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*Committee on Regional Development*

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**2011/0380(COD)**

30.8.2012

## **DRAFT OPINION**

of the Committee on Regional Development

for the Committee on Fisheries

on the proposal for a regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund repealing Council Regulation(EC) No 1198/2006 and Council Regulation(EC) No 861/2006 and Council Regulation(EC) No XXX/2011 on integrated maritime policy (COM(2011)0804 – C7-0460/2011 – 2011/0380(COD))

Rapporteur: Rosa Estaràs Ferragut

PA\_Legam

## SHORT JUSTIFICATION

### *Commission proposal*

The Commission is proposing, for the next financial programming period, a new European Maritime and Fisheries Fund (EMFF), which will bring together measures that are eligible for funding under the Fisheries Policy and arrangements for financing the new Integrated Maritime Policy (IMP). By bringing these two policies together in one financial instrument, the Commission is aiming to simplify and reduce the administrative burden and to consolidate the new IMP for the future.

The EMFF will replace five regulations: Council Regulation (EC) No 1198/2006 on the European Fisheries Fund, Regulation (EC) No 861/2006 establishing Community financial measures for the implementation of the Common Fisheries Policy and in the area of the Law of the Sea, the provisions of the Guarantee Fund relating to fishery and aquaculture products established by Regulation (EC) No 1290/2005 and Regulation (EC) No 791/2007 introducing a scheme to compensate for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French departments of Guiana and Réunion.

The new fund will have a financial allocation of EUR 6 500 million, which is roughly the same amount as has been spent during the current programming period. Some EUR 5 520 million of this funding would chiefly be allocated to the Member States and the Commission for the shared management of the CFP. Some EUR 1 047 million would be earmarked for direct management by the IMP Committee and by measures designed to promote the application of both policies.

Where fisheries are concerned, the fund responds to the aims of the proposed reform of the basic CFP Regulation, which include encouraging the use of fishing gear that is more resource-friendly with a view to eliminating discards and establishing the maximum sustainable yield (MSY). It also includes the eligible measures referred to in the proposal on the common organisation of the market (COM) in fishery products.

The Commission is ruling out the possibility of support being provided for permanent cessations and temporary suspensions of fishing activity, taking the view that, in future, it will be possible to make changes to capacity by means of the new rights transfer scheme.

In addition, it is in favour of support for small-scale fishing and is seeking to promote innovation in fisheries and aquaculture and greater environmental sustainability through the use of more resource-friendly techniques, as well as promoting action to combat climate change.

The EMFF places particular emphasis on developing employment in coastal areas. One such measure is diversification into maritime activities other than fishing.

The proposal for the new fund also aims to strengthen social sustainability by recognising for the first time the role that spouses often play in family fishing businesses, in many cases without any legal recognition.

### *The rapporteur's position*

The rapporteur welcomes the measures that the Commission has proposed with regard to the economic and social development of Europe's coastal areas, and agrees with most of the proposal's aims. She takes the view that the Commission is making positive efforts to improve the quality of life of the people living in these areas.

However, the Commission's approach consists of an overall reduction of the financial burden of fishing activities, which nevertheless constitute a vital sector for many areas, in favour of greater diversification into other maritime activities, with the new IMP also benefitting.

The objectives of the fund set out in the proposal need to be redefined to strengthen the important socio-economic role of the fishing sector and to acknowledge the fact that the processing and marketing sectors also play a role in job creation.

The rapporteur supports the establishment of a transferable quota rights scheme, provided that it is restricted to certain fleets, but she is opposed to the withdrawal of support for permanent cessations and temporary suspensions of activity. These measures have helped to adjust fishing capacity and soften the financial blow of serious situations such as fishing agreements coming to an end. This support ought to be retained, regardless of whether the Commission's proposal to introduce a management system based on transferable fishing concessions is ultimately rejected, as such a scheme would need time to adjust before it could have any effect on the EU's fishing capacity. Furthermore, the Commission's proposal contains very few socio-economic measures to help fishermen, other than those related to long-term training and the drawing-up of business plans when fishermen give up fishing. More measures are therefore needed to provide support for those who are forced out of the sector following the cessation of a vessel's activity, such as early retirement and flat-rate aid.

The fishing sector, like all the others that make up the economy, also has to help combat climate change. There is therefore no justification for withdrawing support for improving the energy efficiency of engines. It is also vital that engines be modernised in order to ensure that the vessels are safe.

Furthermore, the proposal is rather patchy when it comes to action to encourage handover to future generations, which somewhat contradicts the efforts geared towards boosting the development of Europe's coastal areas.

In the past, the fisheries sector has faced traumatic situations caused by exceptional circumstances, such as natural disasters or large-scale pollution, and the EU did not have at its disposal the specific measures needed to deal with these events. The rapporteur takes the view that the opportunity presented by this new CFP reform to address this situation should not be wasted. To this end, she suggests the introduction of specific support to mitigate the effects of exceptional circumstances.

The draft report introduces a new definition, ‘operator in the fisheries sector’, which partly clarifies the beneficiaries that are specified in the Commission’s proposal and partly widens their scope to cover all workers in the fisheries sector, including fishermen who gather seafood by hand. This applies to the measures geared towards improving safety and hygiene at work, which, in the Commission’s proposal, are limited to fishermen working ‘on board’.

The rapporteur also makes a change to the definition of small-scale fishing, on the grounds that this should not be based solely on vessel length, as the Commission proposes. This definition would take on particular significance in the reform, with the transferable fishing rights scheme being brought in. The small-scale fleet must be expressly excluded from this scheme, in order to stop large vessels gaining control over the majority of fish stocks. This would cause major social and economic problems in many coastal regions.

The draft report also amends the Commission text when it comes to discards and the MSY, opposing the aims the Commission sets out on the two issues in its proposal on the basic CFP regulation.

As regards market stabilisation measures eligible for aid, the draft report acknowledges the European sector’s concerns in ruling out the withdrawal of support for private storage in 2019 and the immediate withdrawal of compensation payments in the tuna sector.

