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REPORT

on the proposal for a Council decision on a financial contribution from the Community towards the expenditure incurred by the Member States in collecting data, and for financing studies and pilot projects for carrying out the common fisheries policy
(COM(1999) 551 – C5-0303/1999 – 1999/0224(CNS))

Committee on Fisheries

Rapporteur: Elspeth Attwooll

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend the common position
- *** Assent procedure
majority of Parliament's component Members except in cases covered by Articles 105, 107, 161 and 300 of the EC Treaty and Article 7 of the EU Treaty
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend the common position
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Abbreviations for committees

- I. AFET Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy
- II. BUDG Committee on Budgets
- III. CONT Committee on Budgetary Control
- IV. LIBE Committee on Citizens' Freedoms and Rights, Justice and Home Affairs
- V. ECON Committee on Economic and Monetary Affairs
- VI. JURI Committee on Legal Affairs and the Internal Market
- VII. INDU Committee on Industry, External Trade, Research and Energy
- VIII. EMPL Committee on Employment and Social Affairs
- IX. ENVI Committee on the Environment, Public Health and Consumer Policy
- X. AGRI Committee on Agriculture and Rural Development
- XI. PECH Committee on Fisheries
- XII. REGI Committee on Regional Policy, Transport and Tourism
- XIII. CULT Committee on Culture, Youth, Education, the Media and Sport
- XIV. DEVE Committee on Development and Cooperation
- XV. AFCO Committee on Constitutional Affairs
- XVI. FEMM Committee on Women's Rights and Equal Opportunities
- XVII. PETI Committee on Petitions

CONTENTS

	Page
PROCEDURAL PAGE.....	4
LEGISLATIVE PROPOSAL	5
DRAFT LEGISLATIVE RESOLUTION.....	8
EXPLANATORY STATEMENT	9
OPINION OF THE COMMITTEE ON BUDGETS	11

PROCEDURAL PAGE

By letter of 19 November 1999 the Council consulted Parliament, pursuant to Article 37 of the EC Treaty, on the proposal for a Council decision on a financial contribution from the Community towards the expenditure incurred by the Member States in collecting data, and for financing studies and pilot projects for carrying out the common fisheries policy (COM(1999) 551 - 1999/0224 (CNS)).

At the sitting of 13 December 1999 the President of Parliament announced that she had referred this proposal to the Committee on Fisheries as the committee responsible and the Committee on Budgets and the Committee on the Environment, Public Health and Consumer Policy for their opinions (C5-0303/1999).

The Committee on Fisheries had appointed Elspeth Attwooll rapporteur at its meeting of 30 November 1999.

It considered the Commission proposal and draft report at its meetings of 6 December 1999 and 26 January and 21 February 2000.

At the last meeting it adopted the draft legislative resolution unanimously.

The following were present for the vote: Daniel Varela Suanzes-Carpegna, chairman; Rosa Miguélez Ramos, vice-chairman; Elspeth Attwooll, rapporteur; Carmen Fraga Estévez, Ian Stewart Hudghton, Michiel van Hulst (for Vincenzo Lavarra), Salvador Jové Peres (for Mihail Papayannakis), Giorgos Katiforis (for Carlos Candal), Heinz Kindermann, Giorgio Lisi, John Joseph McCartin (for James Nicholson), Bernard Poignant, Struan Stevenson (for Brigitte Langenhagen) and Catherine Taylor (for Glyn Ford).

The opinion of the Committee on Budgets is attached; the Committee on the Environment, Public Health and Consumer Policy decided on 11 January 2000 not to deliver an opinion.

