

European Fisheries Control Agency. Codification

2018/0263(COD) - 25/03/2019 - Final act

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

LEGISLATIVE ACT: Regulation (EU) 2019/473 of the European Parliament and of the Council on the European Fisheries Control Agency.

CONTENT: for the sake of clarity and transparency of the law, this Regulation codifies and replaces Council Regulation (EC) No 768/2005, which has been substantially amended several times. The new Regulation replaces the various acts incorporated in it; it fully preserves the content of the acts and brings them together with only such formal amendments as are required by the codification exercise itself.

The 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 and 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.

Tasks and missions

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;
- 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.

Operational cooperation

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. The adoption of a control and inspection programme obliges Member States to effectively provide the resources necessary to carry out the programme.

Structure

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.

ENTRY INTO FORCE: 14.4.2019.