

# European Fisheries Control Agency. Codification

2018/0263(COD) - 02/07/2018 - Legislative proposal

**PURPOSE:** to establish a European Fisheries Control Agency (codification of Council Regulation (EC) No 768/2005).

**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:** Council Regulation (EC) No 768/2005 has been substantially amended several times.

On 1 April 1987, the Commission decided to instruct its staff that all acts should be codified after no more than ten amendments, stressing that this is a minimum requirement.

The Edinburgh European Council in December 1992 confirmed this imperative by stressing the importance of codification.

The European Parliament, the Council and the Commission agreed by an Interinstitutional Agreement of 20 December 1994 that an accelerated procedure may be used for the fast track adoption of codification instruments.

**CONTENT:** for the sake of clarity and transparency of the law, the purpose of this proposal is to **undertake a codification of Council Regulation (EC) No 768/2005** establishing a European Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy.

The new Regulation shall **supersede the various acts incorporated in it**; this proposal fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

**Objective:** the proposed Regulation provides for a **European Fisheries Control Agency (EFCA)** with the objective of:

- **organising operational coordination** of fisheries control and inspection activities by the Member States;
- **assisting Member States to cooperate** so as to comply with the rules of the common fisheries policy in order to ensure its effective and uniform application.

**The Agency's mission** shall be to:

- **coordinate:** (i) controls and inspections of fisheries by EU countries; (ii) the deployment of national means of control and inspection pooled by EU countries; (iii) operations to combat illegal, unreported and unregulated fishing;
- **assist Member States** in (i) providing the European Commission and other interested parties with information on fishing activities and control and inspection activities; (ii) fulfilling their obligations under fisheries policy rules;
- **assist Member States and the Commission** in harmonising the implementation of the Common Fisheries Policy throughout the Union;
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- **contribute** to the research and development work carried out by the Member States and the Commission on control and inspection techniques; (ii) coordinate the training of inspectors and the sharing of experience between the Member States; (iii) contribute to the harmonised implementation of the control system of the common fisheries policy;
- **cooperate** with the [European Border and Coast Guard Agency](#) and the [European Maritime Safety Agency](#), each within its own mandate, to support national authorities carrying out coast guard functions, by providing services, information, equipment and training, as well as coordinating multi-purpose operations.

The Agency shall, at the Commission's request:

- assist the Union and Member States in their **relations with third countries and regional international fisheries organisations** of which the Union is a member;
- cooperate with the competent authorities of regional international fisheries organisations regarding the control and inspection obligations of the Union in the framework of working arrangements concluded with such bodies.

The Agency shall coordinate operational cooperation between Member States in accordance with joint **deployment plans**, which organise the use of the available means of control and inspection of the Member States concerned so as to give effect to control and inspection programmes. Fisheries control and inspection activities undertaken by the Member States should be carried out in accordance with common criteria, priorities, benchmarks and procedures regarding control and inspection activities on the basis of such programmes.

**Organisation:** the Agency, based in **Vigo**, Spain, shall consist of: (i) an Executive Director appointed for a five-year term; (ii) an **Advisory Board** to assist the **Executive Director**; and (iii) an **Administrative Board** (composed of one representative from each EU country and six Commission representatives) which, *inter alia*, appoints the Executive Director.