



EUROPEAN PARLIAMENT

2009 - 2014

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*Committee on Fisheries*

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**2010/0255(COD)**

9.11.2010

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## **DRAFT REPORT**

on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1288/2009 establishing transitional technical measures from 1 January 2010 to 30 June 2011 (COM(2010)0488 – C7-0282/2010 – 2010/0255(COD))

Committee on Fisheries

Rapporteur: Estelle Grelier

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1288/2009 establishing transitional technical measures from 1 January 2010 to 30 June 2011 (COM(2010)0488 – C7-0282/2010 – 2010/0255(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2010)0488),
  - having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0282/2010),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of ...<sup>1</sup>,
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries (A7-0000/2010),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

### **Amendment 1**

#### **Proposal for a regulation – amending act**

#### **Sole Article – point 1 – point b – subpoint (i)**

Regulation (EC) No 1288/2009

Article 1 – paragraph 2 – point (a) – subpoint (vi)

#### *Text proposed by the Commission*

«vi) point 6.8 second paragraph, is replaced by the following: "Member States concerned shall submit the results of the trials and experiments no later than 30 September of the year in which these

#### *Amendment*

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<sup>1</sup> OJ C ...

are carried out.";

which these are carried out.";

Or. fr

*Justification*

*In the interests of clarity, it needs to be specified that the results of the trials and experiments are to be submitted to the Commission.*

## **EXPLANATORY MEMORANDUM**

In 2008, in the absence of agreement on a draft regulation to simplify and clarify the Community rules on the conservation of fisheries resources, a regulation was adopted establishing a package of transitional technical measures intended originally to apply from 1 January 2010 to 30 June 2011.

The purpose of the present proposal is to extend these transitional arrangements for a further 18 months, i.e. until 1 January 2013, so that a new package of technical measures can be drawn up – which will be the subject of a proposal submitted by the Commission in 2011 – as part of the ongoing reform of the Common Fisheries Policy.

The Commission must take advantage of this extension of the current regulation's validity to carry out an evaluation – with stakeholder involvement – of the impact of the current measures on the vessels applying them and on the ecosystems concerned. It will have to take the results of the evaluation into account in drawing up a new proposal for a regulation which will apply from 1 January 2013 and which, under application of the Lisbon Treaty, will be adopted according to the codecision procedure.

During its last term, Parliament adopted Resolution A6-0206/2009 on the proposal for a Council regulation concerning the conservation of fisheries resources through technical measures in the Atlantic Ocean and the North Sea.

That resolution highlighted the importance of sharing responsibilities properly between the Council, Parliament and the Commission. The most suitable approach, in Parliament's view, was to lay down specific rules for each of the various regions where fishing is carried out in EU waters.

Parliament considers that the Commission's future proposal on technical measures will need to establish that the essential aspects of the regulatory arrangements fall within the competence of the Council and Parliament, under the codecision procedure. Only non-essential matters may be dealt with by way of delegated acts and comitology procedures.