

# Procedure file

Basic information		
CNS - Consultation procedure Regulation	2003/0261(CNS)	Procedure completed
Aquaculture: rules and arrangements regarding Community structural assistance		
Amending Regulation (EC) No 2792/1999 <a href="#">1998/0347(CNS)</a>		
Subject 3.15.02 Aquaculture 3.15.16 Financial Instrument for Fisheries Guidance (FIFG), European Fisheries Fund (EFF)		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PECH</b> Fisheries		25/11/2003
		PPE-DE <a href="#">MARTIN Hugues</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>BUDG</b> Budgets	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2599</a>	19/07/2004
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2584</a>	24/05/2004
European Commission	Commission DG <a href="#">Maritime Affairs and Fisheries</a>	Commissioner	

Key events			
05/11/2003	Legislative proposal published	<a href="#">COM(2003)0658</a>	Summary
20/11/2003	Committee referral announced in Parliament		
16/03/2004	Vote in committee		
16/03/2004	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0168/2004</a>	
01/04/2004	Decision by Parliament	<a href="#">T5-0254/2004</a>	Summary
19/07/2004	Act adopted by Council after consultation of Parliament		
19/07/2004	End of procedure in Parliament		
06/08/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2003/0261(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 2792/1999 <a href="#">1998/0347(CNS)</a>
Legal basis	EC Treaty (after Amsterdam) EC 036; EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/5/20297

Documentation gateway					
Legislative proposal		<a href="#">COM(2003)0658</a>	05/11/2003	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0168/2004</a>	16/03/2004	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0254/2004</a> <a href="#">OJ C 103 29.04.2004, p. 0679-0768 E</a>	01/04/2004	EP	Summary

Additional information	
European Commission	<a href="#">EUR-Lex</a>

Final act
<a href="#">Regulation 2004/1421</a> <a href="#">OJ L 260 06.08.2004, p. 0001-0005</a> Summary

## Aquaculture: rules and arrangements regarding Community structural assistance

**PURPOSE** : to modify Council Regulation 2792/99/EC in order to allow the Financial Instrument for Fisheries Guidance to better contribute to the implementation of the Strategy for the sustainable development of European aquaculture. **PROPOSED ACT** : Council Regulation.

**CONTENT** : The Commission submitted to the Council and the European Parliament in September 2002 a Communication on a Strategy for the sustainable development of European aquaculture (COM/2002/511). The Financial Instrument for Fisheries Guidance has an important role to play in order to fulfill the objectives of the Strategy. The Strategy specifies the modifications to the FIGG regulation that need to be done. The main points are as follows: -there is greater emphasis on improvement of knowledge and transparency in production and in the market, including statistics and economic analysis; -Member States may grant financial compensation to shellfish farmers where the contamination due to the growth of toxic algae makes it necessary to suspend harvesting for more than six consecutive months. The granting of compensation may cover no more than six months of suspension of harvesting over the entire period from the entry in force of this Regulation to the end of 2006; -there are new limits placed on the financial contribution from the FIGG; -recurrent seasonal suspension of fishing and aquaculture activity will not be eligible for compensation; -small-scale, applied-research initiatives, not exceeding EUR 150 000 in total cost and three years in duration will be eligible as pilot projects, provided that they contribute to the objectives of sustainable development of the aquaculture industry in the Community. -aquaculture enterprises are encouraged to improve their environmental performance and to develop voluntarily initiatives that go beyond the minimum legal requirements in terms of environmental protection; -in order to enable public aid for aquaculture service vessels to be maintained, the proposal establishes a clear distinction between those vessels and fishing vessels as defined in Council Regulation 2371/2002/EC since some fishing vessels may be exclusively used in aquaculture but could possibly revert to fishing activity. -since overproduction is a threat for some branches, new priorities within the aquaculture measures in the FIGG Programmes are set and in certain cases the rate of aid reduced; -since extensive fish farming may have an ecologically beneficial role, as a way to associate an economic activity with the conservation wetlands, an increase in public support is justified. **FINANCIAL IMPLICATIONS** : - Budget headings: B2 - 1010, B2 - 1300, B2 - 1610 There are no financial implications.?

## Aquaculture: rules and arrangements regarding Community structural assistance

The European Parliament adopted a non-binding resolution drafted by Hugues MARTIN (EPP-ED, F) on laying down the detailed rules and

arrangements regarding Community structural assistance in the fisheries sector. The resolution was subject to a few amendments which include the inclusion of certain provisions: - the level of funding should be maintained for those sectors and aquaculture projects which, on the basis of reliable data, have shown moderate expansion and an additional margin for growth; - in order to combat the threat of toxic algae, research in the area ought to be continued so as to enhance knowledge of the phenomenon and provide better protection against it; - in the event that a recovery plan is adopted by the Council or where emergency measures are adopted by the Commission or by one or more Member States, the maximum amounts of aid shall be increased by 20%. Furthermore, the requirement that the vessel on which the crew members were employed must have permanently stopped its activities shall not apply; - the Member States may grant financial compensation to shellfish farmers where the accumulation of toxins due to the growth of toxic algae makes it necessary, for the protection of human health, to suspend harvesting for more than 15 consecutive days at times when selling is intensive and provided that the undertakings in the area in question are genuinely being harmed and there is an objectively assessed loss of production, taking account of both the economic cycle of the undertaking and the productive cycle. The granting of compensation may cover no more than six months of suspension of harvesting over the entire period from the entry in force of this Regulation to the end of 2006; - increasing production by launching new undertakings devoted to species where the market is not close to saturation. Production may not under any circumstances exceed the likely evolution in demand; - establishment of farms in the open sea.?

## Aquaculture: rules and arrangements regarding Community structural assistance

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**CONTENT :** to lay down detailed rules and arrangements regarding Community structural assistance in the fisheries sector.

**LEGISLATIVE ACT :** Council Regulation 1421/2004/EC amending Regulation 2792/1999/EC laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector.

**CONTENT :** the Council adopted a Regulation amending the Financial Instrument for Fisheries Guidance Regulation as set out in Council Regulation 2792/1999/EC.

The Regulation stemmed from a communication to the European Parliament and the Council on a strategy for the sustainable development of European aquaculture. The proposal aimed at modifying Council Regulation 2792/99/EC in order to allow the FIFG to better contribute to the implementation of the Strategy for the sustainable development of European aquaculture.

The Regulation contains the following measures, among others:

- Suspension of shellfish harvesting: the compromise provides for financial support for temporary suspension of shellfish harvesting due to the growth of toxic algae : more specifically, the Member States may grant financial compensation to shellfish farmers where the contamination in the shellfish due to the growth of toxin-producing plankton or the presence of plankton containing marine biotoxins makes it necessary, for the protection of human health, to suspend harvesting for more than four consecutive months or, where the losses incurred as a result of the suspension of harvesting during a period of concentrated sales, represents in excess of 35 % of the annual turnover of the enterprise concerned, calculated on the basis of the average turnover of that enterprise over the previous three years. The granting of compensation may cover no more than six months of suspension of harvesting over the entire period from the entry in force of Council Regulation 1421/2004/EC amending Regulation 2792/1999/EC laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector to the end of 2006;

- Replacement of fishing gear in the event of a recovery plan: fishing gear expenditure is now considered eligible if the vessel is subject to a recovery plan and is required to end its participation in the fishery concerned and fish for other species with different fishing gear;

- Community vessels may be required to use acoustic deterrent devices in certain fisheries to reduce incidental capture and killing of cetaceans. The cost of complying with such an obligation should be eligible for vessel modernisation aid.

**ENTRY INTO FORCE :** 26/08/2004.