




Procedure file

| Basic information | |
|---|---|
| COD - Ordinary legislative procedure (ex-codecision procedure) Regulation | Procedure completed 2018/0263(COD) |
| European Fisheries Control Agency. Codification Repealing Regulation (EC) No 768/2005 2004/0108(CNS) | |
| Subject 3.15.07 Fisheries inspectorate, surveillance of fishing vessels and areas 8.40.08 Agencies and bodies of the EU | |

| Key players | | | |
|--|---|--|------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| |  Legal Affairs |  GERINGER DE OEDENBERG Lidia Joanna | 25/10/2018 |
| Council of the European Union | Council configuration | Meeting | Date |
| | Environment | 3676 | 05/03/2019 |
| European Commission | Commission DG | Commissioner | |
| European Economic and Social Committee | Maritime Affairs and Fisheries | VELLA Karmenu | |

| Key events | | | |
|------------|---|---|---------|
| 02/07/2018 | Legislative proposal published | COM(2018)0499 | Summary |
| 05/07/2018 | Committee referral announced in Parliament, 1st reading | | |
| 23/01/2019 | Vote in committee, 1st reading | | |
| 29/01/2019 | Committee report tabled for plenary, 1st reading | A8-0037/2019 | Summary |
| 13/02/2019 | Results of vote in Parliament |  | |
| 13/02/2019 | Decision by Parliament, 1st reading | T8-0084/2019 | Summary |
| 05/03/2019 | Act adopted by Council after Parliament's 1st reading | | |
| 19/03/2019 | Final act signed | | |
| 19/03/2019 | End of procedure in Parliament | | |
| 25/03/2019 | Final act published in Official Journal | | |

| Technical information | |
|-----------------------|----------------|
| Procedure reference | 2018/0263(COD) |

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| Procedure type | COD - Ordinary legislative procedure (ex-codification procedure) |
| Procedure subtype | Codification |
| Legislative instrument | Regulation |
| | Repealing Regulation (EC) No 768/2005 2004/0108(CNS) |
| 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 | JURI/8/13992 |

Documentation gateway

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|---|--------------------------------|------------|-----|---------|
| Legislative proposal | COM(2018)0499 | 02/07/2018 | EC | Summary |
| Economic and Social Committee: opinion, report | CES4618/2018 | 17/10/2018 | ESC | |
| Committee draft report | PE629.749 | 28/11/2018 | EP | |
| Committee report tabled for plenary, 1st reading/single reading | A8-0037/2019 | 29/01/2019 | EP | Summary |
| Text adopted by Parliament, 1st reading/single reading | T8-0084/2019 | 13/02/2019 | EP | Summary |
| Draft final act | 00079/2018/LEX | 13/03/2019 | CSL | |

Final act

[Regulation 2019/473](#)
[OJ L 083 25.03.2019, p. 0018](#) Summary

European Fisheries Control Agency. Codification

PURPOSE: to establish a European Fisheries Control Agency (codification of Council Regulation (EC) No 768/2005).

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 (EC) No 768/2005 has been substantially amended several times.

On 1 April 1987, the Commission decided to instruct its staff that all acts should be codified after no more than ten amendments, stressing that this is a minimum requirement.

The Edinburgh European Council in December 1992 confirmed this imperative by stressing the importance of codification.

The European Parliament, the Council and the Commission agreed by an Interinstitutional Agreement of 20 December 1994 that an accelerated procedure may be used for the fast track adoption of codification instruments.

CONTENT: for the sake of clarity and transparency of the law, the purpose of this proposal is to undertake a codification of Council Regulation (EC) No 768/2005 establishing a European Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy.

The new Regulation shall supersede the various acts incorporated in it; this proposal fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

Objective: the proposed Regulation provides for a European Fisheries Control Agency (EFCA) with the objective of:

- organising operational coordination of fisheries control and inspection activities by the Member States;
- assisting Member States to cooperate so as to comply with the rules of the common fisheries policy in order to ensure its effective and uniform application.

The Agency's mission shall be to:

- coordinate: (i) controls and inspections of fisheries by EU countries; (ii) the deployment of national means of control and inspection pooled by EU countries; (iii) operations to combat illegal, unreported and unregulated fishing;
- assist Member States in (i) providing the European Commission and other interested parties with information on fishing activities and control and inspection activities; (ii) fulfilling their obligations under fisheries policy rules;
- assist Member States and the Commission in harmonising the implementation of the Common Fisheries Policy throughout the Union;
- contribute to the research and development work carried out by the Member States and the Commission on control and inspection techniques; (ii) coordinate the training of inspectors and the sharing of experience between the Member States; (iii) contribute to the harmonised implementation of the control system of the common fisheries policy;
- cooperate with the [European Border and Coast Guard Agency](#) and the [European Maritime Safety Agency](#), each within its own mandate, to support national authorities carrying out coast guard functions, by providing services, information, equipment and training, as well as coordinating multi-purpose operations.

The Agency shall, at the Commission's request:

- assist the Union and Member States in their relations with third countries and regional international fisheries organisations of which the Union is a member;
- cooperate with the competent authorities of regional international fisheries organisations regarding the control and inspection obligations of the Union in the framework of working arrangements concluded with such bodies.

The Agency shall coordinate operational cooperation between Member States in accordance with joint deployment plans, which organise the use of the available means of control and inspection of the Member States concerned so as to give effect to control and inspection programmes. Fisheries control and inspection activities undertaken by the Member States should be carried out in accordance with common criteria, priorities, benchmarks and procedures regarding control and inspection activities on the basis of such programmes.

