










Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2016/0145(COD) Procedure completed
Characteristics for fishing vessels. Recast	
Subject 3.15.03 Fishing fleets, safety of fishing vessels	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Fisheries	 KUHN Werner	06/07/2016
		Shadow rapporteur	
		 AGUILERA Clara	
		 TOMAŠIĆ Ruža	
		 BILBAO BARANDICA	
		Izaskun	
	Committee for opinion on the recast technique	Rapporteur for opinion	Appointed
	 Legal Affairs	 BOUTONNET Marie-Christine	15/09/2016
		Marie-Christine	
Council of the European Union	Council configuration	Meeting	Date
	General Affairs	3536	16/05/2017
European Commission	Commission DG	Commissioner	
	Maritime Affairs and Fisheries	VELLA Karmenu	
European Economic and Social Committee			

Key events			
23/05/2016	Legislative proposal published	COM(2016)0273	Summary
06/06/2016	Committee referral announced in Parliament, 1st reading		
05/12/2016	Vote in committee, 1st reading		

05/12/2016	Committee decision to open interinstitutional negotiations with report adopted in committee		
08/12/2016	Committee report tabled for plenary, 1st reading	A8-0376/2016	Summary
03/04/2017	Debate in Parliament		
04/04/2017	Results of vote in Parliament		
04/04/2017	Decision by Parliament, 1st reading	T8-0096/2017	Summary
16/05/2017	Act adopted by Council after Parliament's 1st reading		
14/06/2017	Final act signed		
14/06/2017	End of procedure in Parliament		
30/06/2017	Final act published in Official Journal		

Technical information

Procedure reference	2016/0145(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Recast
Legislative instrument	Regulation
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	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	PECH/8/06580

Documentation gateway

Legislative proposal	COM(2016)0273	23/05/2016	EC	Summary
Opinion on the recast technique	PE589.338	20/09/2016	EP	
Committee draft report	PE589.479	14/10/2016	EP	
Economic and Social Committee: opinion, report	CES4323/2016	19/10/2016	ESC	
Amendments tabled in committee	PE594.029	14/11/2016	EP	
Committee report tabled for plenary, 1st reading/single reading	A8-0376/2016	08/12/2016	EP	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2017)002068	15/02/2017	CSL	
Text adopted by Parliament, 1st reading/single reading	T8-0096/2017	04/04/2017	EP	Summary
Commission response to text adopted in plenary	SP(2017)363	07/06/2017	EC	
Draft final act	00011/2017/LEX	14/06/2017	CSL	

Characteristics for fishing vessels. Recast

PURPOSE: to present a proposal to repeal a Regulation of the European Parliament and of the Council defining characteristics for fishing vessels.

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: Council Regulation (EEC) No 2930/86 defining characteristics for fishing vessels has been substantially amended. Since further amendments are to be made, that Regulation should be recast in the interests of clarity.

CONTENT: the purpose of this proposal is to undertake a codification of Council Regulation (EEC) No 2930/86 of 22 September 1986 defining characteristics for fishing vessels. The new Regulation will supersede the two acts incorporated in it, fully preserving the content of the acts being codified. At the same time, it is also appropriate to make a substantive amendment to Article 5(3) of Regulation (EEC) No 2930/86, with a view to delegating powers to the Commission for adapting the requirements for the determination of continuous engine power to technical progress.

Therefore, the proposal is being presented in the form of a recast.

To recall, the proposed Regulation seeks to define the characteristics of fishing vessels laid down in this Regulation shall apply to all Union rules concerning fisheries. The aim is use identical rules for determining the characteristics of fishing vessels in order to unify the conditions for the pursuit of the activity in the Union.

The definitions laid down in this proposed Regulation should be based upon initiatives already taken by specialist international organisations. They concern the characteristics of fishing vessels, such as length, breadth, tonnage, date of entry into service and engine power.

Characteristics for fishing vessels. Recast

The Committee on Fisheries adopted the report by Werner KUHN (EPP, DE) on the proposal for a regulation of the European Parliament and of the Council defining characteristics for fishing vessels (recast).

The committee recommended that the European Parliament adopt its position at first reading hereinafter set out, taking into account the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission. It has, however, submitted amendments to the proposal for a recast.

Accordingly, Members recommended:

- using identical rules for determining the characteristics of fishing vessels, which shall be in line with the standards of the common fisheries policy, in order to unify the conditions for the pursuit of the activity in the Union;
- taking account of the United Nations Convention on Fishing and Conservation of the Living Resources of the High Seas, signed in Geneva on 29 April 1958.

For larger fishing vessels exceeding 15 meters, a greater expansion of vessel characterisation to include cargo and fuel capacity, processing ability and output is desirable.

With regard to engine power, the Commission should be empowered to adopt delegated acts in order to adapt the reference to the relevant ISO International Standard to technical progress. The power to adopt delegated acts should be conferred on the Commission for a period of five years from the date of entry into force of the Regulation. The delegation of power should be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Lastly, Members proposed adding a recital referring to [Parliaments resolution of 22 November 2012](#) on small-scale coastal fishing, artisanal fishing and the reform of the common fisheries policy, which called for a legal definition regarding the characteristics of large-scale and small-scale fisheries in order to legally distinguish them from one another.

Characteristics for fishing vessels. Recast

The European Parliament adopted by 529 votes to 26, with 59 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council defining characteristics for fishing vessels (recast).

The European Parliaments position adopted at first reading following the ordinary legislative procedure takes into account recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission.

The proposed Regulation consists of a recast of Council Regulation (EEC) No 2930/86. It aims to establish the definitions of the characteristics of fishing vessels which apply to all EU fisheries regulations. The definitions concern the characteristics of fishing vessels, such as length,

breadth, tonnage, date of entry into service and engine power.

The definitions laid down in this proposed Regulation should be based upon initiatives already taken by specialist international organisations. They shall take into account the United Nations Convention on Fishing and Conservation of the Living Resources of the High Seas, signed in Geneva on 29 April 1958, the International Convention on Tonnage Measurement of Ships, signed in London on 23 June 1969 and the International Convention for the Safety of Fishing Vessels, signed in Torremolinos on 2 April 1977.

The Commission would have the power to adopt delegated acts in order to adapt the reference to the relevant ISO International Standards setting out the requirements for the determination of the continuous engine power to technical progress.

Characteristics for fishing vessels. Recast

PURPOSE: to set out the definitions of characteristics of fishing vessels that shall apply to all Union rules concerning fisheries.

LEGISLATIVE ACT: Regulation (EU) 2017/1130 of the European Parliament and of the Council defining characteristics for fishing vessels.

CONTENT: the new rules repeal and recast Council Regulation No 2930/86 in line with the European Union's commitment to simplifying and clarifying EU law.

The new Regulation establishes the definitions of characteristics of fishing vessels that shall apply to all Union rules concerning fisheries. The definitions relate to characteristics of fishing vessels such as the length, the breadth, the tonnage, engine power, and the date of entry into service.

The definitions laid down in the Regulation take account of:

- the United Nations Convention on Fishing and Conservation of the Living Resources of the High Seas, signed in Geneva on 29 April 1958;
- the International Convention on Tonnage Measurement of Ships, signed in London on 23 June 1969;
- the International Convention for the Safety of Fishing Vessels, signed in Torremolinos on 2 April 1977.

ENTRY INTO FORCE: 20.7.2017.

DELEGATED ACTS: the Commission may adopt delegated acts in order to adapt the reference to the relevant ISO International Standard setting out the requirements for the determination of the continuous engine power to technical progress. The power to adopt such acts is conferred on the Commission for a period of five years (renewable) from 20 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.