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) - 05/02/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 561 votes to 87, with 19 abstentions, a legislative resolution 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

Parliament's position adopted in first reading following the ordinary legislative procedure amended the Commission proposal as follows:

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

Implementing acts: in order to ensure uniformity, Parliament stated that the following should be adopted by means of implementing acts (and not by delegated acts): implementing measures of Regulation (EC) No 1224/2009: 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).

These acts should be adopted in accordance with the examination procedure.

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

On the other hand, Members did not judge it necessary to empower the Commission to adopt delegated acts concerning information on fisheries and aquaculture products available to the consumer.

Furthermore, in order to restrict the Commission's powers, Parliament proposed empowering the Commission to adopt delegated acts for a period of **three years (renewable) 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, Members considered it important that the Commission, in its future revision of the 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).