Basic information

2019/0010(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Fishing authorisations for Union fishing vessels in United Kingdom waters and fishing operations of United Kingdom fishing vessels in Union waters **Subject** 3.15.04 Management of fisheries, fisheries, fishing grounds **Geographical area** United Kingdom	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries		

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3682	2019-03-19

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	VELLA Karmenu

European Economic and Social Committee

Key events

Date	Event	Reference	Summary
23/01/2019	Legislative proposal published	COM(2019)0049	Summary
30/01/2019	Committee referral announced in Parliament, 1st reading		
13/03/2019	Decision by Parliament, 1st reading	T8-0184/2019	Summary
13/03/2019	Results of vote in Parliament		
19/03/2019	Act adopted by Council after Parliament's 1st reading		
25/03/2019	Final act signed		
27/03/2019	End of procedure in Parliament		
27/03/2019	Final act published in Official Journal		

Technical information

Procedure reference	2019/0010(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Rules of Procedure EP 170 Treaty on the Functioning of the European Union TFEU 043-p2
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	PECH/8/15416

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0184/2019	13/03/2019	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00036/2019/LEX	25/03/2019	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2019)0049	23/01/2019	Summary
Commission response to text adopted in plenary	SP(2019)393	30/04/2019	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2019)0049	15/05/2019	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0683/2019	20/02/2019	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Regulation 2019/0498 OJ L 085I 27.03.2019, p. 0025	Summary

Fishing authorisations for Union fishing vessels in United Kingdom waters and fishing operations of United Kingdom fishing vessels in Union waters

2019/0010(COD) - 13/03/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 641 votes to 28, with 6 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2017/2403 as regards fishing authorisations for Union fishing vessels in United Kingdom waters and fishing operations of United Kingdom fishing vessels in Union waters.

The European Parliament adopted its position at first reading under the ordinary legislative procedure without amending the Commission proposal.

The proposal seeks to amend Regulation (EU) 2017/2403 on the sustainable management of external fleets in order to avoid the interruption of fishing activities by United Kingdom fishing vessels in EU waters and by EU fishing vessels in UK waters on the date of the United Kingdom's withdrawal from the EU, which could be 30 March 2019.

The proposal provides for the possibility for United Kingdom vessels to conduct fishing activities in EU waters until the end of 2019 and the introduction of simplified authorisation procedures for vessels wishing to fish in United Kingdom waters.

The proposed Regulation also continues the practice of exchanging quotas with the United Kingdom, as was the case when the United Kingdom joined the Union.

The granting of authorisations is subject to the principle of ‘reciprocity’, i.e. on condition that the United Kingdom extends the current access rights for EU vessels to conduct fishing activities in United Kingdom waters.

Consequently, authorisations will only be granted if and to the extent that the United Kingdom provides authorisations for Union vessels to make use of fishing opportunities allocated to them in accordance with the fishing opportunity Regulations.

The specific rules provided for in this proposal should apply from the day following that on which Union law ceases to apply to the United Kingdom pursuant to Article 50(3) of the Treaty on European Union.

Fishing authorisations for Union fishing vessels in United Kingdom waters and fishing operations of United Kingdom fishing vessels in Union waters

2019/0010(COD) - 27/03/2019 - Final act

PURPOSE: to mitigate the impacts that a Brexit without an agreement would have on fisheries at EU level.

LEGISLATIVE ACT: Regulation (EU) 2019/498 of the European Parliament and of the Council amending Regulation (EU) 2017/2403 as regards fishing authorisations for Union fishing vessels in United Kingdom waters and fishing operations of United Kingdom fishing vessels in Union waters.

CONTENT: in order to mitigate the impacts that a Brexit without an agreement would have on fisheries at EU level, this Regulation amends Regulation (EU) 2017/2403 on the sustainable management of external fleets to ensure that the Union is able to grant access to United Kingdom vessels until the end of 2019, provided that Union vessels also enjoy reciprocal access to United Kingdom waters.

