

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2015/0133(COD) Procedure completed
Collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy. Recast	
Repealing Regulation (EC) No 199/2008	<a href="#">2007/0070(CNS)</a>
Subject	
3.15.06 Fishing industry and statistics, fishery products	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Fisheries	 <a href="#">AFFRONTÉ Marco</a>	26/08/2015
		Shadow rapporteur	
		 <a href="#">KUHNS Werner</a>	
		 <a href="#">SERRÃO SANTOS Ricardo</a>	
		 <a href="#">VAN DALEN Peter</a>	
		 <a href="#">BILBAO BARANDICA Izaskun</a>	
	Committee for opinion on the recast technique	Rapporteur for opinion	Appointed
	 Legal Affairs	 <a href="#">FERRARA Laura</a>	06/01/2016
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">General Affairs</a>	<a href="#">3531</a>	25/04/2017
European Commission	Commission DG	Commissioner	
	<a href="#">Maritime Affairs and Fisheries</a>	VELLA Karmenu	
European Economic and Social Committee			

Key events			
18/06/2015	Legislative proposal published	<a href="#">COM(2015)0294</a>	Summary
06/07/2015	Committee referral announced in Parliament, 1st reading		
19/04/2016	Vote in committee, 1st reading		
19/04/2016	Committee decision to open interinstitutional negotiations with report		

	adopted in committee		
25/04/2016	Committee report tabled for plenary, 1st reading	<a href="#">A8-0150/2016</a>	Summary
25/01/2017	Approval in committee of the text agreed at 1st reading interinstitutional negotiations		
16/03/2017	Results of vote in Parliament		
16/03/2017	Debate in Parliament		
16/03/2017	Decision by Parliament, 1st reading	<a href="#">T8-0091/2017</a>	Summary
25/04/2017	Act adopted by Council after Parliament's 1st reading		
17/05/2017	Final act signed		
17/05/2017	End of procedure in Parliament		
20/06/2017	Final act published in Official Journal		

### Technical information

Procedure reference	2015/0133(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Recast
Legislative instrument	Regulation
	Repealing Regulation (EC) No 199/2008 <a href="#">2007/0070(CNS)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 043-p2
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a>
Stage reached in procedure	Procedure completed
Committee dossier	PECH/8/03721

### Documentation gateway

Legislative proposal	<a href="#">COM(2015)0294</a>	18/06/2015	EC	Summary
Document attached to the procedure	<a href="#">SWD(2015)0118</a>	18/06/2015	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES3926/2015</a>	16/09/2015	ESC	
Committee draft report	<a href="#">PE569.773</a>	17/12/2015	EP	
Opinion on the recast technique	<a href="#">PE575.119</a>	06/01/2016	EP	
Amendments tabled in committee	<a href="#">PE575.270</a>	26/01/2016	EP	
Committee of the Regions: opinion	<a href="#">CDR5241/2015</a>	10/02/2016	CofR	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0150/2016</a>	25/04/2016	EP	Summary
Text adopted by Parliament, 1st reading/single reading	<a href="#">T8-0091/2017</a>	16/03/2017	EP	Summary

Commission response to text adopted in plenary		SP(2017)309	16/05/2017	EC	
Draft final act		<a href="#">00006/2017/LEX</a>	17/05/2017	CSL	
Follow-up document		<a href="#">COM(2020)0131</a>	02/04/2020	EC	
Follow-up document		<a href="#">COM(2020)0664</a>	22/10/2020	EC	
Follow-up document		SWD(2020)0229	22/10/2020	EC	

## Final act

[Regulation 2017/1004](#)

[OJ L 157 20.06.2017, p. 0001](#) Summary

Final legislative act with provisions for delegated acts

## Delegated acts

[2019/2653\(DEA\)](#)

Examination of delegated act

[2021/2665\(DEA\)](#)

Examination of delegated act

# Collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy. Recast

**PURPOSE:** to establish a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy.

**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 number of amendments are to be made to [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. In the interests of clarity, that Regulation should be recast.

Data collection is essential for the implementation of the Common Fisheries Policy (CFP), as a basis for founding it on the best possible scientific advice.

Data are needed to evaluate the state of fish stocks, the profitability of the different segments of the sector and the effects of fisheries and aquaculture on the ecosystem. Data are also needed to evaluate EU policies.