The report was tabled on 21 February 2000.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

LEGISLATIVE PROPOSAL

Proposal for a Council decision on a financial contribution from the Community towards the expenditure incurred by the Member States in collecting data, and for financing studies and pilot projects for carrying out the common fisheries policy (COM(1999) 551 – C5-0303/1999 – 1999/0244(CNS))

The proposal is amended as follows:

Text proposed by the Commission¹

Amendments by Parliament

(Amendment 1)
Recital 4

(4) The action taken by the Commission to assist the collection of this information through annual calls for proposals financed as FIFG innovative measures has reached a level of stability; this action should be consolidated, therefore, on a multiannual basis under heading 3 of the financial perspective;

(4) The action taken by the Commission to assist the collection of this information through annual calls for proposals financed as FIFG innovative measures has reached a level of stability; this action should be consolidated, therefore, on a multiannual basis under heading 1b of the financial perspective;

Justification:

The rapporteur proposes that, in line with the decision taken by Parliament during the 2000 budgetary procedure, the measures covered by the present legal base be financed under heading 1b of the financial perspective. This will enable the measures, which were financed under the Structural Funds (heading 2 of the financial perspective) up until 1999, to be continued.

(Amendment 2)
Article 2(1)

1. This Title concerns data which must be collected regularly as provided for in Article 1 of Regulation (EC) No/1999 (Community framework for the collection and management of data).

1. This Title concerns data which must be collected and managed regularly as provided for in Article 1 of Regulation (EC) No/1999 (Community framework for the collection and management of data).

Justification:

A Community contribution to management activities would ensure that more uniform

¹ OJ C not yet published.

procedures were used. This clarification highlights the fact that the funding is earmarked mainly for data collection.

(Amendment 3)
Article 4(1), introductory sentence

1. Member States wishing to receive a financial contribution shall present to the Commission, not later than 31 May 2000,

1. Member States wishing to receive a financial contribution shall present to the Commission, no later than six months after the entry into force of the implementing regulation on the collection of data,

Justification:

This deadline is needed to give Member States enough time to make appropriate preparations.

(Amendment 4)
Article 4(2)

2. Each Member State shall forward to the Commission, before 31 May each year starting in 2001,

- a financial report containing a comparison of the expenditure forecast with that incurred for the previous calendar year,
- where necessary, an update of its national programme, as defined in Article 6(2) of Regulation (EC) No/1999 (Community framework for the collection and management of data), for the current and subsequent years.

2. Each Member State shall forward to the Commission, before 31 May each year starting in 2001,

- a financial report containing a comparison of the expenditure forecast with that incurred for the previous calendar year,
- where necessary, an update of its national programme, as defined in Article 6(2) of Regulation (EC) No/1999 (Community framework for the collection and management of data), for the current and subsequent years.

The Commission shall forward these documents to the budgetary authority before 15 June each year.

(Amendment 5)
Article 5(2)

2. The Member States shall submit, no later than 31 May following each year of application of the programme,

2. The Member States shall submit, no later than 31 May following each year of application of the programme,

- an annual report containing details of the attainment of the objectives set when the minimum and the extended programmes were drawn up.
- their applications for the reimbursement of expenditure incurred for the previous calendar year, with supporting documents.

- an annual report containing details of the attainment of the objectives set when the minimum and the extended programmes were drawn up.
- their applications for the reimbursement of expenditure incurred for the previous calendar year, with supporting documents.

The Commission shall forward the annual report mentioned in the first indent to the budgetary authority before 15 June each year.

Justification (amendments 4 and 5)

The documents must be forwarded to the two arms of the budgetary authority so as to enable the expenditure incurred during the current financial year to be checked and the appropriate allocation to be entered in the budget for the following year.

(Amendment 6)
Article 7(1)

1. The report to be drafted by the Commission by 31 December 2002 pursuant to Article 9(2) of Regulation (EC) No/1999 (Community framework for the collection and management of data) shall also analyse the cost/benefit ratio of the work carried out.

1. The report to be drafted by the Commission by 31 December 2001 pursuant to Article 9(2) of Regulation (EC) No/1999 (Community framework for the collection and management of data) shall also analyse the cost/benefit ratio of the work carried out.

