

Common fisheries policy: conservation and sustainable exploitation of fisheries resources; extension of validity of access regime

2012/0143(COD) - 07/06/2012 - Legislative proposal

PURPOSE: to extend the validity of the 12 nautical mile access regime with a time limit until the entry into force of the new Regulation on the Common Fisheries Policy (CFP).

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: Union fishing vessels have equal access to Union waters and resources subject to the rules of the Common Fisheries Policy.

Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy provides for a derogation from the equal access rule, by authorising Member States to restrict fishing to certain vessels in waters up to 12 nautical miles from their baselines. The derogation entered into force on 1 January 2003 and it is to expire on 31 December 2012. The continuation of the 12 nautical mile access regime is foreseen in the [proposal for a new Regulation for the Common Fisheries Policy](#).

In accordance with Regulation (EC) No 2371/2002 the Commission presented a [report to the European Parliament and the Council on the arrangements concerning the access to resources within the 12 nautical mile zones of Member States](#). It is noted in the report that the access regime is very stable and has continued to operate satisfactorily since 2002. The access restrictions put in place by Member States on the basis of that derogation have reduced fishing pressure in the most biologically sensitive areas and have contributed to economic stability for small scale, coastal activities.

In the event that the reform of the CFP is not concluded by the end of 2012, it is necessary to **extend the validity of the 12 nautical mile access regime with a time limit until the entry into force of the new Regulation of the European Parliament and of the Council on the Common Fisheries Policy**, to ensure that fishing activities can continue without interruption from 1 January 2013.

IMPACT ASSESSMENT: the proposal concerns the time limited extension of the validity of an existing access regime, currently set out in Article 17(2) of Regulation (EC) No 2371/2002. The extension of the access regime, until 31 December 2022, is included in the proposal for a new Regulation on the Common Fisheries Policy, which was covered by the Impact Assessment **SEC(2011)891**. There was therefore no need for consultation of interested parties or for a new impact assessment.

LEGAL BASIS: Article 43(2) of the Treaty on the Functioning of the European Union.

CONTENT: the main action is to avoid a discontinuation of the specific access regime set out in Article 17 (2) of Regulation (EC) No 2371/2002, in the event that the proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy has not been adopted and entered into force by 31 December 2012.

BUDGETARY IMPLICATION: this measure does not involve any additional Union expenditure.