


Procedure file

Basic information	
CNS - Consultation procedure Regulation	1994/0303(CNS) Procedure completed
Additional conditions for year-to-year management of TACs and quotas Amended by 2008/0216(CNS)	
Subject 3.15.05 Fish catches, import tariff quotas	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	PECH Fisheries	V MCKENNA Patricia	25/01/1995
Council of the European Union	Council configuration	Meeting	Date
	Education, Youth, Culture and Sport	1920	06/05/1996
	Fisheries	1916	22/04/1996
	Fisheries	1842	06/04/1995

Key events			
08/12/1994	Legislative proposal published	COM(1994)0583	Summary
13/02/1995	Committee referral announced in Parliament		
21/06/1995	Vote in committee		Summary
20/06/1995	Committee report tabled for plenary, 1st reading/single reading	A4-0148/1995	
11/07/1995	Debate in Parliament		Summary
12/07/1995	Decision by Parliament	T4-0346/1995	Summary
06/05/1996	Act adopted by Council after consultation of Parliament		Summary
06/05/1996	End of procedure in Parliament		
09/05/1996	Final act published in Official Journal		

Technical information	
Procedure reference	1994/0303(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by 2008/0216(CNS)
Legal basis	EC before Amsterdam E 043

Stage reached in procedure	Procedure completed
Committee dossier	PECH/4/06403

Documentation gateway					
Legislative proposal		COM(1994)0583 OJ C 382 31.12.1994, p. 0004	09/12/1994	EC	Summary
Committee draft report		PE212.626	17/05/1995	EP	
Committee report tabled for plenary, 1st reading/single reading		A4-0148/1995 OJ C 183 17.07.1995, p. 0003	21/06/1995	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0346/1995 OJ C 249 25.09.1995, p. 0033-0082	12/07/1995	EP	Summary

Additional information	
European Commission	EUR-Lex

Final act
Regulation 1996/847 OJ L 115 09.05.1996, p. 0003 Summary

Additional conditions for year-to-year management of TACs and quotas

The Council's proposal for a regulation seeks to lay down conditions for the pursuit of exploitation activities in the fisheries sector which would improve the mechanisms currently available through the introduction of year-to-year flexibility in the management of total allowable catches (TACs) and quotas which, within certain limits, is compatible with the conservation measures. The Regulation mainly provides: - that the Council, when fixing TACs in accordance with Regulation (EEC) No 3760/92, decides which stocks shall be subject to an analytical or precautionary TAC; - for the Member States to be encouraged to transfer part of their quotas of stocks, which are subject to analytical TACs, from one year to another, with certain limits; - to put in place the necessary mechanisms to discourage overfishing with regard to precautionary TACs and to penalize overfishing in the case of analytical TACs. ?

Additional conditions for year-to-year management of TACs and quotas

The Committee adopted by a majority, with one vote against, the report by Mrs Patricia McKENNA (GREENS, IRL) on the Commission's proposal to introduce additional conditions for year-to-year management of TACs and quotas. The proposed measures, aimed at increasing flexibility into the TAC and quota management system, received broad support from members. The proposals include: - procedures for increasing precautionary TACs and quotas in mid-year; - carryovers of quotas from one year to the next; - deductions from quotas for the following year if overfishing occurs; - imposition of penalties for overfishing. Several amendments were adopted to the draft regulation reminding the Commission and the Council of their responsibilities under the basic Regulation (3760/92). The Committee also reduced the conditions applicable to requests by Member States for permission to land additional quantities of fish, when more than 75% of a quota has been used up by 30 September of any year. Similarly members felt that Member States should have until 30 September rather than 31 March to submit requests to hold back unused quota until the following year.

Additional conditions for year-to-year management of TACs and quotas

Ms MCKENNA called for the principle of a preventive approach, which was at the heart of environmental policy after Maastricht and Rio, to be retained in the area of the common fisheries policy. Pointing out that prevention was not an enemy of fisheries, she highlighted the positive effects of such an approach, which, by allowing depleted fish stocks to recover, created jobs and prevented the deterioration of the ecosystem. While she appreciated the MCKENNA report, Commissioner BONINO pointed out that the aim of the proposal for a regulation was to introduce a certain degree of flexibility into the management of TACs and quotas, which had been achieved through a compromise that involved the adjustment of quotas from one year to another and consideration of the different species. As a result, the Commission could not take over the amendments tabled: it would be pointless to take over amendments such as Amendments Nos 1, 2, 3, 10 and 11 as they covered the same objectives as other fisheries legislation; similarly, Amendment No 4 on the conditions governing analytical TACs only set out the basic principles of this common policy. The Commission would therefore support its initial proposal.

Additional conditions for year-to-year management of TACs and quotas

In adopting the report by Mrs Patricia McKENNA (Greens, IRL) Parliament approved the regulation laying down additional rules for the year-to-year management of TACs and quotas. As it was in favour of introducing greater flexibility to the system, Parliament wanted to see Member States having until 30 September of each year to submit requests for permission to land additional quantities of stocks or to transfer to the following year quotas which have not been taken up (instead of 31 March as proposed by the Commission). ?

Additional conditions for year-to-year management of TACs and quotas

OBJECTIVE: to lay down conditions for the pursuit of exploitation activities in the fisheries sector which would improve the mechanisms presently available through the introduction of a year-to-year flexibility in the management of total allowable catches (TACs) and quotas. COMMUNITY MEASURE: Council Regulation No 96/847/EC introducing additional conditions for the year-to-year management of total allowable catches and quotas. CONTENT: the Regulation provides: - that when fixing TACs in accordance with Regulation No 3760/92/EEC, the Council shall decide which stocks are subject to a precautionary TAC and which stocks are subject to an analytical TAC; - for the Member States to be encouraged to transfer part of their quotas of stock subject to analytical TACs from one year to another with certain limits. Up to 31 October of each year, states may submit requests for permission to land additional quantities of stocks or to transfer to the following year quotas that have not been taken up; - for the necessary mechanisms to be introduced to discourage overfishing with regard to precautionary TACs and to penalise overfishing in the case of analytical TACs. ?

Additional conditions for year-to-year management of TACs and quotas

Following the political agreement reached at the sitting of the Fisheries Council on 22 April 1996, the Council unanimously adopted the regulation.