For this reason, an EU framework for the collection and management of fisheries data was established in 2000, and then reformed in 2008 resulting in the Data Collection Framework (DCF).

The 2013 reform of the Common Fisheries Policy (CFP) by [Regulation \(EU\) No 1380/2013](#) needs to be matched by adaptations in the supporting scientific advice and therefore the data needed for it. This is particularly relevant in order to achieve maximum sustainable yield (MSY) at the latest by 2020, to manage fisheries taking account of their impacts on the ecosystem, and to gradually introduce a landing obligation. The reform of the CFP also requires changes in the way data are obtained, e.g. regionalisation and devolution of tasks from the European Union to Member States in the context of regional cooperation.

The revision of the DCF is part of the Commission's Regulatory Fitness Programme (REFIT) which seeks to cut red tape and remove regulatory burden.

**CONTENT:** the changes to be made to the rules laid down in Council Regulation (EC) No 199/2008 are essential because of the new needs arising from the CFP reform. The proposal retains the key provisions of the current system: the establishment of an EU Multi-annual Programme, to be implemented by national Data Collection plans; key obligations in the form of commitments by Member States in relation to collection, storage, protection and provision of data; provisions on rights and obligations of end-users of data; and provisions on cooperation within and between Member States, as well as with and between scientific and management bodies.

The proposed modifications compared to the current DCF Regulation are presented as follows:

- remove overlaps and seeking synergies between EU legislations and reducing costs of the entire system of marine data. The DCF will only create data collection obligations insofar as they are not already covered by other EU legislation;
- maximise synergies with environmental law: the current DCF does not provide sufficient data on some ecosystem impacts of fisheries which are however required for implementing efficiently the [Marine Strategy Framework Directive \(MSFD\)](#). This is the case of incidental catches of protected species (birds, marine mammals, turtles etc.), effects on food webs (predator-prey relations), and the impact of fishing on habitats;
- reduce the level of prescriptions set at EU level without compromising data quality: the legislation should be more result-oriented and leave more flexibility to Member States regarding implementation. By ensuring more and earlier involvement of the Member States, in

the context of regional cooperation, on decision making about methodologies to be followed or quality targets to be met, the DCF can be greatly simplified and the data collection system made more flexible;

- reduce the details decided by or reported to the Commission: currently, national programmes describe in great detail what will be done, how and by whom in each Member State. The objective is to reduce this significantly. With the move away from triennial to multi-annual EU and national programmes, Member States will be in a position to plan their work over a longer period;
- collect once, use several times: the Commission proposes, as a first proposal, to make the DCF the main legal instrument by which Member States are to provide any data necessary to data users (end-users and other interested parties), whatever the source of the legal obligation under which data are collected (DCF or any other EU legislation). The second proposal should enhance cooperation between Member States to develop compatible data storage and exchange systems and formats in line with those agreed under Directive 2007/2/EC and promote compatibility between data formats used under other Union legislation.

BUDGETARY IMPLICATIONS: none which are not already foreseen in the European Maritime and Fisheries Fund ([EMFF](#)).

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.

## Collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy. Recast

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This Commission staff working document accompanies the proposal for a Regulation of the European Parliament and of the Council concerning the establishment of a Union framework for the collection, management and the use of data in the fisheries sector and support for the scientific advice regarding the Common Fisheries Policy (recast).

The revision of the Data Collection Framework (DCF) is part of the Commission's Regulatory Fitness Programme ([REFIT](#)) which seeks to cut red tape and remove regulatory burden. This means simplifying the DCF at different levels.

More specifically, the document:

1. explains the rationale behind the modifications and simplification and the technical details necessary to understand those modifications;
2. describes the current data collection system and improvements for change;
3. describes the preparatory work consisting of the publication of a roadmap discussing several legislative options, further consultations;
4. explains the options choices for improvement and simplification of the system, including the modification of the legal setup.

Overall, the current DCF has been criticised on a number of levels by a broad range of stakeholders including the Scientific, Technical and Economic Committee for Fisheries (STECF), Member States and end-users, for not reflecting sufficiently the needs of end-users in terms of deciding on what data should be collected or how this should be done, and not being flexible enough to address their evolving needs, e.g. new stocks being exploited, changes to technical measures regulations, development of scientific advice, move to statistically sound sampling schemes etc. Currently, the DCF Regulation contains provisions for the establishment of 3-year multiannual EU programmes but no provisions are included regarding modifications of these three year programmes, or how the needs of end-users should be taken into account to draw them up or modify them.