The Regulation covers only the year 2019 and is based on the agreement on fishing opportunities for 2019 reached at the Agriculture and Fisheries Council on 17 and 18 December 2018.

A simplified procedure is also provided for to allow United Kingdom vessels to fish in EU waters and EU vessels to fish in UK waters, provided that the United Kingdom grants such access.

A United Kingdom fishing vessel shall not engage in fishing operations in Union waters unless it has been issued with a fishing authorisation by the Commission. It shall only be issued with such an authorisation if it fulfils the eligibility criteria.

The Commission may take appropriate measures, including amending or withdrawing the authorisation if the conditions are no longer met.

A United Kingdom fishing vessel authorised to fish in Union waters shall comply with the control rules governing the fishing operations of Union fishing vessels in the fishing area in which it operates.

The Regulation also continues the practice of exchanging quotas with the United Kingdom, as was the case when the United Kingdom joined the Union (approximately 1 000 quota exchanges take place each year between the United Kingdom and the Member States).

ENTRY INTO FORCE: 28.3.2019. The Regulation shall apply from the day following that on which the Treaties cease to be applicable in the United Kingdom pursuant to Article 50(3) of the Treaty on European Union until 31.12.2019.

Fishing authorisations for Union fishing vessels in United Kingdom waters and fishing operations of United Kingdom fishing vessels in Union waters

2019/0010(COD) - 23/01/2019 - Legislative proposal

PURPOSE: to mitigate the impacts that a Brexit without an agreement would have on fisheries at EU level.

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: a withdrawal agreement was concluded between the Union and the United Kingdom and endorsed by the European Council (Article 50) on 25 November 2018. However, its ratification in the United Kingdom is uncertain. This proposal is part of a package of emergency measures proposed by the Commission to deal with a possible withdrawal from the European Union without the United Kingdom's agreement.

When the Common Fisheries Policy ceases to apply to the United Kingdom, the United Kingdom waters (territorial sea and adjacent exclusive economic zone) will no longer be part of the Union waters. Consequently, in case of a disorderly withdrawal, Union and United Kingdom vessels risk not having the possibility to utilise fully the fishing opportunities as established for 2019.

To guarantee the sustainability of fisheries and in light of the importance of fisheries for the economic livelihood of many communities, it is important to keep open the possibility of arrangements for continued reciprocal fishing access by Union and United Kingdom vessels to each other’s waters, for a limited period of time, after the withdrawal date.

On 17 and 18 December 2018, the Agriculture and Fisheries Council fixed the fisheries opportunities for 2019. Based on this, the Commission has concluded that two contingency measures are necessary for the fisheries sector in order to mitigate the significant impacts on the fisheries sector of a withdrawal from the United Kingdom without a withdrawal agreement.

Alongside this measure on the sustainable management of external fishing fleets, the Commission is proposing a measure to amend the European Maritime and Fisheries Fund.

CONTENT: the proposal shall amend Regulation (EU) 2017/2403, so as to provide a legal basis in Union law providing for the possibility for United Kingdom vessels to carry out fishing activities in Union waters and for introducing simplified and more efficient authorisation procedures for vessels wishing to fish in United Kingdom waters. In doing so major disruptions and delays in the authorisation procedures will be avoided.

The proposed Regulation also continues the practice of exchanging quotas with the United Kingdom, as was the case when the United Kingdom joined the Union (approximately 1 000 quota exchanges take place each year between the United Kingdom and the Member States).

The granting of authorisations is subject to the principle of ‘reciprocity’, i.e. on condition that the United Kingdom extends the current access rights for EU vessels to conduct fishing activities in United Kingdom waters. Consequently, authorisations will only be granted if and to the extent that the United Kingdom provides authorisations for Union vessels to make use of fishing opportunities allocated to them in accordance with the fishing opportunity Regulations.

The specific rules provided for in this proposal should apply from the day following that on which Union law ceases to apply to the United Kingdom pursuant to Article 50(3) of the Treaty on European Union.