


Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed 2010/0080(COD)
Common fisheries policy (CFP): Community financial measures for the implementation of the CFP and in the area of the Law of the Sea Amending Regulation (EC) No 861/2006 2005/0045(CNS)	
Subject 3.15 Fisheries policy 8.70.03 Budgetary control and discharge, implementation of the budget	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries		
	Committee for opinion	Rapporteur for opinion	Appointed
	BUDG Budgets	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Environment	3103	21/06/2011
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	DAMANAKI Maria	

Key events			
29/04/2010	Legislative proposal published	COM(2010)0145	Summary
06/05/2010	Committee referral announced in Parliament, 1st reading		
25/01/2011	Vote in committee, 1st reading		Summary
31/01/2011	Committee report tabled for plenary, 1st reading	A7-0017/2011	
05/04/2011	Debate in Parliament		
06/04/2011	Results of vote in Parliament		
06/04/2011	Decision by Parliament, 1st reading	T7-0138/2011	Summary
21/06/2011	Act adopted by Council after Parliament's 1st reading		
06/07/2011	Final act signed		
06/07/2011	End of procedure in Parliament		
22/07/2011	Final act published in Official Journal		

Technical information	
Procedure reference	2010/0080(COD)

Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 861/2006 2005/0045(CNS)
Legal basis	Treaty on the Functioning of the EU TFEU 043
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	PECH/7/02824

Documentation gateway

Legislative proposal	COM(2010)0145	29/04/2010	EC	Summary
Economic and Social Committee: opinion, report	CES0984/2010	15/07/2010	ESC	
Committee draft report	PE443.044	07/10/2010	EP	
Amendments tabled in committee	PE452.638	09/11/2010	EP	
Committee report tabled for plenary, 1st reading/single reading	A7-0017/2011	31/01/2011	EP	
Text adopted by Parliament, 1st reading/single reading	T7-0138/2011	06/04/2011	EP	Summary
Commission response to text adopted in plenary	SP(2011)4619	25/05/2011	EC	
Draft final act	00017/2011/LEX	06/07/2011	CSL	

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Regulation 2011/693](#)
[OJ L 192 22.07.2011, p. 0033](#) Summary

Common fisheries policy (CFP): Community financial measures for the implementation of the CFP and in the area of the Law of the Sea

PURPOSE: to amend Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: Council Regulation (EC) No 861/2006 establishing Community financial measures for the implementation of the Common Fisheries Policy and in the area of the Law of the Sea provides for financing in the following areas: international relations, governance, data collection and scientific advice and control and enforcement of the Common Fisheries Policy. In each field of action, Council Regulation (EC) No 861/2006 is completed by other regulations or decisions. Several elements of the related legislation have evolved since the adoption of Regulation 861/2006 which should be amended in order to ensure coherence between all the elements of the legislative framework.

Experience has demonstrated the need to amend the Regulation in order to slightly adapt some provisions to better fit the needs.

It is also proposed to clarify when necessary the scope of the measures financed and to improve the drafting of some articles.

LEGAL BASIS: Article 43 of the Treaty on the Functioning of the European Union (TFEU).

IMPACT ASSESSMENT: no impact assessment was carried out.

CONTENT: this revision does not entail any fundamental changes to Council Regulation (EC) No 861/2006: the objectives, the type of measures financed, the architecture and the financial envelope are not affected.

Modifications due to the evolution of the legislative framework:

- the scope of the new data collection framework is larger than the previous framework. It covers not only the collection of data by Member States but also its management and use;
- take into consideration the fact that in Council Decision 2007/409/EC the Regional Advisory Councils have been granted the status of bodies pursuing an aim of general European interest. They can be granted financial support to cover their operating costs and the restriction which limited support to their start up phase has been deleted;
- Article 5 has been modified to mirror the provisions of the new data collection framework, under which the data to be collected also comprises socio-economic variables in the fisheries, aquaculture and processing sector, such as income, capital costs, employment, etc;
- reformulate and simplify Article 9 on the collection, management and use of data in order to align the description with the other areas of expenditure covered by the Regulation, by identifying only the main categories of measures. The eligible measures are defined in detail by Council 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;
- take account of the relevant provisions of the new data collection framework which define in detail the programming procedures;
- delete Article 23 as it has become obsolete since the programming procedures are now defined in the new data collection framework.

Responding to the needs: amendments aim to:

- allow the Commission to sign procurement contracts with the international bodies in charge of stock assessments;
- extend the possibility of financing the costs related to the preparation of Advisory Committee on Fisheries and Aquaculture (ACFA) meetings to other representative organisations in ACFA. This amendment shall allow for financial support for translation, interpretation and room hire costs related to these meetings;
- advance the date for the submission of applications for Community support. This is designed to accelerate procedures and programme implementation;
- give a more detailed description of the information to be provided in order to standardise the data received on the projects and to reinforce sound financial management. It also specifies information required for joint projects conducted by more than one Member State;
- provide information on the mechanisms which will allow verification on the use of the co financed control resources;
- improve the transmission of data on the projects.

Clarification of the scope of the actions to be undertaken: a number of provisions of Decision 2000/439/EC on a financial contribution from the Community towards the expenditure incurred by Member States in collecting data, and for financing studies and pilot projects for carrying out the common fisheries policy were not taken over in Regulation (EC) 861/2006 and were also not converted into implementing rules. This created a legal void for the years 2007 and 2008 in which the Commission had to apply the rules previously in force as laid down in Decision 2000/439/EC. In the interest of legal certainty it should be retroactively provided that those rules continued to be applicable in that period.