Justification:

The date has been changed to bring it into line with the requirement laid down in the basic regulation that a report be submitted by the end of 2001, given that the CFP is to be restructured in 2002.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the proposal for a Council decision on a financial contribution from the Community towards the expenditure incurred by the Member States in collecting data, and for financing studies and pilot projects for carrying out the common fisheries policy (COM(1999) 551 – C5-0303/1999 – 1999/0224(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(1999)551¹),
 - having been consulted by the Council pursuant to Article 37 of the EC Treaty (C5-0303/1999),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries and the opinion of the Committee on Budgets (A5-0037/2000),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 4. Calls for the conciliation procedure to be initiated should the Council intend to depart from the text approved by Parliament;
 5. Asks to be consulted again if the Council intends to amend the Commission proposal substantially;
 6. Instructs its President to forward its position to the Council and Commission.

¹ OJ C not yet published.

EXPLANATORY STATEMENT

OVERVIEW OF THE PROPOSAL

The proposal for a Council decision on a financial contribution from the Community towards the expenditure incurred by the Member States in collecting data, and for financing studies and pilot projects for carrying out the common fisheries policy, provides the necessary financial backing for the proposal for a regulation establishing a Community framework for the collection and management of the fisheries data needed to carry out the CFP. It also goes further than this, however, in that it will serve as the basis for the organisation of EU financial participation in the national programmes for the collection of basic data and the methodological studies to be conducted in connection with those programmes, and provides for the extension of Community funding to cover environmental issues, fishing activities and aquaculture and studies into the CFP's economic impact on the fisheries sector, with particular reference to industrial structures. It will also cover projects and studies focusing on fisheries control and achieving an optimum balance between catch capacity and the conservation of fish stocks.

The Commission states that the decision will not generate any new expenditure but will maintain the volume of expenditure incurred in the past and prolong and complement the schemes developed up to now. The financial framework will run for six years.

REMARKS

There was a very real need for a framework to be established, under which action aimed at gaining a better understanding of the fishing and aquaculture industry could be funded in a systematic fashion. However, given that such action is geared to ensuring that traditional fishing activities, rather than the other entrepreneurial activities conducted in this sector, are managed as effectively as possible with a view to the sustainable conservation of fisheries resources, it would be advisable to establish an order of priority for the measures to be funded. For example, the rapporteur considers that the funding of data collection, studies and pilot projects dealing with the aquaculture industry (with the exception of matters relating to environmental and health implications) should be placed last in the order of priority in this proposal for a decision. This does not mean that data collection or studies in this area require very little support: aquaculture has an extremely promising future and will at some stage be required to take on part of the role currently played by the traditional fishing sector. It is, nonetheless, an industry in which private initiative is already producing extremely satisfactory results in terms of development, scientific research and, in general, knowledge in this specific area. All that aquaculture currently requires is a stable legal framework governing environmental and health implications. Scientific research, methodological studies and the collection of detailed data are, on the other hand, of great importance in the traditional fishing sector, since the continuation of entrepreneurial activities in this sector and the sustainable exploitation of the resources in European and international waters are in very real danger. Priority should thus be given to programmes, studies and pilot projects focusing on sea fishing and the management of such activities, with the other areas relating to the conduct of the CFP taking second place.

The rapporteur would also like the Commission to reconsider the deadlines set for the submission of national programmes following the entry into force of the basic regulation on data collection, and for the submission of activity reports. The amendments set out in this report reflect the rapporteur's views on the matter, namely that: national programmes should be submitted approximately six months after the entry into force of the basic regulation, which would appear to be a reasonable timetable (Article 4) given that the Member States will not have time to prepare themselves properly before 31 May 2000; and the various activity reports should be submitted on a six-monthly rather than an annual basis (Article 5), so as to give each Council Presidency the opportunity to take action, wherever appropriate, to expedite the measures being implemented.

Lastly, the rapporteur hopes that the dispute between the two institutions over the issue of transferring this programme from heading 3 of the Financial Perspective (Internal policies) and bringing it under heading 1b (Agriculture – rural development and accompanying measures) will not prevent it from being implemented smoothly.