Organisation: the Agency, based in Vigo, Spain, shall consist of: (i) an Executive Director appointed for a five-year term; (ii) an Advisory Board to assist the Executive Director; and (iii) an Administrative Board (composed of one representative from each EU country and six Commission representatives) which, inter alia, appoints the Executive Director.

European Fisheries Control Agency. Codification

The Committee on Legal Affairs adopted the report by Lidia Joanna GERINGER DE OEDENBERG (S&D, PL) on the proposal for a regulation of the European Parliament and of the Council on the European Fisheries Control Agency (codification).

The committee recommended that the European Parliament adopt its position at first reading by taking over the Commission's proposal as adapted to the recommendations of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission.

In the opinion of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission, the proposal in question is limited to a straightforward codification of the existing texts, without any change in their substance.

European Fisheries Control Agency. Codification

The European Parliament adopted by 558 votes to 29, with 11 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the European Fisheries Control Agency (codified text).

The European Parliament adopted its position at first reading, taking over the Commission's proposal as adapted to the recommendations of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission.

According to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance.

For the sake of clarity and transparency of the law, the purpose of this proposal is to undertake a codification of Council Regulation (EC) No 768/2005 establishing a European Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy.

Objective and tasks

The Regulation provides for a European Fisheries Control Agency (EFCA) with the objective of organising operational coordination of fisheries control and inspection activities by the Member States and assisting Member States to cooperate so as to comply with the rules of the common fisheries policy in order to ensure its effective and uniform application.

The Agency's mission shall be to:

coordinate: (i) controls and inspections of fisheries by EU countries; (ii) the deployment of national means of control and inspection pooled by EU countries; (iii) operations to combat illegal, unreported and unregulated fishing;

assist Member States in (i) providing the European Commission and other interested parties with information on fishing activities and control and inspection activities; (ii) fulfilling their obligations under fisheries policy rules;

assist Member States and the Commission in harmonising the implementation of the Common Fisheries Policy throughout the Union;

contribute to the research and development work carried out by the Member States and the Commission on control and inspection techniques; (ii) coordinate the training of inspectors and the sharing of experience between the Member States; (iii) contribute to the harmonised implementation of the control system of the common fisheries policy;

cooperate with the European Border and Coast Guard Agency and the European Maritime Safety Agency, each within its own mandate, to

support national authorities carrying out coast guard functions, by providing services, information, equipment and training, as well as coordinating multi-purpose operations.

Organisation

The Agency, based in Vigo, Spain, shall consist of: (i) an Executive Director appointed for a five-year term; (ii) an Advisory Board to assist the Executive Director; and (iii) an Administrative Board (composed of one representative from each EU country and six Commission representatives) which, inter alia, appoints the Executive Director.

European Fisheries Control Agency. Codification

PURPOSE: to establish a European Fisheries Control Agency (codification of Council Regulation (EC) No 768/2005).

LEGISLATIVE ACT: Regulation (EU) 2019/473 of the European Parliament and of the Council on the European Fisheries Control Agency.

CONTENT: for the sake of clarity and transparency of the law, this Regulation codifies and replaces Council Regulation (EC) No 768/2005, which has been substantially amended several times. The new Regulation replaces the various acts incorporated in it; it fully preserves the content of the acts and brings them together with only such formal amendments as are required by the codification exercise itself.

The Regulation provides for a European Fisheries Control Agency (EFCA) with the objective of organising operational coordination of fisheries control and inspection activities by the Member States and assisting Member States to cooperate so as to comply with the rules of the common fisheries policy in order to ensure its effective and uniform application.

Tasks and missions

The Agency's mission shall be to:

- coordinate: (i) controls and inspections of fisheries by EU countries; (ii) the deployment of national means of control and inspection pooled by EU countries; (iii) operations to combat illegal, unreported and unregulated fishing;
- assist Member States in (i) providing the European Commission and other interested parties with information on fishing activities and control and inspection activities; (ii) fulfilling their obligations under fisheries policy rules;
- assist Member States and the Commission in harmonising the implementation of the Common Fisheries Policy throughout the Union;
- contribute to the research and development work carried out by the Member States and the Commission on control and inspection techniques; (ii) coordinate the training of inspectors and the sharing of experience between the Member States; (iii) contribute to the harmonised implementation of the control system of the common fisheries policy;
- cooperate with the European Border and Coast Guard Agency and the European Maritime Safety Agency, each within its own mandate, to support national authorities carrying out coast guard functions, by providing services, information, equipment and training, as well as coordinating multi-purpose operations.

The Agency shall, at the Commission's request:

- assist the Union and Member States in their relations with third countries and regional international fisheries organisations of which the Union is a member;
- cooperate with the competent authorities of regional international fisheries organisations regarding the control and inspection obligations of the Union in the framework of working arrangements concluded with such bodies.

Operational cooperation

The Agency shall coordinate operational cooperation between Member States in accordance with joint deployment plans, which organise the use of the available means of control and inspection of the Member States concerned so as to give effect to control and inspection programmes. Fisheries control and inspection activities undertaken by the Member States should be carried out in accordance with common criteria, priorities, benchmarks and procedures regarding control and inspection activities on the basis of such programmes. The adoption of a control and inspection programme obliges Member States to effectively provide the resources necessary to carry out the programme.

Structure

The Agency, based in Vigo, Spain, shall consist of: (i) an Executive Director appointed for a five-year term; (ii) an Advisory Board to assist the Executive Director; and (iii) an Administrative Board (composed of one representative from each EU country and six Commission representatives) which, inter alia, appoints the Executive Director.

ENTRY INTO FORCE: 14.4.2019.