



Brussels, 13.3.2019
C(2019) 1848 final

COMMISSION DELEGATED DECISION (EU) .../...

of 13.3.2019

**establishing the multiannual Union programme for the collection and management of
biological, environmental, technical and socio-economic data in the fisheries and
aquaculture sectors**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Commission Implementing Decision (EU) 2016/1251 on the multiannual Union programme for the collection, management and use of data in the fisheries and aquaculture sectors¹ (the EU MAP) is the legal basis for data collection in the above mentioned sectors for the period 2017-2019. The EU MAP lays down:

- detailed arrangements on collection by Member States of biological, environmental and socio-economic data,
- the list of surveys at sea and
- the thresholds for data collection.

The current EU MAP Commission Implementing Decision is based on the data collection legislation which preceded the European Parliament and Council Regulation (EU) 2017/1004 of 17 May 2017 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 199/2008² (The Data Collection Framework Regulation), now in force, and was limited to a 3-year period in view of adoption of the 2017 Data Collection Framework Regulation.

Article 4 of the 2017 Data Collection Framework Regulation requires that the provisions related to biological, environmental and socio-economic data should be adopted in the future by means of a Delegated Decision, while the list of mandatory research surveys at sea and thresholds for data collection and research surveys at sea should be adopted by means of an Implementing Decision of the Commission. In order to prepare the review of the EU MAP after 2019, consultations with experts under the Scientific, Technical and Economic Committee on Fisheries, regional coordination groups, Member State representatives and other relevant stakeholders are already on the way on the contents of a new EU MAP and will be finalised only at the end of 2019. In order to avoid a legal gap after the expiry of the 2017-2019 EU MAP and to allow sufficient time for the ongoing consultations on the revision process, a new EU MAP taking over the current provisions relating to biological, environmental and socio-economic data is being envisaged through this Delegated Decision. An Implementing Decision on the list of mandatory research surveys at sea and thresholds which takes up the provisions of the current EU MAP in this respect is also accompanying this process.

Pursuant to Article 4 of the 2017 Data Collection Framework Regulation the Commission shall adopt the part of the multiannual programme covering matters provided for in point (a) of Article 5(1) of that Regulation by means of a delegated act.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The proposed Delegated Decision has been subject to an interservice consultation within the Commission and has received the opinion of Member State representatives under the Commission Expert Working Group on data collection. The act has been made available on the Better Regulation website of the European Commission for four weeks in view of stakeholder feedback. Minor drafting changes were recommended by Member State representatives and were taken on board, while no additional feedback was received during

¹ OJ L 207, 1.8.2016, p. 113.

² OJ L 157, 20.6.2017, p. 1.

the stakeholder publication period. The proposed Delegated Decision has been sent following its adoption to the European Parliament and to the Council of the European Union for scrutiny.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The proposed Delegated Decision is based on Articles 4, 5 and 24 of the Data Collection Regulation (EU) 2017/1004. The proposed Delegated Decision takes up, without changes of substance, the contents of EU-MAP Commission Implementing Decision (EU) 2016/1251, inasmuch as these concern elements to be adopted by way of delegated act and in particular of the Annex Chapters I, II and III and of their corresponding tables.

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2017/1004 of the European Parliament and of the Council of 17 May 2017 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 199/2008³, and in particular the first and second subparagraphs of Article 4(1) thereof,

Whereas:

- (1) Pursuant to Article 25 of Regulation (EU) No 1380/2013, the Member States are to collect biological, environmental, technical and socio-economic data necessary for fisheries management. The multiannual Union programme for the collection, management and use of data in the fisheries and aquaculture sectors (EU MAP)⁴ for the period 2017-2019 was adopted by Commission Implementing Decision (EU) 2016/1251⁵ and will expire on 31 December 2019.
- (2) The multiannual Union programme is necessary for Member States to specify and plan their data collection activities in their national work plans. In accordance with Article 21 of Regulation (EU) No 508/2014 of the European Parliament and of the Council⁶ these national work plans are to be submitted to the Commission by 31 October preceding the year from which the work plan is to apply.
- (3) In order to prepare the review of the current EU MAP after 2019, consultations with experts under the Scientific, Technical and Economic Committee on Fisheries, regional coordination groups, Member State representatives and other relevant stakeholders are ongoing and will be finalised only at the end of 2019. As a result, the new EU MAP taking into account the outcomes of these consultations cannot be adopted before 2021.
- (4) For the period from 2020 to 2021 it is, therefore, necessary to adopt the provisions on the collection and management of biological, environmental, technical and socio-

³ OJ L 157, 20.6.2017, p. 1.

⁴ OJ L 207, 1.8.2016, p. 113.

⁵ Commission Implementing Decision (EU) 2016/1251 of 12 July 2016 adopting a multiannual Union programme for the collection, management and use of data in the fisheries and aquaculture sectors for the period 2017-2019 (OJ L 2017, 1.8.2016, p.,113)

⁶ Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council (OJ L 149, 20.5.2014, p. 1).

economic data, included in the current EU MAP, on the basis of Regulation (EU) 2017/1004.

- (5) This decision therefore establishes, in accordance with Article 4 of Regulation (EU) 2017/1004, detailed arrangements on collection and management of biological, environmental, technical and socio-economic data by Member States as referred to in Article 5(1)(a) of that Regulation. The list of mandatory surveys at sea and thresholds below which it is not mandatory for Member States to collect data based on their fishing and aquaculture activities or carry out research surveys at sea, as referred to in Article 5(1) (b) and (c), are provided for by Commission Implementing Decision (EU) C(2019)1001.
- (6) For the purposes of legal certainty, Commission Implementing Decision (EU) C(2019)1001 establishing the list of mandatory surveys and thresholds for the purposes of the multiannual Union programme for the collection and management of data in the fisheries and aquaculture sectors repeals Implementing Decision (EU) 2016/1251 with effect from 1 January 2020,

HAS ADOPTED THIS DECISION:

Article 1

The multiannual Union programme for the collection, management and use of data in the fisheries sector for the period 2020 - 2021 covering the detailed list of data requirements as referred to in point (a) of Article 5(1) of Regulation (EU) 2017/1004, is set out in the Annex to this Decision.

Article 2

This Decision shall enter into force with its publication in the *Official Journal of the European Union* and shall apply from 1st January 2020.

Done at Brussels, 13.3.2019

For the Commission
The President
Jean-Claude JUNCKER