CONCLUSION

The rapporteur would be happy with this proposal for a decision, which would appear to bear the main burden for establishing the legal scope of the programme for the collection of data needed to carry out the CFP, if the measures to be funded were placed in a clearer order of priority and the intervals between the various activity reports which the Member States are required to submit to the European authorities were shortened.

OPINION

of the Committee on Budgets

for the Committee on Fisheries

on the proposal for a Council decision on a financial contribution from the Community towards the expenditure incurred by the Member States in collecting data, and for financing studies and pilot projects for carrying out the common fisheries policies (report by Elspeth Attwooll)
(COM(1999) 551 - C5-0303/99 - 1999/0224(CNS))

Draftsman: Bárbara Dührkop Dührkop

PROCEDURE

The Committee on Budgets appointed Bárbara Dührkop Dührkop draftsman at its meeting of 13 December 1999.

It considered the draft opinion at its meeting of 26 January 2000.

At that meeting it adopted the amendments set out below unanimously.

The following were present for the vote: Wynn, chairman; Dührkop Dührkop, vice-chairman and draftsman; Casaca, Cauquil, Colom I Naval, Costa Neves, Dover, Färm, Ferber, Garriga Polledo, Gill, Guy-Quint, Haug, Jensen, Krehl, Laschet, Martin, Naranjo, Rühle, Stenmarck, Virrankoski, Walter and Wenzel-Perillo.

GENERAL COMMENTS

The proposal of the Commission of 27 October 1999 for a Council Regulation establishing a Community framework for the collection and management of the fisheries data needed to conduct the common fisheries policy (COM(1999)0541) seeks to overcome the lack of appropriate data for the Common Fisheries Policy (CFP). The position of the Commission can be supported that this problem cannot be resolved at Member State level alone. Fishing stocks and economic markets are shared by several Member States. Environmental aspects and the relevant areas for scientific research have a cross-border character. Therefore, the data have to be collected at a Community level and on a multiannual and harmonised basis.

Research requirements are partly covered by the fifth framework programme for research, which shall take account of the needs of Community policies, including the CFP; but the systematic collection of data and the application of existing methods is not covered by the fifth framework programme. Until 1999 the Community budget has financed the collection of data necessary for the implementation of the CFP on the basis of annual calls of proposals as innovative measures in the framework of the structural funds (budget line B2-181: Financial Instrument for Fisheries Guidance (FIFG)). The new structural funds regulation can not serve as legal basis for the collection of data and for the studies and pilot projects supporting this action.

The Commission proposes to provide financial assistance for the Member States in collecting data, which must be collected regularly. The assistance shall be provided in the framework of a multiannual programming for the period 2000-2005, and the contribution from the Community shall be up to 50% for the eligible public expenditure incurred in carrying out a minimum programme covering the information absolutely needed for scientific evaluations. It shall be up to 35% for an extended programme including additional information likely to improve the scientific evaluations substantially. The Commission will define the scope of the minimum and of the extended programme.

As a second part beside the financial assistance for the Member States, the Commission will undertake studies and pilot projects. The studies and pilot project will, actually, be carried out by third parties. In the case of measures carried out following a call for proposals the financial contribution shall not exceed 50% of the eligible costs. Exceptions are foreseen for particular cases of universities and public research bodies. In the case of measures carried out at the Commission's initiative, but not as a result of a call for proposals, the Community contribution may reach 100%.

Control mechanisms are foreseen, in particular in Article 6, and include on-the-spot checks by Commission officials. These mechanisms seem to be sufficient provided they are carried out properly.

In its Preliminary Draft Budget for the year 2000, the Commission entered the appropriations for the present action in heading 3 (internal policies). For this purpose the new budget line B2-903 was created to contain appropriations for the "support for the management of resources (systematic collection of basic data, studies and pilot projects in support of the common fisheries policy)" and for the "strengthening of the dialogue with the fishing industry and groups affected by the common fisheries policy". In its first reading the Council rejected the Commission's approach, pointing out that the new Regulation for the Structural Funds still

allows for the financing of the measures under the FIG.

