Community control system for ensuring compliance with the rules of the Common Fisheries Policy: aligning the Regulation with the TFEU (Commission delegated and implementing powers)

2013/0007(COD) - 19/12/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Fisheries adopted the report by Isabelle THOMAS (S&D, FR) on the proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1224 /2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy

The committee recommended that the Parliament's position adopted in first reading following the ordinary legislative procedure should amend the Commission proposal. The key amendments are as follows:

Regional Advisory Councils: Members stressed that the Commission must consult these Councils during its preparatory work.

Implementing acts: in order to ensure uniformity, the report stated that the following should be adopted by means of implementing acts (and not by delegated acts): marking and identification of fishing vessels (Article 8); the requirements of satellite-tracking devices on fishing vessels (article 9); exempting certain categories of fishing vessels from the obligation on prior notification (Article 17); the provisions applicable in the event of technical failure of electronic recording and reporting systems (Article 24).

Delegated acts: the Commission shall be empowered to adopt delegated acts concerning the conditions for the exemption of small vessels from the obligation to hold fishing authorisations.

However, Members considered that it was not appropriate to give the Commission delegated powers regarding the information made available to consumers.

Furthermore, in order to restrict the Commission's powers, the committee proposed empowering the Commission to to adopt delegated acts for a period of **three years from the date of entry into force** of the Regulation.

The Commission shall draw up a report in respect of the delegation of power at the end of the period and evaluate the effectiveness of the acts adopted in the light of the objectives of the Regulation and the Common Fisheries Policy, to ensure, in particular, that the control is carried out fairly, for example by using comparative indicators in Member States.

Review: given that the Regulation aims to align Regulation (EC) No 1224/2009 with the Lisbon Treaty, the report considered it important that the Commission, in its future revision of the that Regulation, examines:

- the European Parliament's demands regarding the distinction between passive and static gear,

- the relevance of tolerance levels of logbooks fixed at 10%,
- the conditions for notification of entry into ports,
- possible derogations to stowage conditions,
- the administrative burden of weighing constraints,
- the conditions for the attribution and transfer of infraction points, and
- the publicising of data linked to infractions.

Lastly, with regard to the biological impact of recreational fisheries, Members reinstated a specific reference to the Scientific, Technical and Economic Committee for Fisheries (STECF).