On aquaculture, the Commission proposal is too restrictive in limiting support from the fund to innovation within SMEs and micro-enterprises. Very often large companies are the only ones able to make the necessary investment, and given that innovation is one of the objectives of this proposal, the restrictions suggested by the Commission are contradictory. The rapporteur sees fishing as a sector of the future that needs to be promoted: restrictions in the new financial instrument should be avoided.

Furthermore, the Commission does not deal in enough detail with most of the activities related to fishing itself. With this in mind, this draft report contains a series of amendments designed to broaden support to cover processing and marketing, sectors that should not be excluded from the implementation of local development strategies.

Generally speaking, the rapporteur agrees with the new guidelines that the Commission has introduced. She suggests changes that often echo the objectives set out by the Commission, but that sometimes call for certain elements of the old European Fisheries Fund to be reinstated and to continue to apply for the next financial programming period.

## **AMENDMENTS**

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

## Amendment 1

### Proposal for a regulation Recital 9

#### *Text proposed by the Commission*

(9) It is paramount to better integrate environmental concerns into the CFP which should deliver on the objectives and targets of the Union's environmental policy and the Europe 2020 Strategy. The CFP is aimed at an exploitation of living marine biological resources that restores and maintains fish stocks at levels which can ***produce*** the maximum sustainable yield, not later than **2015**. The CFP shall implement the precautionary and eco-system approaches to fisheries management. Consequently the EMFF should contribute to the protection of the marine environment as set out in the Directive 2008/56/EC of the European Parliament and the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive).

#### *Amendment*

(9) It is paramount to better integrate environmental concerns into the CFP which should deliver on the objectives and targets of the Union's environmental policy and the Europe 2020 Strategy. The CFP is aimed at an exploitation of living marine biological resources that restores and maintains fish stocks at levels which can ***meet the target set with regard to*** the maximum sustainable yield, not later than **2020**. The CFP shall implement the precautionary and eco-system approaches to fisheries management. Consequently the EMFF should contribute to the protection of the marine environment as set out in the Directive 2008/56/EC of the European Parliament and the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive).

Or. es

## Amendment 2

### Proposal for a regulation Recital 15

#### *Text proposed by the Commission*

(15) The achievement of the objectives of the CFP would be undermined if Union financial assistance under EMFF is disbursed to operators who, ex-ante, do not comply with requirements related to the public interest of conservation of marine biological resources. Therefore only operators should be admissible who, within

#### *Amendment*

(15) The achievement of the objectives of the CFP would be undermined if Union financial assistance under EMFF is disbursed to operators who, ex-ante, do not comply with requirements related to the public interest of conservation of marine biological resources. Therefore only operators should be admissible who, within

a particular period of time before lodging an application for aid, were not involved in the operation, management or ownership of fishing vessels included in the Union IUU vessel list as set out in Article 40(3) of Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulation (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999, and who have not committed a serious infringement under 42 of the Regulation (EC) No 1005/2008 or Article 90(1) of the Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006. or other cases of non-compliance with CFP rules which particularly jeopardise the sustainability of the stocks concerned and constitute a serious threats to the sustainable exploitation of living marine biological resources that restores and maintains populations of harvested species *above* levels *which can produce* the Maximum Sustainable Yield (hereinafter MSY).

a particular period of time before lodging an application for aid, were not involved in the operation, management or ownership of fishing vessels included in the Union IUU vessel list as set out in Article 40(3) of Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulation (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999, and who have not committed a serious infringement under 42 of the Regulation (EC) No 1005/2008 or Article 90(1) of the Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006. or other cases of non-compliance with CFP rules which particularly jeopardise the sustainability of the stocks concerned and constitute a serious threats to the sustainable exploitation of living marine biological resources that restores and maintains populations of harvested species *at* levels *close to* the Maximum Sustainable Yield (hereinafter MSY).

Or. es

### Amendment 3

#### Proposal for a regulation Recital 25

*Text proposed by the Commission*

*Amendment*

*(25) The fulfilment of certain ex-ante conditionalities is of outmost importance in the context of the CFP, especially as regards the submission of a Multiannual National Strategy Plan on Aquaculture and proven administrative capacity to comply with the data requirements for fisheries management and to enforce with the implementation of a Union control, inspection and enforcement system.*

*Deleted*

Or. es

*Justification*

*The Commission should examine the ex ante conditions in more depth so as to maintain preferably only those that refer to making the fund more efficient*

### Amendment 4

#### Proposal for a regulation Recital 35

*Text proposed by the Commission*

*Amendment*

(35) Conscious of the potential that diversification offers for ***small scale coastal fishermen*** and their crucial role in coastal communities, the EMFF should help diversification by covering business start-ups and investments for the retrofitting of their vessels, in addition to the relevant training to acquire professional skills in the relevant field outside fishing activities.

(35) Conscious of the potential that diversification offers for fishermen and their crucial role in coastal communities, the EMFF should help diversification by covering business start-ups and investments for the retrofitting of their vessels, in addition to the relevant training to acquire professional skills in the relevant field outside fishing activities.

Or. es



## Amendment 5

### Proposal for a regulation Recital 36

#### *Text proposed by the Commission*

(36) In order to address health and safety needs ***on board***, the EMFF should support investments covering ***safety and hygiene on board***.

#### *Amendment*

(36) In order to address health and safety needs, the EMFF should support investments covering ***this aim***.

Or. es

## Amendment 6

### Proposal for a regulation Recital 39

#### *Text proposed by the Commission*

(39) The objective of the Common Fisheries Policy is to ensure a sustainable exploitation of fish stocks. Overcapacity has been identified as a major driver for overfishing. It is therefore paramount to adapt the Union fishing fleet to the resources available. ***The removal of overcapacity through public aid such as temporary or permanent cessation and scrapping schemes has proven ineffective.*** The EMFF will therefore support the establishment and management of systems of transferable fishing concessions aiming at the reduction of overcapacity and increased economic performance and profitability of the operators concerned.