During the budgetary procedure Parliament supported the position of the Council, which did not “consider it possible to fund measures to support ... the management and conservation of fishery resources ... from heading 3, as the cost of those measures had been borne by the FIG under heading 2 of the financial perspective up to 1999.” Contrary to the position of the Council in first reading, Parliament considered that the action for strengthening the dialogue with the fishing industry and groups affected by the common fisheries policy (action B of budget line B2-903 proposed in the PDB) could be financed in the framework of internal policies (heading 3).

Parliament underlined the need for the systematic collection of basic data, studies and pilot projects to support the management of resources under the CFP. Therefore, the Parliament created a new budget line B1-500 in subsection B1 to finance the present measures under heading 1 of the Financial Perspective. The creation of this budget line was based on a systematic approach considering that agricultural policy is grouped under heading 1 of the Financial Perspective. Heading 1 is divided into a part comprising compulsory expenditure (“CAP (not including rural development)”) and a part comprising non-compulsory expenditure (“Rural development and accompanying measures”). The Financial Perspective (and the Interinstitutional Agreement) does not restrict heading 1 to be used exclusively in the framework of the EAGGF. The Commission proposal for a Council Regulation (EC) on budgetary discipline (COM(1999)364) currently under discussion in Council clarifies in Article 4 that the “agricultural guideline shall cover expenditure chargeable to Titles 1 to 4 of Subsection B1 of Section III of the budget in the nomenclature adopted for the 2000 budget, ...”. Therefore, title 5 of subsection B1 will fall neither under the agricultural guideline, nor under the provisions for the EAGGF Guarantee Section.

The Committee on Budgets calls on the Committee on Fisheries, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission

Amendments by Parliament

(Amendment 1)

Recital 4

The action taken by the Commission to assist the collection of this information through annual calls for proposals financed as FIFG innovative measures has reached a level of stability; this action should be consolidated, therefore, on a multiannual basis under heading 3 of the financial perspective;

The action taken by the Commission to assist the collection of this information through annual calls for proposals financed as FIFG innovative measures has reached a level of stability; this action should be consolidated, therefore, on a multiannual basis under heading 1b of the financial perspective;

Justification:

The rapporteur proposes that, in line with the decision taken by Parliament during the 2000 budgetary procedure, the measures covered by the present legal base be financed under heading 1b of the financial perspective. This will enable the measures, which were financed under the Structural Funds (heading 2 of the financial perspective) up until 1999, to be continued.

(Amendment 2)

Article 4 paragraph 2

Each Member State shall forward to the Commission, before 31 May each year starting in 2001,

- a financial report containing a comparison of the expenditure forecast with that incurred for the previous calendar year,
- where necessary, an update of its national programme, as defined in Article 6(2) of Regulation (EC) No/1999 (Community framework for the collection and management of data), for the current and subsequent years.

Each Member State shall forward to the Commission, before 31 May each year starting in 2001,

- a financial report containing a comparison of the expenditure forecast with that incurred for the previous calendar year,
- where necessary, an update of its national programme, as defined in Article 6(2) of Regulation (EC) No/1999 (Community framework for the collection and management of data), for the current and subsequent years.

The Commission shall forward these documents to the budgetary authority before 15 June each year.

(Amendment 3)
Article 5 paragraph 2

The Member States shall submit, no later than 31 May following each year of application of the programme,

- an annual report containing details of the attainment of the objectives set when the minimum and the extended programmes were drawn up.
- Their applications for the reimbursement of expenditure incurred for the previous calendar year, with supporting documents.

The Member States shall submit, no later than 31 May following each year of application of the programme,

- an annual report containing details of the attainment of the objectives set when the minimum and the extended programmes were drawn up.
- their applications for the reimbursement of expenditure incurred for the previous calendar year, with supporting documents.

The Commission shall forward the annual report mentioned in the first indent to the budgetary authority before 15 June each year.

Justification (amendments 2 and 3)

The documents must be forwarded to the two arms of the budgetary authority so as to enable the expenditure incurred during the current financial year to be checked and the appropriate allocation to be entered in the budget for the following year.