Proposed solutions: in an attempt to respond to criticisms and improve the DCF, the Commission has examined the current system and has proposed a number of solutions. It is proposed to:

- include criteria in the DCF Regulation to determine what data should be included in the multiannual EU programmes, including the end-user need for the data;
- design the new multiannual EU programmes, and future amendments to it, based on consultation of end-user;
- include, in the DCF regulation, provisions on the amendment of the multiannual EU programmes;
- include, in the future data collection system, four key areas in which end-users of DCF data should be better involved: (i) end-user input (advice) in determining what should or should no longer be collected; (ii) end-user involvement in designing the sampling programmes that Member States must carry out to collect those data that end-users will use; (iii) end-user access to DCF data; (iv) end-user feedback on the data they have accessed;
- provide regions with a greater range of tasks concerning planning and implementing data collection. This would be achieved through the establishment of Regional Coordination Groups (RCGs), to deal with regional issues, as well as an EU Coordination Group (EUCG), to deal with EU-wide issues. The RCGs and EUCG would enable Member States to work on regional or EU cooperation throughout the year, rather than just through an annual meeting as is currently the case;
- in the context of governance structure, strengthen the current Regional Coordination Meetings (RCM) mechanism, without giving them a legal entity, but broadening the scope of areas they may work on;
- extend the scope of the DCF to reflect the CFP's new emphasis on ecosystem impacts of fisheries;
- include, in the revised DCF Regulation, an obligation for Member States to carry out biological sampling on all stocks targeted or by-caught by EU vessels, including on the discarded fraction of the catches, but without specifying the method for the data collection;
- streamline the data transmission and storage for fishing activity data;
- revise the scope of DCF Regulation so that obligations to collect socio-economic data cover also freshwater aquaculture;
- develop an improved impact assessment of decisions on fisheries management;
- establish EU-wide clear and harmonised rules on access to fishing activity data to progress towards exchange of data between Member States and facilitate access to fisheries data;
- define in DCF Regulation the basic rules and principles for data availability, including rules on personal data protection;
- develop an IT system for DCF data availability;
- develop single entry point for accessing DCF data;
- allow for a gradual shift from "a push" to "a pull system", i.e. to move from a system of data calls initiated by end-users, to a system of data availability ensured by the data providers.

# Collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy. Recast

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The Committee on Fisheries adopted the report by Marco AFFRONTI (EFDD, IT) on the proposal for a regulation of the European Parliament and of the Council concerning the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy (recast).

The committee recommended that Parliaments position adopted in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Objectives: Members specified that the regulation should establish rules on the collection, management, and use of biological, technical, environmental, social and economic data concerning the fisheries sector with a view to contributing to the objectives of the Common Fisheries Policy set out in [Regulation \(EU\) No 1380/2013](#).

Establishment of an EU multiannual programme: only one programme will be in force for the Union. This does not affect the ability of the Commission to amend the programme. When setting out the multiannual programme, the Commission should bear in mind:

- the information needs for the management and efficient implementation of the Common Fisheries Policy, including the needs for ecosystem-based fisheries management, the impact of recreational fisheries and the needs of the CFP where those information needs overlap with other legal acts such as the [Marine Strategy Framework Directive](#), the [Integrated Maritime Policy](#) and the Birds and Habitats Directives;
- the need for and relevance of comprehensive and reliable data of good quality for decisions on fisheries management and protection of ecosystems including vulnerable species and habitats;
- the need for harmonised data that are in line with correct, standardised statistical principles that make it possible to assess the impact on ecosystems and fish stocks and that are taken into account for management at regional level;
- the need for simplification and to avoid duplication of data collection,
- the need for data to cover data-deficient fisheries,
- the need to collect information on fleets that have not yet been covered.