#### *Amendment*

(39) The objective of the Common Fisheries Policy is to ensure a sustainable exploitation of fish stocks. Overcapacity has been identified as a major driver for overfishing. It is therefore paramount to adapt the Union fishing fleet to the resources available. ***To achieve this objective, public aid for temporary suspension and permanent cessation schemes and scrapping should be retained. Furthermore, the*** EMFF will therefore support the establishment and management of systems of transferable fishing concessions aiming at the reduction of overcapacity and increased economic performance and profitability of the operators concerned.

Or. es

#### *Justification*

*Support for the permanent cessation and temporary suspension of activity has helped reduce the capacity of the European fleet. This support also helps mitigate the social and economic*

*effects of critical situations in the sector, so it would not be appropriate to withdraw it.*

## **Amendment 7**

### **Proposal for a regulation**

#### **Recital 43**

##### *Text proposed by the Commission*

(43) In line with the ***discard ban*** introduced by the CFP, the EMFF should support investments on board aiming at make the best use of unwanted fish caught and valorise underused components of the fish caught. Considering the scarcity of the resources, in order to maximise the value of the fish caught, the EMFF should also support investments on board aiming at adding commercial value to fish caught.

##### *Amendment*

(43) In line with the ***gradual reduction of discards*** introduced by the CFP, the EMFF should support investments on board aiming at make the best use of unwanted fish caught and valorise underused components of the fish caught. Considering the scarcity of the resources, in order to maximise the value of the fish caught, the EMFF should also support investments on board aiming at adding commercial value to fish caught.

Or. es

## **Amendment 8**

### **Proposal for a regulation**

#### **Recital 44**

##### *Text proposed by the Commission*

(44) Conscious of the importance of fishing ports, landing sites ***and*** shelters, the EMFF should support relevant investments in particular to increase energy efficiency, environmental protection, the quality of the product landed, as well as safety and working conditions.

##### *Amendment*

(44) Conscious of the importance of fishing ports, landing sites, shelters ***and auction halls***, the EMFF should support relevant investments in particular to increase energy efficiency, environmental protection, the quality of the product landed, as well as safety and working conditions.

Or. es

## Amendment 9

### Proposal for a regulation Recital 54

*Text proposed by the Commission*

(54) *Recognizing* the risk of investments in aquaculture activities, the EMFF should contribute to business security by covering access to stock insurance and therefore safeguarding the income of producers in case of abnormal production losses due in particular to natural disasters, adverse climatic events, sudden water quality changes, diseases or pest infestations and destruction of production facilities.

*Amendment*

(54) *Recognising* the risk of investments in aquaculture activities, the EMFF should contribute to business security by covering access to stock insurance and therefore safeguarding the income of producers in case of abnormal production losses due in particular to natural disasters, adverse climatic events, sudden water quality changes, diseases or pest infestations, ***expenses resulting from the gathering and destruction of animals that have died on the farm*** and destruction of production facilities.

Or. es

## Amendment 10

### Proposal for a regulation Recital 61

*Text proposed by the Commission*

(61) In order to ensure the viability of fisheries and aquaculture in a highly competitive market, it is necessary to lay down provisions granting support for the implementation of the [Regulation (EU) No on the common organisation of the markets in fishery and aquaculture products] as well as for marketing and processing activities carried by operators to maximise the value of fisheries and aquaculture products. Particular attention should be paid to the promotion of operations which integrate producing, processing and marketing activities of the supply chain. In order to adapt to the new discard ***ban*** policy, the EMFF should also

*Amendment*

(61) In order to ensure the viability of fisheries and aquaculture in a highly competitive market, it is necessary to lay down provisions granting support for the implementation of the [Regulation (EU) No on the common organisation of the markets in fishery and aquaculture products] as well as for marketing and processing activities carried by operators to maximise the value of fisheries and aquaculture products. Particular attention should be paid to the promotion of operations which integrate producing, processing and marketing activities of the supply chain. In order to adapt to the new discard ***reduction*** policy, the EMFF should

support the processing of unwanted catches.

also support the processing of unwanted catches.

Or. es

## **Amendment 11**

### **Proposal for a regulation Recital 69 a (new)**

*Text proposed by the Commission*

*Amendment*

***(69a) Specific measures for outermost regions have been very useful in compensating for the disadvantages that outlying islands suffer. With a view to the next financial programming period, careful consideration should be given to similar measures for those islands in the EU that are similar to the regions in which these agricultural policy instruments have proven so effective.***

Or. es

## **Amendment 12**

### **Proposal for a regulation Recital 88**

*Text proposed by the Commission*

*Amendment*

(88) Conscious of the importance of ensuring conservation of marine biological and protecting fish stocks in particular from illegal fishing and in the spirit of the conclusions drawn in the Green Paper on the Reform of the CFP, those operators who do not comply with the rules of the CFP, and particularly jeopardise the sustainability of the stocks concerned and constitute therefore a serious threat to the sustainable exploitation of living marine biological resources that restores and

(88) Conscious of the importance of ensuring conservation of marine biological and protecting fish stocks in particular from illegal fishing and in the spirit of the conclusions drawn in the Green Paper on the Reform of the CFP, those operators who do not comply with the rules of the CFP, and particularly jeopardise the sustainability of the stocks concerned and constitute therefore a serious threat to the sustainable exploitation of living marine biological resources that restores and

maintains populations of harvested species **above** levels **which can produce** the MSY, and those who are involved in IUU fishing should be excluded from support under the EMFF. Union funding should not at any stage from the selection to the implementation of an operation be used to undermine the public interest of conservation of marine biological resources expressed in the objectives of the CFP Regulation.

maintains populations of harvested species **at** levels **close to** the MSY, and those who are involved in IUU fishing should be excluded from support under the EMFF. Union funding should not at any stage from the selection to the implementation of an operation be used to undermine the public interest of conservation of marine biological resources expressed in the objectives of the CFP Regulation.

