

## Defining fishing vessels' characteristics

One dimension of the EU common fisheries policy consists of managing the European fishing fleet and its overall fishing capacity. Rules on the conservation of fisheries resources may vary depending on the features of fishing vessels. During its April I plenary, the Parliament is expected to vote at first reading on a proposal to recast the rules regarding technical characteristics of fishing vessels.

### Background

The [common fisheries policy](#) manages and establishes ceilings of total capacity of Member States' [fishing fleets](#), in terms of engine power and vessel tonnage, notably with a view to capping fishing means in consideration for the fisheries resources available. A significant number of EU rules under the common fisheries policy also refer, and apply, to fishing vessels based on their power and tonnage, as well as some other technical characteristics, such as length, breadth and date of entry into service. Identical definitions of these characteristics and common rules for their determination have been set since 1986 (Council Regulation [No 2930/1986](#), the rules of which were substantially amended in 1994). On 23 May 2016, the European Commission tabled a legislative proposal to replace this 1986 regulation with a new one.

### European Commission proposal

In substance, the [proposed new regulation](#) concerning vessels' characteristics would preserve the content of the existing texts, representing as such a legal codification (i.e. a simple reformatting of law). In addition, the Commission proposes to receive delegated powers for a possible adaptation to technical progress of the requirements for the determination of one characteristic of vessels, namely their continuous engine power. This alignment with the Lisbon Treaty regarding implementing and delegating acts represents a substantive amendment and cannot be part of a pure codification exercise. The Commission has therefore presented its proposal for a regulation in the form of a recast.

### European Parliament

In September 2016, the Consultative Working Party of the legal services of the three institutions provided an opinion to the Parliament, the Council and the Commission, confirming that the proposal does not include any substantive amendments other than those identified as such, and that the other provisions represent a straightforward codification of the existing legal text. Being of the same view, the Committee on Legal Affairs decided in October 2016 to recommend that the Committee on Fisheries (PECH) proceed to the examination of the recast proposal in accordance with [Rule 104](#) of the Parliament's Rules of Procedure (i.e. possible amendments can in general only concern those parts of the proposal which contain changes).

The PECH committee adopted its [report](#) in December 2016. Considering notably that it should be made clear that the identical rules for determining the characteristics of fishing vessels should be in line with the standards of the common fisheries policy, it also proposed to delegate powers to the Commission on a five-year renewable period basis rather than for an indeterminate period of time, and to clarify that delegated powers for adjustment to technical progress refer to ISO international standards (which currently serve as the basis for the determination of engine continuous power). On 27 February 2017, the PECH committee agreed on the [text finalised in trilogue](#) which builds upon the position endorsed previously in the PECH committee report. The Parliament is expected to vote in plenary on the text agreed in trilogue, with a view to first-reading adoption of the regulation by the Council.

First reading report: [2016/0145\(COD\)](#); Committee responsible: PECH; Rapporteur: Werner Kuhn (EPP, Germany).

