in response to the question.

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1. Please submit an assessment as precise as possible of the type and extent of damage incurred – or that might be incurred in case of *ex ante* framework schemes – by the undertakings.

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1. Please confirm that the measure prescribes that the damage is calculated at the level of the individual beneficiary.

yes  no

* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. In case the eligible costs include material damage to assets, please confirm that the measure prescribes that the damage must have resulted in a loss of more than 30 % of the average annual production, calculated on the basis of the preceding three calendar years, or a three-year average based on the five-year period preceding the adverse climatic event which can be assimilated to a natural disaster, excluding the highest and lowest entry.

yes  no

* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. In case the eligible costs include material damage to assets, please confirm that the calculation of the material damage is based on the repair cost or economic value of the affected asset before the adverse climatic event which can be assimilated to a natural disaster.

yes  no

* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. In case the eligible costs include material damage to assets, please confirm that the calculation of the material damage must not exceed the repair cost or the decrease in fair market value caused by the adverse climatic event which can be assimilated to a natural disaster, that is to say the difference between the asset’s value immediately before and immediately after the adverse climatic event which can be assimilated to a natural disaster.

yes  no

* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. In case the eligible costs include loss of income, please confirm that it is calculated pursuant to point (173) of the Guidelines, that is by subtracting: (a) the result of multiplying the quantity of the fishery and aquaculture products produced in the year of the adverse climatic event which can be assimilated to a natural disaster, or in each following year affected by the full or partial destruction of the means of production, by the average selling price obtained during that year, from (b) the result of multiplying the average annual quantity of fishery and aquaculture products produced in the three-year period preceding the adverse climatic event which can be assimilated to a natural disaster, or a three-year average based on the five-year period preceding the adverse climatic event which can be assimilated to a natural disaster, excluding the highest and lowest entry, by the average selling price obtained.

yes  no

* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. Please confirm whether the amount of the compensation may be increased by other costs incurred by the beneficiary undertaking due to the adverse climatic event which can be assimilated to a natural disaster.

yes  no

* 1. If the answer is ‘yes’, please identify the relevant costs.

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* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. Please confirm that the amount of the compensation must be reduced by any costs not incurred because of the adverse climatic event which can be assimilated to a natural disaster, that would otherwise have been incurred by the beneficiary undertaking.

yes  no

* 1. If the answer is ‘yes’, please identify the relevant costs.

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* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. Please note that pursuant to point 175 of the Guidelines the Commission may accept other calculation methods provided that those are representative, not based on abnormally high catches or yields and do not result in the overcompensation of any beneficiary undertaking.

If the notifying Member State intends to propose an alternative calculation method, please provide the reasons as to why the method set out in the Guidelines is not appropriate in the case at hand and explain how the alternative calculation method addresses better the identified needs………………………………………………………………………………..

*Please submit as an annex to the notification the alternative methodology proposed, together with a demonstration that it is representative, not based on abnormally high catches/yields and do not result in overcompensation of any beneficiary.*

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1. Please confirm whether the measure provides that, where an SME was set up less than three years from the date of the occurrence of the adverse climatic event which can be assimilated to a natural disaster, the reference to the three or five-year periods in points (163)(a), (171) and (173)(b) must be understood as referring to the quantity produced and sold by an average undertaking of the same size as the applicant, namely a micro enterprise or a small enterprise or a medium enterprise, respectively, in the national or regional sector affected by the adverse climatic event which can be assimilated to a natural disaster.

yes  no

* 1. If the answer is ‘yes’, please identify the relevant provision(s) in the legal basis.

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1. Please confirm that the measure prescribes that the aid and any other payments received to compensate the damage, including payments under insurance policies, must be limited to 100 % of the eligible costs.

yes  no

* 1. Please provide the maximum aid intensity(ies) applicable under the measure.

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* 1. Please identify the provision(s) of the legal basis setting out the 100 % limit and the maximum aid intensity(ies) under the measure.

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**OTHER INFORMATION**

1. Please indicate any other information considered relevant to the assessment of the measure under this Section of the Guidelines.

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1. OJ C 107, 23.03.2023, p 1 [↑](#footnote-ref-1)