Or. es

### **Amendment 13**

#### **Proposal for a regulation Recital 93**

##### *Text proposed by the Commission*

(93) The rules and procedures governing commitments and payments should be simplified so that a regular cash flow is ensured. A pre-financing of **4 %** of the contribution from the EMFF should help speeding up the implementation of the operational programme.

##### *Amendment*

(93) The rules and procedures governing commitments and payments should be simplified so that a regular cash flow is ensured. A pre-financing of **7 %** of the contribution from the EMFF should help speeding up the implementation of the operational programme.

Or. es

### **Amendment 14**

#### **Proposal for a regulation Article 3 – paragraph 2 – subparagraph 5**

##### *Text proposed by the Commission*

(5) ‘fisheries area’ means an area with sea or lake shore or including ponds or a river estuary with a significant level of employment in fisheries or aquaculture and designated as such by the Member State;

##### *Amendment*

(5) ‘fisheries area’ means an area with sea, **river** or lake shore or including ponds or a river estuary with a significant level of employment in fisheries or aquaculture and designated as such by the Member State;

Or. es

### *Justification*

*The Commission's definition fails to take account of the activity of freshwater aquaculture that is carried out in rivers, such as trout farming.*

## **Amendment 15**

### **Proposal for a regulation**

#### **Article 3 – paragraph 2 – subparagraph 7**

##### *Text proposed by the Commission*

(7) 'Integrated Maritime Policy' (IMP) means a Union policy whose aim is to *foster coordinated and* coherent decision making *to maximise the sustainable development, economic growth and social cohesion of Member States, and notably the* coastal, *insular* and outermost regions *in the Union, as well as maritime sectors, through coherent* maritime-related policies and relevant international cooperation;

##### *Amendment*

7) 'Integrated Maritime Policy' (IMP) means a Union policy whose aim is to *establish and implement an integrated,* coherent, *transparent and sustainable* decision making *procedure for oceans, seas in* coastal, *island* and outermost regions *and for* maritime sectors;

Or. es

### *Justification*

*This definition is in line with the one set out in the Commission communication of 10 October 2007 on an Integrated Maritime Policy for the European Union.*

## **Amendment 16**

### **Proposal for a regulation**

#### **Article 3 – paragraph 2 – subparagraph 18**

##### *Text proposed by the Commission*

(18) 'small scale coastal fishing' means fishing carried out by fishing vessels of an overall length of less than **12 metres and not using towed gear as listed in Table 3 Annex I of Commission Regulation (EC) No 26/2004 of 30 December 2003**

##### *Amendment*

(18) 'small scale coastal fishing' means fishing carried out by fishing vessels of an overall length of less than **15 metres or whose sea trips are less than 24 hours in duration;**

*regarding the fishing vessels register of the Union;*

Or. es

*Justification*

*Small-scale fishing should not be defined solely on the basis of the technical characteristics of the vessel, such as its length. Other considerations need to be taken into account, such as the length of the sea trips carried out.*

**Amendment 17**

**Proposal for a regulation**

**Article 3 – paragraph 2 – subparagraph 19 a (new)**

*Text proposed by the Commission*

*Amendment*

***(19a) ‘operator in the fisheries sector’:  
means a natural or legal person  
operating, owning property or working,  
either as a self-employed person or for a  
company, in relation to an activity linked  
to any of the stages in the production  
chain for fisheries products.***

Or. es

*Justification*

*There is a need for a definition that covers the entire fisheries sector, in order to clarify the scope of the support provided under the new regulation from which in many cases all operators can benefit, including those who use traps or fishermen who perform ancillary tasks (net makers, packers, etc.).*

**Amendment 18**

**Proposal for a regulation**

**Article 5 – point a**

*Text proposed by the Commission*

*Amendment*

(a) promoting ***sustainable and*** competitive fisheries and aquaculture;

(a) promoting competitive fisheries and aquaculture, ***including processing and marketing, as well as the economic, social and environmental sustainability of these***

*areas;*

Or. es

*Justification*

*The rapporteur takes the view that it is vital to boost the social and economic dimension of the objectives of the new fund, as it is important to remember that fishing is crucial for the prosperity of many coastal regions in the EU.*

**Amendment 19**

**Proposal for a regulation**

**Article 6 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) diversification of fisheries activities into other sectors of maritime economy **and growth of maritime economy, including mitigation of climate change.**

*Amendment*

(b) diversification of fishing activities, **including diversification** into other sectors of the maritime economy.

Or. es

*Justification*

*The rapporteur suggests that the priority proposed by the Commission be split in two. She also sees no reason why diversification should necessarily take place outside the fisheries sector. Fishing activities could provide job opportunities, and these should not be automatically ignored.*

**Amendment 20**

**Proposal for a regulation**

**Article 6 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(ba) growth of the maritime economy, including climate change.**

Or. es



*Justification*

*The rapporteur suggests that the priority proposed by the Commission in point (b) be split in two.*

**Amendment 21**

**Proposal for a regulation  
Article 11**

*Text proposed by the Commission*

*Amendment*

***Ex ante conditionalities***

***deleted***

***The ex ante conditionalities referred to in Annex III of this Regulation shall apply for the EMFF.***

Or. es

*Justification*

*The Commission should examine the ex ante conditions in more depth so as to maintain preferably only those that refer to making the fund more efficient.*

**Amendment 22**

**Proposal for a regulation  
Article 12 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

***(c) operators who committed other cases of non compliance with the CFP rules which seriously jeopardise the sustainability of the stocks concerned.***

***deleted***

Or. es

*Justification*

*The Commission's text as it stands would lead to legal uncertainty.*

## Amendment 23

### Proposal for a regulation

#### Article 12 – paragraph 3 – point c

*Text proposed by the Commission*

*Amendment*

*(c) the identification of the other cases of non compliance referred to in paragraph 1(c) which seriously jeopardise the sustainability of the stocks concerned.*      *deleted*

Or. es

#### *Justification*

*The Commission's text as it stands would lead to legal uncertainty.*

## Amendment 24

### Proposal for a regulation

#### Article 13 – point b

*Text proposed by the Commission*

*Amendment*

(b) construction of new fishing vessels, *decommissioning* or importation of fishing vessels;      (b) construction of new fishing vessels or importation of fishing vessels;

