Common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund; general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund

2011/0276(COD) - 22/04/2013 - Legislative proposal

PURPOSE: to ensure a simple and streamlined integration of the EMFF into an already existing set of rules for cohesion policy.

PROPOSED ACT: amended proposal for a Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: on 6 October 2011, the Commission presented its proposals for a regulation laying down common provisions on the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the Cohesion Fund (CF), with the Funds for rural development, namely the European Agricultural Fund for Rural Development (EAFRD), and for the maritime and fisheries sector, namely the European Maritime and Fisheries Fund (EMFF) and the general provisions on cohesion policy funds (*please refer to the summary dated 06/10/2011*).

To recall, the initial Commission's proposal for the EMFF Regulation aligned the management and control system for the EMFF with the arrangements proposed for the EAFRD.

During the examination of the EMFF proposal in the Fisheries Working Group in the Council, a number of Member States have expressed reservations as regards the shift to the system proposed by the Commission for management and control and for financial management.

Although a majority of Member States have indicated that **they prefer alignment of the EMFF with the delivery system for cohesion policy**, they also highlighted the need to take into account the principle of proportionality.

In order to facilitate the already on-going negotiations in the Council and the European Parliament, the Commission proposes a simultaneous amendment of the Commission proposals for the Common Provisions Regulation on the ERDF, ESF, CF and the EMFF Regulation to **ensure simple and streamlined integration of the EMFF into an already existing set of rules for cohesion policy**.

The objective is to harness the experience gained in previous programming periods and facilitate a smooth transition from one programming period to the next.

IMPACT ASSESSMENT: an Impact Assessment has been carried out for the original legislative proposals.

LEGAL BASIS: Articles 177 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the main amendments made to the initial proposal are as follows:

- **the EMFF is integrated in the relevant provisions in the Common Provisions Regulation** which were initially specific to cohesion policy, creating a new Part Four of the Common Provisions Regulation which applies to cohesion policy and to the EMFF;
- respective provisions corresponding to the delivery arrangements of the EAFRD or overlap with the articles of the Common Provisions Regulations in its amended form are deleted from the EMFF Regulation and appropriate references to the CPR are introduced in the EMFF Regulation, where necessary.

Recitals and definitions are aligned with the changes to the articles and amendment of the structure of the regulations. The terminology used in the new Part Four is adjusted to accommodate the specificities of the EMFF and in certain instances it is clarified that the Fund-specific rules under the EMFF may set out complementary rules.

BUDGETARY IMPLICATIONS: the amended proposal will have no budgetary implications.