

Fisheries and animal health: amending certain Regulations by reason of the change of status of Mayotte with regard to the Union

2013/0191(COD) - 13/06/2013 - Legislative proposal

PURPOSE: to amend certain Regulations in the fields of fisheries and animal health by reason of the change of status of Mayotte with regard to the Union.

PROPOSED ACT: 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: by Decision 2012/419/EU, **the European Council amended the status of Mayotte with regard to the Union with effect from 1 January 2014**. Therefore, from that date Mayotte will cease to be an overseas territory to become an **outermost region** within the meaning of Articles 349 and 355(1) TFEU. Union law will apply to Mayotte from 1 January 2014.

This proposal follows the examination of requests made by the French authorities to have the Union *acquis* amended through specific measures applicable to Mayotte in different areas, such as fisheries and animal health. The examination of the situation regarding Mayotte has revealed that it is necessary to protect the sensitive biological situation of its waters. In certain respects, France needs additional time to comply with the Union *acquis* with regard to Mayotte.

The amendments proposed all relate to Regulations in the fields of fisheries and animal health. In the interest of simplicity and speediness, it has been considered expedient not to resort to individual proposals for each of the acts concerned but, where legally possible, to bundle the amendments to several acts in a single proposal.

IMPACT ASSESSMENT: the Commission did not undertake an impact assessment.

LEGAL BASIS: Article 43(2) and Article 168(4)(b) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: in view of the specific situation in Mayotte, the Commission is proposing **amendments to certain Regulations in the fields of fisheries and animal health**.

In the area of **fisheries**, the proposed amendments aim to:

- **include the waters around Mayotte** and to prohibit the use of purse-seines on tuna and tuna-like schools of fish inside the area within 24 miles from the baselines of the island in order to preserve the shoals of large migratory fish in the vicinity of the island of Mayotte;
- grant **additional time** to France to comply with the Union *acquis* with regard to Mayotte, in particular in regard to the registering and control obligations in the area of fisheries, to the extent it concerns certain vessels dispersed around the island and not associated to a specific landing site.

In the area of **animal health**, it is proposed to amend Regulation (EC) No 1069/2009 of the European Parliament and of the Council in order to grant France **a transitional period of five years** in regard to

Mayotte, which would enable it to create the infrastructure necessary for the identification, handling, transport, treatment and disposal of animal by-products.

BUDGETARY IMPLICATION: the proposal has no budgetary implications.