Or. es

#### *Justification*

*Support for decommissioning is needed to for the continued restructuring of the European fleet. This will help make it possible to better tailor fishing capacity to the resources available. The Court of Auditors' report on the functioning of the EFF recommended improving the effectiveness of such aid, but did not say anything about withdrawing it.*

## Amendment 25

### Proposal for a regulation Article 13 – point c

*Text proposed by the Commission*

*Amendment*

***(c) temporary cessation of fishing activities;***

***deleted***

Or. es

#### *Justification*

*European support for the cessation of fishing activities has helped deal with crisis situations, while keeping the social costs of such situations to a minimum.*

## Amendment 26

### Proposal for a regulation Article 15 – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. The resources allocated to compensation of outermost regions under Chapter V of Title V, shall not exceed per year:

- EUR **4 300 000** for the Azores and Madeira;
- EUR **5 800 000** for the Canary Islands;
- EUR **4 900 000** for *the* French Guiana and Réunion.

5. The resources allocated to compensation of outermost regions under Chapter V of Title V, shall not exceed per year:

- EUR **8 300 000** for the Azores and Madeira;
- EUR **11 600 000** for the Canary Islands;
- EUR **9 800 000** for French Guiana and Réunion.

Or. es

#### *Justification*

*The EU's outermost regions are being hit hard by the economic crisis, with unemployment rates over the EU average. The rapporteur suggests doubling the amounts earmarked for these regions in order to compensate them for the high costs they face as outlying islands. A total increase of EUR 15 million is being proposed, which would be taken from the amounts earmarked for direct EMFF management measures. This guarantees that this is a budget-neutral step.*

## Amendment 27

### Proposal for a regulation Article 16

*Text proposed by the Commission*

Budgetary resources under direct management

An amount of EUR **1 047 000 000** of the EMFF *shall allocated* to measures under direct management as specified in Chapter I and II of Title VI. This amount includes technical assistance under Article 91.

*Amendment*

Budgetary resources under direct management

An amount of EUR **1 032 000 000** of the EMFF shall *be* allocated to measures under direct management as specified in Chapter I and II of Title VI. This amount includes technical assistance under Article 91.

Or. es

#### *Justification*

*The Commission should provide a succinct justification for the expenditure on direct management measures, as the amount provided for in its proposal represents a very high percentage (16%) of the EMFF budget. The rapporteur takes the view that a small portion of the amount the Commission has set aside, just EUR 15 million, could be diverted towards the amounts earmarked for the EU's outermost regions, who are being hit harder by the economic crisis than the rest of the EU.*

## Amendment 28

### Proposal for a regulation Article 19

*Text proposed by the Commission*

***Guiding principles for the operational programme***

***In the preparation of the operational programme, the Member State shall take into account the following guiding principles:***

***(a) relevant combinations of measures are included in relation to each of the Union priorities, logically following from the ex-ante evaluation and the strengths, weaknesses, opportunities and threats (hereinafter "SWOT") analysis;***

*Amendment*

***deleted***

*(b) a pertinent approach towards innovation and climate change mitigation and adaptation is integrated into the programme;*

*(c) appropriate action is envisaged to simplify and facilitate the implementation of the programme;*

*(d) where applicable, consistency of the measures under Union priorities for EMFF referred to in Article 6(3) and (5) of this Regulation with the Multiannual National Strategic Plan for Aquaculture referred to in Article 43 of the [Regulation on Common Fisheries Policy].*

Or. es

#### *Justification*

*This article brings nothing to the text as it just reproduces elements that are already included in other parts of the regulation.*

## **Amendment 29**

### **Proposal for a regulation**

#### **Article 31 – paragraph 1 – point c**

##### *Text proposed by the Commission*

*(c) promoting the social dialogue at national, regional or local level involving **fishermen** and other relevant stakeholders.*

##### *Amendment*

*(c) the promotion of social dialogue at national, regional or local level involving **operators in the fisheries sector** and other relevant stakeholders.*

Or. es

#### *Justification*

*This amendment seeks to include as beneficiaries trap fishermen and other groups in the fisheries sector, such as packers and net makers, whose activities are excluded from the definition of a ‘fisherman’.*

## Amendment 30

### Proposal for a regulation Article 31 – paragraph 2

*Text proposed by the Commission*

2. The support referred to in paragraph 1 shall also be granted to spouses of self-employed **fishermen** or, when and in so far as recognised by national law, the life partners of self-employed **fishermen**, not being employees or business partners, where they habitually, under the conditions laid down by national law, participate in the activities of the self-employed fishermen or perform ancillary tasks.

*Amendment*

2. The support referred to in paragraph 1 shall also be granted to spouses of self-employed **operators in the fisheries sector** or, when and in so far as recognised by national law, the life partners of self-employed **operators in the fisheries sector**, not being employees or business partners, where they habitually, under the conditions laid down by national law, participate in the activities of the self-employed fishermen or perform ancillary tasks.

Or. es

#### *Justification*

*This amendment seeks to include as beneficiaries trap fishermen and other groups in the fisheries sector, such as packers and net makers, whose activities are excluded from the definition of a 'fisherman'.*

## Amendment 31

### Proposal for a regulation Article 32 – paragraph 1 – point a

*Text proposed by the Commission*

(a) business start-ups **outside fishing**;

*Amendment*

(a) business start-ups, **including in sectors other than the fisheries sector**;

Or. es

#### *Justification*

*Why should diversification and job creation have to happen outside the fisheries sector? Activities linked to fishing can also help meet these aims.*

## Amendment 32

### Proposal for a regulation

#### Article 32 – paragraph 1 – point b

*Text proposed by the Commission*

(b) retrofitting of ***small scale coastal fishing*** vessels in order to reassign them for activities outside fishing.

*Amendment*

(b) retrofitting of vessels in order to reassign them for activities outside fishing.