Content of the multi-annual Union programme: multi-annual Union programmes shall establish:

- thresholds below which it is not mandatory for Member States to collect data or carry out research surveys, based on their fishing and aquaculture activities;
- data on fish stocks and their conservation and management;
- the quantifiable targets required for the implementation of the multiannual plans referred to in Article 9 of Regulation (EU) No 1380/2013, such as fishing mortality rates and spawning stock biomass;
- ecosystem data to assess the impact of Union fisheries on the marine ecosystem in Union and external waters, including data on by-catch of non-target species, in particular species protected under international or Union law, data on impacts of fisheries on marine habitats and data on impacts of fisheries on food webs, obtained, inter alia, by analysing catches and vulnerable marine areas such as nursery areas and Posidonia seabeds (marine seagrasses);
- data on the Union fleet and its activity in Union and external waters;
- socio-economic data on fisheries, including recreational fisheries;
- socio-economic data on the fish and aquaculture product processing sector.

The list of mandatory research surveys shall be drawn up taking into account the following requirements:

- information needs for the management of the Common Fisheries Policy, including compliance with Union environmental legislation, in particular the objective of achieving good environmental status by 2020;
- information needs for the evaluation of conservation measures;
- information which is necessary in order to terminate or adjust emergency measures when they have initially been based on the precautionary principle.

National work plans: Member States' work plans shall contain a detailed description of the following:

- the format and time data are to be delivered to end users, taking into consideration deadlines provided for data calls;
- the type of data collected for control purposes and the type of data collected in the framework of the Regulation.

In preparing their work plan, Member States shall endeavour to cooperate closely with regional authorities and shall coordinate their efforts with other Member States, notably in the same marine region. Data collection activities and methods shall be such as to ensure that it is possible for data to be compared and integrated at least at regional level.

National correspondents: Member States shall ensure that their national correspondent is sufficiently trained and experienced, has a sufficient mandate to represent its Member State in the expert group meetings, and can negotiate on task sharing with regard to sampling, analysis and scientific surveys.

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

Members introduced an amendment defining the tasks of the Regional Co-ordination Groups so that they might plan their activities.

Approval of work plans: the Commission shall adopt implementing acts approving the work plans by 31 December of the year preceding the year from which the work plan is to apply.

Access to the sampling sites and data sources: with regard to data collection, the Commission shall, five years from the entry into force of the Regulation, set up a single European database in order to simplify and facilitate data analysis at European level.

Collection of data in the context of scientific advice: when the Commission seeks scientific advice from a competent scientific body, it shall inform in due time the European Parliament and the Council and shall forward to them a copy of the request submitted to the scientific body concerned.

## Collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy. Recast

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The European Parliament adopted by 535 votes to 38, with 48 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council concerning the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy (recast).

Parliaments position adopted at first reading following the ordinary legislative procedure amended the Commission proposal.

Aims: this Regulation aims to establish rules on the collection, management and use of biological, environmental, technical and socio-economic data concerning the fisheries sector.

The data collection framework should contribute towards reaching the objectives of the Common Fisheries Policy, which includes the protection of the marine environment, the sustainable management of all commercially exploited species, and in particular the achievement of good environmental status in the marine environment by 2020.

Multiannual Union programme: the Commission shall establish a multiannual Union programme for the collection and management of data while taking into account:

- the need for data to set the targets required for the implementation of the multiannual plans referred to in Article 9 of [Regulation \(EU\) No 1380/2013](#), such as fishing mortality rates and spawning stock biomass;
- the need for: (i) data that are relevant, comprehensive and reliable for the purpose of decisions on fisheries management and protection of ecosystems including vulnerable species and habitats; (ii) sustainable development of aquaculture at Union level; (iii) support impact assessments of policy measures;
- the need for simplification and to avoid duplication of data collection and for data to cover data-deficient fisheries.

Parliament stated that it is appropriate for a sufficient number of mandatory research surveys at sea to be carried out at Union level.

National work plans: the Commission shall take into account the evaluation conducted by STECF when approving the national work plans. If such evaluation indicates that a national work plan does not ensure the scientific relevance of the data or sufficient quality of the proposed methods and procedures, the Commission shall immediately inform the Member State concerned and indicate amendments to that work plan.

National work plans shall contain a detailed description of, inter alia, the following: (i) data to be collected in accordance with the multiannual Union programme; (ii) the temporal and spatial distribution and the frequency by which the data will be collected.

Regional coordination and cooperation: Member States shall cooperate and coordinate their actions to further improve the quality, timeliness and coverage of data enabling the reliability of data collection methods to be further improved, with a view to improving their data collection activities.

