

Conservation of fishery resources: anchovy stock in the Bay of Biscay and the fisheries exploiting that stock. Long-term plan

2009/0112(COD) - 23/11/2010 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 612 votes to 33, with 13 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing a long-term plan for the anchovy stock in the Bay of Biscay and the fisheries exploiting that stock.

It adopted its position at first reading under the ordinary legislative procedure (formerly known as the codecision procedure). It amends the Commission's proposal as follows:

New legal basis: the resolution notes that according to Article 43(3) TFEU, it is incumbent upon the Council to adopt the measures on the fixing and allocation of fishing opportunities. In view of the specificities of the anchovy fishery in the Bay of Biscay, it is appropriate that the Council establishes those measures in a way that allows the TACs and quotas to apply per fishing season.

Definitions: the definition of "current biomass" has been amended: it shall mean the median size of the biomass of the anchovy stock by reference to the May-June period immediately preceding the start of the fishing season for which the TAC is to be set.

The resolution stipulates that the "monitoring system for the anchovy stock" shall mean the procedures for the direct assessment of the anchovy stock that will enable the STECF to establish the level of current biomass. Those procedures currently consist of the acoustic surveys in May and June and the daily egg production method.

Objective of the plan: one of the objectives of the plan is to guarantee, as far as possible, the long-term stability of the fishery, which is a prerequisite for ensuring the economic and ecological sustainability of the fisheries sector, while maintaining a low risk of stock collapse.

TAC and allocation between Member States: where necessary, the Commission shall announce an indicative TAC by 1 July, pending the setting of a definitive TAC within 15 days following the start of the season.

Delegated acts: the Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty in respect of modifications to the precautionary biomass level or the TAC levels indicated in Annex I as corresponding to the respective biomass levels.

Monitoring, inspection and surveillance: the control measures provided for in this chapter shall apply in addition to those prescribed in Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, and its implementing rules.

Notification prior to landing: by way of derogation from Regulation (EC) No 1224/2009, the time limit for prior notification to the competent authorities of the flag Member State shall be set at one hour before the estimated time of arrival at port. Parliament added that the discharge of catch retained on board shall not commence until authorized by those authorities. However, the landings should not in any event be

postponed or delayed beyond the time at which the fish quality or sale value is reduced. Moreover, it stresses the need to support the competent regional administrations in their monitoring, inspection and surveillance work.

Margin of tolerance in the estimation of quantities reported in the logbook: by way of derogation from Article 14(3) of Regulation No 1224/2009, the permitted margin of tolerance, in the estimation of quantities, in kg retained on board, shall be 10% of the logbook figure (as opposed to 5% proposed by the Commission).

National control action programmes: the Commission shall provide information to the South Western Waters Regional Advisory Council (SWWRAC) on the implementation of national control action programmes and the results obtained.

Specific control and inspection programme: the Commission may decide on a Specific Control and Inspection programme in accordance with Article 95 of Regulation (EC) 1224/2009.