Or. es

*Justification*

*Diversification and job creation should apply to all European fishing vessels, with no exceptions, especially when there is a major economic crisis, as is currently the case.*

## Amendment 33

### Proposal for a regulation

#### Article 32 – paragraph 1 – point b a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) the purchase of vessels by young entrepreneurs.***

Or. es

*Justification*

*The Commission's proposal does not contain any measures to encourage handover to the next generation in the fisheries sector. The creation of jobs for young people should nevertheless be encouraged.*

## Amendment 34

### Proposal for a regulation

#### Article 32 – paragraph 2 – introductory part

*Text proposed by the Commission*

*Amendment*

Support under paragraph 1 (a) shall be granted to ***fishermen*** who:

Support under paragraph 1 (a) shall be granted to ***operators in the fisheries sector***

who:

Or. es

*Justification*

*Diversification and job creation should apply to the entire fisheries sector. The wording used in the proposal is not clear enough.*

**Amendment 35**

**Proposal for a regulation**  
**Article 32 – paragraph 6**

*Text proposed by the Commission*

6. The amount of financial assistance granted under paragraph 1 (a) shall not exceed 50% of the budget foreseen in the business plan for each operation ***and shall not exceed a maximum amount of 50 000 EUR for each operation.***

*Amendment*

6. The amount of financial assistance granted under paragraph 1 (a) shall not exceed 50% of the budget foreseen in the business plan for each operation.

Or. es

*Justification*

*The maximum amount of EUR 50 000 is arbitrary and might result in investment opportunities being lost.*

**Amendment 36**

**Proposal for a regulation**  
**Article 33 – title**

*Text proposed by the Commission*

Health and safety ***on board***

*Amendment*

Health and safety ***at work***

Or. es

*Justification*

*The support in question should be available to all fishermen, including those who gather*



*seafood by hand, those who use traps and those who perform ancillary tasks.*

## **Amendment 37**

### **Proposal for a regulation Article 33 – paragraph 1**

#### *Text proposed by the Commission*

1. In order to improve working conditions ***on board*** for ***fishermen*** the EMFF may support investments ***on board*** or ***in*** individual *equipments* providing that ***these investments go beyond standards required under national or Union law.***

#### *Amendment*

1. In order to improve working conditions for ***operators in the fisheries sector***, the EMFF may ***provide*** support ***for*** investments or individual *equipment geared towards improving safety, working conditions, hygiene, product quality, energy efficiency and selectivity*, providing that ***this does not increase fishing capacity.***

Or. es

#### *Justification*

*The support in question should be available to all fishermen, including those who gather seafood by hand, those who use traps and those who perform ancillary tasks. There is also a need to specify the areas that could be covered by investments geared towards improving health and safety at work.*

## **Amendment 38**

### **Proposal for a regulation Article 33 – paragraph 2**

#### *Text proposed by the Commission*

2. The support shall be granted to ***fishermen*** or owners of fishing vessels.

#### *Amendment*

2. The support shall be granted to ***operators in the fisheries sector*** or owners of fishing vessels ***or of fishing gear.***

Or. es

#### *Justification*

*Support to improve health and safety at work must be of benefit to all operators in the fisheries sector, including fishermen who gather seafood by hand and use traps, those who*

*perform ancillary tasks and the owners of vessels or fishing gear.*

### **Amendment 39**

#### **Proposal for a regulation**

#### **Article 33 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. When the operation consists in an investment on board, the support shall not be granted more than once during the programming period for the same fishing vessel. When the operation consists of an investment in individual equipment, the support shall not be granted more than once during the programming period for the same beneficiary.**

**deleted**

Or. es

#### *Justification*

*The Commission's proposed new restrictions on the frequency of support granted with a view to improving health and safety restrict the scope of the aims being pursued in this article. The rapporteur is opposed to these limitations as it is impossible to know in advance how many investments will be necessary.*

### **Amendment 40**

#### **Proposal for a regulation**

#### **Article 33 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**4. The Commission shall be empowered to adopt delegated acts in accordance with Article 150 in order to identify the types of operations eligible under paragraph 1.**

**4. The operations eligible for support shall be included in the Operational Programme and in the selection criteria.**

Or. es

#### *Justification*

*The Commission should not be empowered to adopt delegated acts that specify which*

*operations are eligible for support.*

#### **Amendment 41**

##### **Proposal for a regulation**

##### **Article 35 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) the permanent cessation of fishing vessels' fishing activities;***

Or. es

##### *Justification*

*Support for the permanent cessation of activities has helped restructure the sector in the past, and in future there will be a need to change Europe's fishing capacity again with a view to conserving resources.*

#### **Amendment 42**

##### **Proposal for a regulation**

##### **Article 35 – paragraph 1 – point b b (new)**

*Text proposed by the Commission*

*Amendment*

***(bb) the temporary suspension of fishing activities for fishing vessel owners and fishermen.***

Or. es

##### *Justification*

*Support for the temporary suspension of activities is needed in order to cut the social cost of drastic cuts in fishing capacity.*

## **Amendment 43**

### **Proposal for a regulation**

#### **Article 35 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The permanent cessation of a fishing vessel's activities may only take place by means of scrapping or reassignment under the flag of a Member State and registration in the Community for activities that are not related to fishing.***

Or. es

#### *Justification*

*Support for permanent cessation of activities has helped restructure the sector, cutting the social costs of the drastic cuts made to fishing capacity with a view to improving resource conservation. There is therefore a need to retain this kind of support, regardless of whether a transferable fishing rights scheme is introduced.*

## **Amendment 44**

### **Proposal for a regulation**

#### **Article 35 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***2b. The permanent cessation of a vessel's activities shall entail the permanent withdrawal of that vessel's fishing capacity and, where applicable, the fishing licence.***

Or. es

#### *Justification*

*Support for the permanent cessation of activities has helped restructure the sector in the past, and in future there will be a need to change Europe's fishing capacity again, so this support will need to be kept.*

