Conservation of fishery resources through technical measures: alignment of the Regulation with the TFEU (Commission delegated and implementing powers)

2012/0208(COD) - 15/07/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Rare-Lucian NICULESCU (EPP, RO) on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 850 /98 concerning the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms.

The committee recommends that the European Parliament's position at first reading, following the ordinary legislative procedure, should amend the Commission's proposal as follows:

Members consider that **more detailed precisions for the delegation of powers are needed**. In order to enable certain provisions of this Regulation to be updated efficiently to reflect technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of acts excluding specific fisheries of a Member State, in ICES sub-areas VIII, IX and X, from the application of certain provisions for gillnets, entangling nets and trammel nets, with a very low level of shark by-catches and of discards.

The power to adopt delegated acts shall be conferred on the Commission for a period of **three years** (renewable) from the entry into force of the Regulation. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the three-year period. Members deem it appropriate to limit the delegation in time and to oblige the Commission to report on its exercise in order to have a regular evaluation and questioning of the use of the delegation.

Moreover, the report states that it is of particular importance that the Commission carry out appropriate consultations during its preparatory work, especially at expert level, in order to obtain objective, rigorous, complete and up-to-date information.