Regional coordination groups shall aim at developing and implementing procedures, methods, quality assurance and quality control for collecting and processing data with a view to enabling the reliability of scientific advice to be further improved. For that purpose, regional coordination groups shall aim to develop and implement regional databases.

Access to the sampling sites: the masters of Union fishing vessels may refuse to accept on board the scientific observers operating under the at-sea monitoring scheme only on the basis of an obvious lack of space on the vessel or for safety reasons in accordance with national law. In such cases, data shall be collected through alternative data collection methods which are set out in the national work plan.

Availability of data: Member States shall refrain from any unnecessary restrictions to the dissemination of detailed and aggregated data to end-users of scientific data and other interested parties.

A Member State may refuse to transmit the relevant detailed and aggregated data if there is a risk of natural persons or legal entities being identified, in which case the Member State concerned shall propose alternative means to meet the needs identified by the end-users of scientific data which ensure anonymity.

## Collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy. Recast

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PURPOSE: to improve the collection, management and use of data in the fisheries sector.

LEGISLATIVE ACT: Regulation (EU) 2017/1004 of the European Parliament and of the Council on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008.

CONTENT: the new Regulation simplifies and strengthens the current system for the collection of biological, environmental, technical and socio-economic data in the fisheries sector.

The aim of the new Regulation is to align EU rules with the objectives of the reformed Common Fisheries Policy (CFP), which includes: (i) the protection of the marine environment, (ii) the sustainable management of all commercially exploited species, and in particular (iii) the achievement of good environmental status in the marine environment by 2020.

Multiannual Union programme: in order to coordinate the data collection efforts of all Member States, the Commission shall establish a multiannual Union programme for the collection and management of data. This data shall include:

- biological data on all stocks caught or by-caught in Union commercial and, where appropriate, recreational fisheries in and outside Union waters;

- data to assess the impact of Union fisheries on the marine ecosystem in and outside Union waters;
- socioeconomic data on fisheries, on the sustainability of marine aquaculture and on the fish processing sector.

The data collected should also allow:

- the targets required for the implementation of the multiannual plans referred to in Article 9 of [Regulation \(EU\) No 1380/2013](#), such as fishing mortality rates and spawning stock biomass, to be determined;
- the gaps in the coverage of data relating to the fishing fleet to be closed and the number of data-deficient stocks in certain regions to be reduced.

The Regulation stresses importance of carrying out a sufficient number of mandatory research surveys at sea to be carried out at Union level.

The new rules will ensure that all these relevant data are collected following a cost/benefit approach and without duplication of effort, thus reducing the administrative burden.

National work plans: Member States shall collect data within the framework of an operational programme, and a work plan drawn up in accordance with the multiannual Union programme.

The Commission will assess the work plans after consulting the Scientific, Technical and Economic Committee for Fisheries (STECF). It may indicate that a Member State should make amendments to a national work plan if a national work plan does not ensure the scientific relevance of the data or sufficient quality of the proposed methods and procedures. The Member State concerned shall submit a revised national work plan.

Cooperation within the Union and regional coordination: Member States shall cooperate and coordinate their actions to further improve the quality of data. They shall coordinate their data collection activities with other Member States in the same marine region and shall make every effort to coordinate their actions with third countries.

In order to facilitate regional coordination, the relevant Member States for each marine region shall establish regional coordination groups.

Access to the sampling sites: data collectors designated by the body in charge of the implementation of the national work plan have access to all catches, vessels and other sampling sites, business registers and any necessary data.

The masters of Union fishing vessels may refuse to accept on board scientific observers only on the basis of an obvious lack of space on the vessel or for safety reasons in accordance with national law. In such cases, data shall be collected through alternative data collection methods that are set out in the national work plan.

Availability of data: data should be put into national computerised databases so that they are accessible to the Commission and can be made available to end-users of scientific data and other interested parties. Data, which do not allow for personal identification should be available without restrictions to any party with an interest in their analysis, including on the environmental aspects of fisheries management.

ENTRY INTO FORCE: 10.7.2017.

DELEGATED ACTS: the Commission may adopt delegated acts in respect of establishing a detailed list of data requirements for the purpose of data collection within the framework of the multiannual Union programme. The power to adopt such acts is conferred on the Commission for a period of three years from 10 July 2017. The European Parliament or the Council have the right to object to a delegated act within two months (which may be extended by two months) from the date of notification of the act.