## **Amendment 45**

### **Proposal for a regulation**

#### **Article 35 – paragraph 2 c (new)**

*Text proposed by the Commission*

*Amendment*

***2c. The temporary suspension of fishing activities may only take place as part of a technical measure adopted pursuant to Article 8(d) and (e) of the CFP Regulation.***

Or. es

#### *Justification*

*Support for the permanent cessation and temporary suspension of activity has helped restructure the sector, cutting the social cost of the action taken to conserve fish stocks.*

## **Amendment 46**

### **Proposal for a regulation**

#### **Article 35 – paragraph 2 d (new)**

*Text proposed by the Commission*

*Amendment*

***2d. Decisions on the permanent cessation of fishing vessels' activities may only be taken as part of a conservation measure under Article 7(c) of the CFP Regulation.***

Or. es

#### *Justification*

*The permanent cessation and temporary suspension of activity has helped restructure the sector, cutting the social cost of the action taken to conserve fish stocks.*

## **Amendment 47**

### **Proposal for a regulation Article 35 a (new)**

*Text proposed by the Commission*

*Amendment*

#### **Article 35a**

***Support for the application of fishing  
capacity management measures***

***1. In order to ensure effective application  
of fishing capacity management measures  
under Article 34 of the CFP Regulation,  
the EMFF may support:***

***(a) the permanent cessation of fishing  
vessels' fishing activities;***

***(b) the temporary suspension of fishing  
activities for fishing vessel owners and  
fishermen, when this is necessary in order  
to meet the targets set as regards the  
permanent cessation of activities.***

***2. The support referred to in paragraph 1  
shall be provided by means of  
decommissioning plans approved by the  
EMFF Managing Authority.***

Or. es

#### ***Justification***

*Fishing capacity management needs sound structural support in order to ensure that it is effective in all types of fisheries and in all regions. Support for cessation or suspension of activities should be kept, regardless of whether a transferable fishing rights scheme is introduced in the EU, because it would take a long time for the impact on capacity reduction to be felt and it would not in any way include all fleets. There is also a need to retain support for cessations or suspensions designed to tackle difficult situations, such as the collapse of agreements with third countries.*

## **Amendment 48**

### **Proposal for a regulation Article 35 b (new)**

*Text proposed by the Commission*

*Amendment*

#### **Article 35b**

***Support for fishermen affected by the permanent cessation of a fishing vessel's activities***

***In order to alleviate the problems faced by fishermen who lose their jobs as a result of the permanent cessation of the activities of the vessel on which they work, the EMFF may grant socio-economic compensation:***

***(a) for early departure from the fishing sector, including early retirement;***

***(b) as one-off compensation to fishermen who have worked on board a vessel as fishermen for at least 12 months. This compensation shall be refunded on a pro rata temporis basis where the beneficiaries return to their work within a period of less than one year after receiving it.***

Or. es

#### *Justification*

*Socio-economic support measures need to be established to alleviate the problems faced by fishermen who are affected by permanent cessations of activity. The rapporteur does not agree with the arguments made by the Commission in favour of withdrawing this support, since such action would have a very high social cost.*

## **Amendment 49**

### **Proposal for a regulation Article 36 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. In order to reduce the impact of fishing

1. In order to reduce the impact of fishing

on the marine environment, foster the **elimination** of discards and facilitate the transition to exploitation of living marine biological resources that restores and maintains populations of harvested species above levels **which can produce** the MSY, the EMFF may support investments in equipment:

on the marine environment, foster the **reduction** of discards and facilitate the transition to exploitation of living marine biological resources that restores and maintains populations of harvested species at levels **approaching** the MSY, the EMFF may support investments in equipment:

Or. es

#### *Justification*

*The CFP needs to set realistic targets for the conservation of fish stocks.*

### **Amendment 50**

#### **Proposal for a regulation Article 36 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. Support shall not be granted more than once during the programming period for the same Union fishing vessel and for the same type of equipment.**

**deleted**

Or. es

#### *Justification*

*This restriction proposed by the Commission would limit the success of measures designed to limit the impact of fishing on the marine environment. Several investments in one vessel might be necessary, so it is hard to see why the Commission is proposing this new restriction as part of this regulation.*

### **Amendment 51**

#### **Proposal for a regulation Article 36 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. Support shall only be granted when the gear or other equipment referred *under***

**3. Support shall only be granted when the gear or other equipment referred *to in***



paragraph 1 *has* demonstrably ***better size-selection or lower impact on non-target species than the standard gear or other equipment permitted under Union law or relevant national law of Member States adopted in the context of regionalisation as referred to in the [Regulation on the CFP].***

paragraph 1 demonstrably ***limits the physical and biological effects of fishing activities.***

Or. es

#### *Justification*

*The Commission proposal is too restrictive when it comes to the scope of the support concerned.*

### **Amendment 52**

#### **Proposal for a regulation**

#### **Article 36 – paragraph 4 – point c**

##### *Text proposed by the Commission*

***(c) organisations of fishermen recognised by the Member State.***

##### *Amendment*

***(c) actors involved in the fisheries sector who own the gear to be replaced and who have conducted fisheries activities for at least 60 days during the two years preceding the date of submission of the application;***

Or. es

#### *Justification*

*All professionals working in the fisheries sector should be eligible for assistance.*

### **Amendment 53**

#### **Proposal for a regulation**

#### **Article 36 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

##### ***Article 36a***

*Support to mitigate exceptional events*

*In order to mitigate the economic impact of an exceptional event that prevents normal fishery from being conducted, support may be granted under the EMFF to fishing vessel owners and fishermen for the temporary suspension of fisheries activities. The implementation of fish stock conservation measures shall not be considered an exceptional event.*

Or. es

*Justification*

*Alongside fish stock conservation measures, the EMFF Regulation must include an instrument for addressing exceptional events, such as natural disasters or large-scale maritime pollution, in order to mitigate the situation, on a temporary basis, for the fishing vessel owners and fishermen affected.*

**Amendment 54**

**Proposal for a regulation**  
**Article 37 – paragraph 1**

*Text proposed by the Commission*

1. In order to contribute to the ***elimination*** of discards and by-catches and facilitate the transition to exploitation of living marine biological resources that restores and maintains populations of harvested species ***above levels which can produce*** the MSY, the EMFF may support projects aiming at developing or introducing new technical or organisational knowledge reducing impacts of fishing activities on the environment or achieving a more sustainable use of marine biological resources.