Other proposed amendments aim to:

- clarify that the partnerships in the international field may be at bilateral, regional or multilateral level;
- replace the words "civil servants" with "personnel" to cater for the fact that training participants, although representing a Member State authority, are not necessarily civil servants;
- replace the words "irresponsible and illegal fishing" with "illegal, unreported and unregulated fishing", which is the used notably in the Council Regulation (EC) No 1005/2008;
- better reflect the tasks carried out by the Joint Research Centre, which not only analyses the implementation of control activities, but also gives advice and is involved in developing new technologies;
- delete a superfluous category of expenditure for the Community Fisheries Control Agency;
- update the list of consultative bodies for the meetings of which the ACFA plenary designates a representative;
- reflect the range of cooperation which the Commission may need to establish with international organisations.

BUDGETARY IMPLICATION: the modifications introduced by this amending proposal do not entail financial consequences on the EU budget. They will simply allow better execution of the budget amounts as quantified in the Financial Statement attached to Council Regulation (EC) No 861/2006.

Common fisheries policy (CFP): Community financial measures for the implementation of the CFP and in the area of the Law of the Sea

The Committee on Fisheries adopted the report by João FERREIRA (GUE/NGL, PT) on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea.

It recommends that the European Parliament's position adopted at first reading, under the ordinary legislative procedure, amends the Commission's proposal as follows:

- given that aquaculture is being viewed as a sector of growing importance and offers prospects for development, Members consider that it is necessary to provide the possibility to collect, manage, and use not only socio-economic data but basic environmental data as well;
- Community financial measures shall contribute to the objective of improving data collection, management and use and scientific advice on the state of the resources, the level of fishing, the impact that fisheries have on the resources and the marine eco-system, on the degree of commercial dependence on the Union's market for fisheries and aquaculture products;

- applications by Member States for Community financial measures shall be submitted to the Commission by 15 November (instead of 31 October) prior to the year of implementation concerned.

Common fisheries policy (CFP): Community financial measures for the implementation of the CFP and in the area of the Law of the Sea

The European Parliament adopted by 633 votes to 26, with 13 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea.

It adopted its position at first reading under the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise negotiated between the European Parliament and the Council. They amend the proposal as follows:

Title of the Regulation: the title shall be replaced by the following: Regulation establishing Union financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea.

Specific objectives in the area of data collection, management and use and scientific advice: Union financial measures shall contribute to the objective of improving data collection, management and use and scientific advice on the state of the resources, the level of fishing, the impact that fisheries have on the resources and the marine eco-system, on the economic aspects of fisheries and aquaculture.

Expenditure in the area of scientific advice should include expenditure for partnership contracts with international bodies in charge of stock assessment.

Measures in the area of control and enforcement: expenditure incurred by Member States for the purchase and/or development of technology, including the development of web-sites related to control, may be eligible for Community financial measures.

Aquaculture: expenditure incurred for the collection of environmental and socio-economic data on the aquaculture and processing industry, as laid down in the multi-annual Union programme shall be eligible for Union financial support.

Measures in the area of governance: in the area of governance, the following expenditure shall be eligible for Community financial measures: providing very wide access to data and explanatory material concerning, in particular, Commission proposals, through the development of the Internet websites of the appropriate Commission departments and producing a regular publication, as well as organising information and training seminars for opinion formers.

Programming: applications by Member States for Union financial measures shall be submitted to the Commission by 15 November prior to the year of implementation concerned.

Such applications shall be accompanied by an annual fisheries control programme containing the following information:

- the objectives of the annual fisheries control programme;
- the planned human resources available;
- the planned financial resources available;
- the planned number of vessels and aircraft available;
- a list of projects for which a financial contribution is sought;
- the overall expenditure planned for carrying out the projects;
- a schedule for completion in respect of each project listed in the annual fisheries control programme;
- a list of indicators to be used to assess the efficacy of the programme.

Implementing powers: in order to ensure uniform conditions for the implementation of the measures in the area of control and enforcement, powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers.

Repeal of obsolete acts: Regulation (EC) No 657/2000 and decisions 2000/439/EC and 2004/465/EC are hereby repealed with effect from 1 January 2007.

Common fisheries policy (CFP): Community financial measures for the implementation of the CFP and in the area of the Law of the Sea

PURPOSE: to amend Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea.

LEGISLATIVE ACT: Regulation (EC) No 693/2011 of the European Parliament and of the Council amending Council Regulation (EC) No 861/2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea.

CONTENT: the Council adopted an amendment to regulation 861/2006 establishing community financial measures for the implementation of the common fisheries policy (CFP) and in the area of the Law of the Sea, following a first-reading agreement with the European Parliament.

Regulation 861/2006 provides for financing in the following areas: international relations, governance, data collection and scientific advice, and control and enforcement of the CFP. In each field of action, this regulation is complemented by other regulations or decisions. Several elements of the related legislation have evolved since the adoption of the initial regulation, which should be amended in order to ensure coherence between all the elements of the legislative framework.

The Regulation lays down the specific objectives in the area of data collection, management and use and scientific advice. It clarifies the scope of the measures financed and to improve the drafting of some articles.

Applications by Member States for Union financial support shall be submitted to the Commission by 15 November of the year preceding the year of implementation concerned. Such applications shall be accompanied by an annual fisheries control programme containing the following information: (a) the objectives of the annual fisheries control programme; (b) the planned human resources available; (c) the planned financial resources available; (d) the planned number of vessels and aircraft available; (e) a list of projects for which a financial contribution is sought; (f) the overall expenditure planned for carrying out the projects; (g) a schedule for completion in respect of each project listed in the annual fisheries control programme; (h) a list of indicators to be used to assess the efficacy of the annual fisheries control programme.

Regulation (EC) No 657/2000 and Decisions 2000/439/EC and 2004/465/EC are hereby repealed with effect from 1 January 2007.

ENTRY INTO FORCE: 23/07/2011.