


Procedure file

Basic information	
CNS - Consultation procedure Regulation	2007/0070(CNS) Procedure completed
Collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy	
Repealing Regulation (EC) No 1543/2000 1999/0218(CNS) Repealed by 2015/0133(COD)	
Subject 3.15.06 Fishing industry and statistics, fishery products	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		23/05/2007
		PSE CASACA Paulo	
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed
	BUDG Budgets	The committee decided not to give an opinion.	
	ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
European Commission	Council configuration	Meeting	Date
	Competitiveness (Internal Market, Industry, Research and Space)	2852	25/02/2008
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	BORG Joe	

Key events			
17/04/2007	Legislative proposal published	COM(2007)0196	Summary
07/06/2007	Committee referral announced in Parliament		
22/10/2007	Vote in committee		Summary
24/10/2007	Committee report tabled for plenary, 1st reading/single reading	A6-0407/2007	
13/11/2007	Results of vote in Parliament		
13/11/2007	Decision by Parliament	T6-0498/2007	Summary
25/02/2008	Act adopted by Council after consultation of Parliament		
25/02/2008	End of procedure in Parliament		
05/03/2008	Final act published in Official Journal		

Technical information	
Procedure reference	2007/0070(CNS)

Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Regulation (EC) No 1543/2000 1999/0218(CNS) Repealed by 2015/0133(COD)
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	PECH/6/48798

Documentation gateway

Legislative proposal	COM(2007)0196	18/04/2007	EC	Summary
Committee draft report	PE393.973	13/09/2007	EP	
Economic and Social Committee: opinion, report	CES1252/2007	26/09/2007	ESC	
Amendments tabled in committee	PE396.442	08/10/2007	EP	
Committee report tabled for plenary, 1st reading/single reading	A6-0407/2007	24/10/2007	EP	
Text adopted by Parliament, 1st reading/single reading	T6-0498/2007	13/11/2007	EP	Summary
Commission response to text adopted in plenary	SP(2007)6527	18/12/2007	EC	

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Regulation 2008/199](#)
[OJ L 060 05.03.2008, p. 0001](#) Summary

Collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy

PURPOSE: to substantially revise the current legal framework for the collection of basic fisheries data and use for scientific advice.

PROPOSED ACT: Council Regulation.

BACKGROUND: the systematic collection of reliable basic data on fisheries is a cornerstone of fish stock assessment and scientific advice, and consequently of critical importance for the implementation of the common fisheries policy (CFP). The Commission has carried out a review of the current system of the data collection framework following several years of its implementation. A number of shortcomings were identified which need to be addressed urgently in order to provide the scientific community and fisheries managers with the data they need to take more effective management decisions.

CONTENT: the goal of the Commission's proposal for a new Council Regulation on data collection in the fisheries sector is to develop long-term, well-integrated regional sampling programmes covering biological, economic, environmental and social data. The revised data collection regulation is intended to meet new demands generated by the need to move towards fisheries management (i.e. fleet- and area-based management, rather than fish stock-based) and towards the ecosystem approach to fisheries management. A significant innovation in the proposal is the inclusion of collection of environmental data with the primary purpose of monitoring the impact of fishing activity on the marine ecosystem.

The new data collection system will cover all the process, from the collection of the data in ports or at sea to its use by the end-users (mainly the scientific community and advisory bodies).

Quality control and validation of the data collected is of particular importance. The Commission considers that the Community financial contribution should be made conditional on quality control and compliance with agreed quality standards. Consequently, the Commission has introduced a financial penalty related to non-compliance and poor quality of national programmes.

The improvement of access to data and its use has been also considered of high importance including access to additional sets of data such as Vessel Monitoring Satellite (VMS) data. New rules have been defined to this end, as well as rules on the use of data to protect the interests of the data providers.

The simplification of the procedures are an important goal as National programmes will henceforward be established for a 3-year period; however the possibility should be given to the Member States to include amendments when necessary (to take account of increased international coordination, for example). Multi-annual planning periods will reduce the administrative burden for all parties concerned.

Collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy

The Committee on Fisheries adopted the report by Paulo CASACA (PES, PT) amending ? at 1st reading of the consultation procedure ? the proposal for a Council regulation on establishing a Community framework for the collection, management and use of data in the fisheries sector and supporting scientific opinions on the Common Fisheries Policy.

The main amendments are as follows:

- the Member States and the Commission should be obliged to ensure sufficient levels of confidentiality in accordance with the data concerned, the characteristics of the end-user and the national law in question;
- ?end-users? means national or international bodies which, whether or not scientific in nature, are active partners and participants in fisheries research or management; the degree of connectedness of the end-user to fisheries management and research shall determine his level of access to the primary, detailed or aggregated data;
- a new Article has been introduced stating that the Commission shall clearly define different levels of penalisation according to the seriousness of the failure to comply, as also ?official request for information? and ?incomplete national programme?;
- where charges are applied, public authorities shall publish and make available to those requesting information the scale of charges, specifying in what circumstances charges may or may not apply;
- in the definition of expenditure to be included in the national programme, account should be taken of expenditure arising from the self-sampling programmes;
- where the end-user is not a public body, a recognised scientific research centre, an international fisheries management organisation, or a body associated with any of the above for purposes of fisheries research or management, and where the persons, bodies or associations concerned are private, the public authorities should be allowed to charge for providing the information referred to in this Regulation. The sum charged, however, should be reasonable;
- with a view to verifying the existence of the mandatory primary data to be collected under this Regulation, the Commission may carry out spot checks on the national databases;
- the Commission, in cooperation with the Member States, may develop an IT platform for the exchange of the information enabling such checks to be made;
- the Commission shall provide for access to these data, which may include individual data, e.g. of a vessel. However, the confidentiality of the information of the economic agent must be safeguarded. Thus, the Commission may have access to aggregated (not individual) data, in line with the definition of aggregation to be included in the implementing regulation;
- Member States shall make data available to end-users to support scientific analysis, ensuring the confidentiality of such data and taking account of the following: i) detailed data as a basis for advice to fisheries management; ii) aggregated data: - in the interest of public debate and stakeholder participation in policy development; - for publication for scientific purposes;
- the Commission shall each year draw up: i) a report for the European Parliament and the Council evaluating the means employed by each Member State, the appropriateness of the methods used and the results achieved in the collection and management of the data covered by Regulation (EC) No 2371/2002; ii) a report on the Community use of the data collected under the present Regulation.

Collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy

The European Parliament adopted a resolution drafted by Paulo CASACA (PES, PT) making some amendments to the proposal for a Council regulation on establishing a Community framework for the collection, management and use of data in the fisheries sector and supporting scientific opinions on the Common Fisheries Policy.

The main amendments were as follows:

- Member States and the Commission should be obliged to ensure sufficient levels of confidentiality in accordance with the data concerned, the characteristics of the end-user and the national law in question;
- ?end-users? means national or international bodies which, whether or not scientific in nature, are active partners and participants in fisheries research or management; the degree of connectedness of the end-user to fisheries management and research shall determine his level of

access to the primary, detailed or aggregated data;

- a new Article has been introduced stating that the Commission shall clearly define different levels of penalisation according to the seriousness of the failure to comply, as also 'official request for information?' and 'incomplete national programme?';
- a new Article has been inserted on charges: where the end-user is not a public body, a recognised scientific research centre, an international fisheries management organisation, or a body associated with any of the above for purposes of fisheries research or management, and where the persons, bodies or associations concerned are private, the public authorities may charge for providing environmental information. Any sum charged, however, shall be reasonable. Where charges are applied, public authorities shall publish and make available to those requesting information the scale of charges, specifying in what circumstances charges may or may not apply.
- in the definition of expenditure to be included in the national programme, account should be taken of expenditure arising from the self-sampling programmes;
- with a view to verifying the existence of the mandatory primary data to be collected under the Regulation, the Commission may carry out spot checks on the national databases;
- the Commission, in cooperation with the Member States, may develop an IT platform for the exchange of the information enabling such checks to be made;
- the Commission shall provide for access to primary data collected under the surveys at sea schemes, which may include individual data, e.g. of a vessel. However, the confidentiality of the information of the economic agent must be safeguarded. Thus, the Commission may have access to aggregated (not individual) data, in line with the definition of aggregation to be included in the implementing regulation;
- Member States shall make data available to end-users to support scientific analysis, ensuring the confidentiality of such data and taking account of the following: i) detailed data as a basis for advice to fisheries management; ii) aggregated data:
- Member States may refuse to transmit in the case of detailed data, where the applicant cannot demonstrate that such data are essential for the management or research activity invoked;
- the Commission shall each year draw up: i) a report for the European Parliament and the Council evaluating the means employed by each Member State, the appropriateness of the methods used and the results achieved in the collection and management of the data covered by Regulation (EC) No 2371/2002; ii) a report on the Community use of the data collected under this Regulation.

Collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy

PURPOSE: to improve the rules for the collection of basic fisheries data and use for scientific advice.

LEGISLATIVE ACT: Regulation (EC) No 199/2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy.

CONTENT: this Regulation lays down rules on: (i) the collection and management, in the framework of multiannual programmes, of biological, technical, environmental and socio-economic data concerning the fisheries sector; (ii) the use of data concerning the fisheries sector in the framework of the Common Fisheries Policy (CFP) for the purpose of scientific analysis. The Regulation also lays down provisions for the improvement of the scientific advice needed for the implementation of the CFP.

Community programme: a multi-annual Community programme for the collection, management and use of biological, technical, environmental, and socio-economic data concerning:

- commercial fisheries carried out by Community fishing vessels, (including commercial fisheries for eels and salmon in inland waters) and outside Community waters;
- recreational fisheries carried out within Community waters, including recreational fisheries for eels and salmon in inland waters;
- aquaculture activities related to marine species, including eels and salmon, carried out within the Member States? and the Community waters;
- industries processing fisheries products.

The Community programmes shall be drawn up for three-year periods. The first period shall cover the years 2009 and 2010.

National programmes: without prejudice to their current data collection obligations under Community law, Member States shall collect primary biological, technical, environmental and socioeconomic data within the framework of a multi-annual national programme drawn up in accordance with the Community programme. The national programme shall include, in particular: (a) multi-annual sampling programmes; (b) a scheme for at-sea monitoring of commercial and recreational fisheries, where necessary; (c) a scheme for research surveys-at-sea; (d) a scheme for management and use of the data for the purposes of scientific analyses.

Coordination and cooperation: Member States shall coordinate their national programmes with other Member States in the same marine region and make every effort to coordinate their actions with third countries having sovereignty or jurisdiction over waters in the same marine region.

Community financial assistance: Community financial assistance for national programmes shall be implemented in accordance with the rules laid down in Regulation (EC) No 861/2006, establishing Community financial measures for the implementation of the Common Fisheries Policy in the area of the Law of the Sea. The Commission may, after having afforded the Member States concerned an opportunity of being heard, suspend and/or recover Community financial assistance in certain circumstances.

Management of and access to data: Member States are required to ensure that primary data collected under national programmes are safely stored in computerised databases, and take all necessary measures to ensure that they are treated as confidential. They must ensure that the Commission has access to the national computerised databases.

ENTRY INTO FORCE: 12/03/2008.

