

Procedure file

Basic information	
CNS - Consultation procedure Regulation	2003/0062(CNS) Procedure completed
Fishing fleets registered in the Community outermost regions Amended by 2006/0148(CNS) Amended by 2008/0138(CNS) Repealed by 2011/0195(COD) Subject 3.15.03 Fishing fleets, safety of fishing vessels 3.15.07 Fisheries inspectorate, surveillance of fishing vessels and areas 4.70.06 Outlying and outermost regions, overseas countries and territories	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		20/05/2003
		PPE-DE SUDRE Margie	
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs and Internal Market		20/10/2003
		PSE ZIMERAY François	
	ENVI Environment, Public Health, Consumer Policy	The committee decided not to give an opinion.	
	RETT Regional Policy, Transport and Tourism	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA)	2574	30/03/2004
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries		

Key events			
05/05/2003	Legislative proposal published	COM(2003)0175	Summary
02/06/2003	Committee referral announced in Parliament		
24/11/2003	Vote in committee		Summary
24/11/2003	Committee report tabled for plenary, 1st reading/single reading	A5-0409/2003	
04/12/2003	Decision by Parliament	T5-0537/2003	Summary
30/03/2004	Act adopted by Council after consultation of Parliament		
30/03/2004	End of procedure in Parliament		
07/04/2004	Final act published in Official Journal		

Technical information

Procedure reference	2003/0062(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by 2006/0148(CNS) Amended by 2008/0138(CNS) Repealed by 2011/0195(COD)
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/5/19500

Documentation gateway

Legislative proposal		COM(2003)0175	05/05/2003	EC	Summary
Committee draft report		PE325.191	18/09/2003	EP	
Amendments tabled in committee		PE325.191/AM	06/11/2003	EP	
Committee opinion	JURI	PE338.434/DEF	18/11/2003	EP	
Committee report tabled for plenary, 1st reading/single reading		A5-0409/2003	24/11/2003	EP	
Text adopted by Parliament, 1st reading/single reading		T5-0537/2003 OJ C 089 14.04.2004, p. 0031-0099 E	04/12/2003	EP	Summary
Implementing legislative act		32004R2104 OJ L 365 10.12.2004, p. 0019-0021	09/12/2004	EU	Summary

Additional information

European Commission	EUR-Lex
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Final act

Regulation 2004/639 OJ L 102 07.04.2004, p. 0009-0011 Summary
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Fishing fleets registered in the Community outermost regions

PURPOSE : to offer favourable treatment to fishing fleets registered in the EU's outermost regions. CONTENT : the EU's outermost regions were afforded favourable treatment in view of their structural, social and economic position. Under the heading of favourable treatment these fishing fleets will, in future, be entitled to a moderate expansion of their fleets with aid from the FIFG Structural Fund. To allow this practice a series of waivers to EU Regulations are required. Specifically these waivers: - provide for reference levels for each OR fleet segment corresponding to the objectives of the multi-annual guidance programmes IV (MAGP IV) and the actual fishing opportunities where these objectives do not exist (Canary Islands); - permit the use of public fleet construction and modernisation aid for this purpose, allowing expansion within the reference limits of the capacity determined for each segment; but once the reference level is reached the standard provisions of Community law shall apply; - end on 31 December 2006, this being the last payment date for aid under the general fleet renewal aid scheme, which terminates at the end of 2004; - by way of derogation from the rules covering continental fleets, prevent any transfer of vessels from or to the continent; - provide for adjustment of fleet management and control tools; - provide for possible adoption of a Commission Regulation containing implementing rules.?

Fishing fleets registered in the Community outermost regions

The committee adopted the report by Margie SUDRE (EPP-ED, F) amending the proposal under the consultation procedure: - Article 299(2) of the Treaty (on specific measures for the outermost regions) should be taken as the legal basis for the proposal rather than Article 37 (agricultural policy); - there should be a derogation from the provisions governing public aid for the renewal of fishing vessels so that such aid can be granted until 31 December 2006 rather than until 31 December 2004. It follows therefore that the derogation for payments should be extended until the necessary reference levels are reached; - the Commission should review the proposed measures in 2006 and suggest any adjustments that may be required "in the light of changes in the social and economic needs of the regions concerned and the state of the fish stocks fished by their fleets". ?

Fishing fleets registered in the Community outermost regions

The European Parliament adopted a resolution drafted by Margie SUDRE (EPP-ED, F) making some amendments to the Commission's proposal. (Please see the summary dated 25/11/03).?

Fishing fleets registered in the Community outermost regions

PURPOSE : to offer favourable treatment to fishing fleets registered in the EU's outermost regions. **LEGISLATIVE ACT** : Council Regulation 639/2004/EC on the management of fishing fleets registered in the Community outermost regions. **CONTENT** : the Council unanimously adopted a Regulation on the management of fishing fleets registered in the outermost regions as compared with the continental fleets, given their structural, social and economic position. This specific treatment would involve derogation from the general rules on the fleet entry/exit scheme and on the fleet modernisation aid implemented by the last agreed CFP reform. This text takes as a reference level, for any given capacity increase, the objectives fixed by the multiannual guidance programmes IV (MAGP IV) for the French overseas departments, the Azores and Madeira for each fleet segment. Specific reference levels should be determined for vessel segments registered in the Canary Islands, for which no specific objectives were fixed in the MAGP IV framework. As regards fleet renewal and modernisation, the Commission's proposal required that the final date for committing public aid for renewal should be 31 December 2005 and that vessels benefiting from aid should enter into the fleet register by 31 December 2006 at the latest. The changes introduced in the initial proposal now include a new deadline for the entry of new capacity into the fleet register, which is to be 31 December 2007. Two statements from the Commission are attached to the Regulation: one deals with the change of legal basis agreed by the Council as the Regulation now includes Article 37 (general provisions on agriculture and fisheries) and Article 299(2) of the Treaty (provisions on outermost regions). The other statement entered by the Commission, at the request of the Spanish delegation, is a commitment to implementing the rules taking into account the specific concerns of the Canary Islands as regards fleet segmentation in relation to types of fishing and to the state of targeted stocks. The Commission shall submit to the European Parliament and the Council a report on the implementation of this Regulation no later than 31 December 2006. **ENTRY INTO FORCE** : 14/04/2004. It shall apply from 1 January 2003.?

Fishing fleets registered in the Community outermost regions

LEGISLATIVE ACT : Commission Regulation 2104/2004/EC laying down detailed implementing rules for Council Regulation 639/2004/EC on the management of fishing fleets registered in the Community outermost regions.

CONTENT : in adopting this Regulation, the Commission has taken account of its declaration in the margins of the Council of 30 March 2004 on the detailed implementing rules for Regulation 639/2004/EC, in particular as regards the most appropriate segmentation in relation to types of fishing, scientific opinions on the state of targeted stocks and similar treatment of fleets operating on the same fisheries. The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture and concern : specific reference levels and the monitoring of these levels; the consolidation of these levels and the contribution to the annual reports.

ENTRY INTO FORCE : 17/12/2004.

DATE OF APPLICATION : 01/01/2003.