

Incidental catches of cetaceans in fisheries; alignment of the Regulation with the TFEU (Commission delegated and implementing powers)

2012/0216(COD) - 07/03/2014 - Commission communication on Council's position

The Council adopted its position at first reading with a view to the adoption of the Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 812/2004 laying down measures concerning incidental catches of cetaceans in fisheries.

The Council's position in first reading **reflects the compromise reached in negotiations between Parliament and Council**, with the help of the Commission.

The main points of the compromise are as follows:

Conditions of the delegation of powers to the Commission : Parliament agreed with the Council's suggestion to :

- limit the delegation of powers to allow updating the signal characteristics and the corresponding implementation characteristics of the use of acoustic deterrent devices, in light of technical and scientific progress;
- limit the duration of the delegation to **4 years**, which can be tacitly extended for periods of an identical duration.

Review: the Council accepted the idea put forward by the European Parliament of a **review by the Commission, before the end of 2015**, of the appropriateness and the effectiveness of Council Regulation (EC) 812/2004. On this basis, the Commission would consider submitting to Parliament and Council an overarching legislative proposal for ensuring the effective protection of cetaceans through the regionalisation process.

The Chairman of Parliament's Committee on Fisheries addressed a letter to the Chairman of Coreper stating that, should the Council transmit formally its own first-reading position to the Parliament in the form set out in the Annex to that letter, he would recommend to plenary that the latter accept the Council's position without amendment.