

# Procedure file

Basic information	
CNS - Consultation procedure Regulation	1994/0253(CNS) Procedure completed
Conservation of fishery resources: passive gear (17th amend. Regul. 3094/86/EEC)	
Subject 3.15.01 Fish stocks, conservation of fishery resources	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>PECH</b> Fisheries	ELDR <a href="#">KOFOED Niels Anker</a>	30/11/1994
Council of the European Union	Council configuration	Meeting	Date
	Budget	<a href="#">1866</a>	22/12/1995

Key events			
09/11/1994	Legislative proposal published	COM(1994)0481	Summary
30/11/1994	Committee referral announced in Parliament		
01/02/1995	Vote in committee		Summary
01/02/1995	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0016/1995</a>	
14/02/1995	Debate in Parliament		
15/02/1995	Decision by Parliament	T4-0039/1995	Summary
22/05/1995	End of procedure in Parliament		
22/12/1995	Act adopted by Council after consultation of Parliament		
30/12/1995	Final act published in Official Journal		

Technical information	
Procedure reference	1994/0253(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation

Legal basis	EC before Amsterdam E 043; Rules of Procedure EP 163
Stage reached in procedure	Procedure completed
Committee dossier	PECH/4/06222

### Documentation gateway

Legislative proposal		<a href="#">COM(1994)0481</a> <a href="#">OJ C 348 09.12.1994, p. 0007</a>	09/11/1994	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A4-0016/1995</a> <a href="#">OJ C 056 06.03.1995, p. 0004</a>	01/02/1995	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0039/1995 <a href="#">OJ C 056 06.03.1995, p. 0050-0055</a>	15/02/1995	EP	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

<a href="#">Regulation 1995/1173</a> <a href="#">OJ L 118 25.05.1995, p. 0015</a> Summary
<a href="#">Regulation 1995/1909</a> <a href="#">OJ L 184 03.08.1995, p. 0001</a>
<a href="#">Regulation 1995/3071</a> <a href="#">OJ L 329 30.12.1995, p. 0014</a>

## Conservation of fishery resources: passive gear (17th amend. Regul. 3094/86/EEC)

The proposal for a regulation seeks on the one hand to institute technical measures for passive gear and, on the other, to introduce a provision banning the use of vessels whose engine power exceeds that which is authorized in the flatfish protected area. In practical terms the proposal seeks: - to improve the selectivity of nets for target species or species groups, by laying down suitable minimum mesh sizes which guarantee selectivity and by setting a minimum percentage for these species or species groups which are the object of the fisheries; - to impose a formal ban on the use of vessels whose engine power exceeds 221 kW (300 h.p.) in the flatfish protected area, in order to ensure that offences are effectively prosecuted and thus to help generate respect for the Community regulations. ?

## Conservation of fishery resources: passive gear (17th amend. Regul. 3094/86/EEC)

The committee unanimously adopted the report concerning the Commission's proposals in respect of mesh size of nets used in passive gear ie fixed gill nets - existing regulations (3094/86 EEC) dealing only with towed nets. The rapport fully accepted the Commission's policy of 'adapting technical measures for the conservation of fishery resources to the latest findings and opinions', but called for an appropriate control system to be included in Regulation (EEC) n 2847/93. An amendment by M. Pat the Cope Gallagher (EDA.IRL) was adopted, calling for a transitional period of 15 months to ease the impact on fishermen of implementing the regulation. Without committing the Commission, its representative accepted the general thrust of the amendment saying that they were not adverse to a transition period and accepted that a precedent existed in Baltic fisheries.

## Conservation of fishery resources: passive gear (17th amend. Regul. 3094/86/EEC)

Parliament approved the Commission's proposals subject to the seven amendments it had introduced. The aims of these amendments were: - to include in the recitals the selective characteristics of mesh nets; the need to review minimum catch sizes; the need to examine the introduction of devices for recording fishery activities, and the suitability of carrying out a more in-depth investigation of areas where trawling and line trawling are prohibited; - to ensure that the Commission undertakes studies to determine the feasibility of using control systems and to limit the duration of the fishery activity, and to keep Parliament informed of this. The Commission accepted the amendment. - to defer the entry into force of the Regulation from the third day to the fifteenth month after its publication in the Official Journal, subject to the introduction of an appropriate control system in Regulation (EEC) No 2847/93 instituting a system of control which is applicable to the common fisheries policy. Failing this, the Regulation would enter into force fifteen months after publication of the regulation amending the said Regulation, as far as passive fishing gear was concerned. The Commission rejected this amendment. ?

## Conservation of fishery resources: passive gear (17th amend. Regul. 3094/86/EEC)

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OBJECTIVE: to ban the use of vessels whose engine power exceeds 221 kW (300 HP) in the flatfish protected area. COMMUNITY MEASURE: Council Regulation (EC) No 1173/95 of 22 May 1995 amending, for the sixteenth time, Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources. SUBSTANCE: Beam trawlers whose engine power exceeds 221 kW (300 HP) may not fish in the flatfish protected area. DATE OF ENTRY INTO FORCE: 28 May 1995 and applicable directly. ?