*Amendment*

1. In order to contribute to the ***reduction*** of discards and by-catches and facilitate the transition to exploitation of living marine biological resources that restores and maintains populations of harvested species ***at levels close to*** the MSY, the EMFF may support projects aiming at developing or introducing new technical or organisational knowledge reducing impacts of fishing activities on the environment or achieving a more sustainable use of marine biological resources.

Or. es

*Justification*

*The targets set should be realistic.*

**Amendment 55**

**Proposal for a regulation  
Article 39 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. Support shall *not contribute to the replacement or modernisation of main or ancillary engines. Support shall only be granted to owners of fishing vessels and not more than once during the programming period for the same fishing vessel.***

**2. Support shall *only be granted to owners of fishing vessels.***

Or. es

*Justification*

*The restrictions proposed by the Commission could limit the scope of the measures to combat climate change. Support should be provided for engines in order to improve energy efficiency. There is no reason to withdraw that support. The amendment also maintains the possibility of making several investments in the same programming period, should this be necessary.*

**Amendment 56**

**Proposal for a regulation  
Article 40 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. Support under this Article shall not be granted more than once during the programming period for the same fishing vessel or the same beneficiary.** *deleted*

Or. es

*Justification*

*The restrictions proposed by the Commission could limit the scope of the measures. It should*

*be possible to make several investments in the same programming period, should this be necessary.*

## **Amendment 57**

### **Proposal for a regulation**

#### **Article 41 – title**

*Text proposed by the Commission*

Fishing ports, landing sites **and** shelters

*Amendment*

Fishing ports, landing sites, shelters **and auction halls**

Or. es

#### *Justification*

*The Regulation should include the possibility of making infrastructure improvements to outmoded auction halls.*

## **Amendment 58**

### **Proposal for a regulation**

#### **Article 41 – paragraph 1**

*Text proposed by the Commission*

1. For the purpose of increasing the quality of the product landed, increasing energy efficiency, contributing to environmental protection **or** improving safety and working conditions, the EMFF may support investments improving fishing port infrastructure **or** landing sites, including investments in facilities for waste and marine litter collection.

*Amendment*

1. For the purpose of increasing the quality of the product landed, increasing energy efficiency, contributing to environmental protection, improving safety and working conditions, ***optimising the provision of fuel, water, ice and electricity, optimising the storage and auction of fisheries products and assuring the computerised management of fishing activities***, the EMFF may support investments improving fishing port infrastructure, landing sites **and auction halls**, including investments in facilities for waste and marine litter collection.

Or. es

*Justification*

*The objectives of aid for improving infrastructure should be broadened. The Regulation should include the possibility of making infrastructure improvements to outmoded auction halls.*

**Amendment 59**

**Proposal for a regulation  
Article 41 – paragraph 4**

*Text proposed by the Commission*

4. Support shall not cover the construction of new ports, new landing sites ***or new auction halls.***

*Amendment*

4. Support shall not cover the construction of new ports ***or*** new landing sites.

Or. es

*Justification*

*New auction halls should be eligible for aid since halls which remain outmoded will need to be replaced.*

**Amendment 60**

**Proposal for a regulation  
Article 47 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) diversification of the income of aquaculture enterprises through the development of complementary activities outside ***aquaculture.***

*Amendment*

(c) diversification of the income of aquaculture enterprises through the development of complementary activities outside ***their core aquacultural activity.***

Or. es

*Justification*

*One business option for aquaculture farms is to diversify into complementary environmental or tourism activities which are not directly connected with their core activity.*

## Amendment 61

### Proposal for a regulation Article 47 – paragraph 2

*Text proposed by the Commission*

2. Support under paragraph 1(c) shall be granted only to aquaculture enterprises ***provided that the complementary activities outside aquaculture relate to the*** core aquaculture ***business of enterprise***, such as angling tourism, aquaculture environmental services or educational activities on aquaculture.

*Amendment*

2. Support under paragraph 1(c) shall be granted only to aquaculture enterprises ***for*** activities ***complementary to their*** core aquaculture ***activity***, such as angling tourism, aquaculture environmental services or educational activities on aquaculture.

Or. es

*Justification*

*One business option for aquaculture farms is to diversify into complementary environmental or tourism activities which are not directly connected with their core activity.*

## Amendment 62

### Proposal for a regulation Article 48 – paragraph 2 – point e a (new)

*Text proposed by the Commission*

*Amendment*

***(ea) promotion of equal opportunities, with particular reference to gender equality and the integration of disabled persons.***

Or. es

*Justification*

*The rapporteur proposes that the scope of the advisory measures be broadened to include the promotion of equal opportunities in the aquaculture sector.*

## Amendment 63

### Proposal for a regulation

#### Article 48 – paragraph 2 – point e b (new)

*Text proposed by the Commission*

*Amendment*

***(eb) improvement of working conditions, including reconciling working life and family life.***

Or. es

*Justification*

*Improving working conditions should be included among the advisory measures for aquaculture farms.*

## Amendment 64

### Proposal for a regulation

#### Article 48 – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. Support under paragraph (1)(a) shall only be granted to public law bodies selected to set up the farm advisory services. Support under paragraph (1)(b) shall only be granted to aquaculture SMEs or ***aquaculture producer's*** organisations.

3. Support under paragraph (1)(a) shall only be granted to public law bodies selected to set up the farm advisory services. Support under paragraph (1)(b) shall only be granted to aquaculture SMEs or ***producer*** organisations ***or associations***.

Or. es

*Justification*

*The rapporteur is proposing that producer associations should also be eligible for support for the provision of advisory services of a technical, scientific, legal or economic nature.*

## Amendment 65

### Proposal for a regulation Article 49 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**2. Support referred to in paragraph 1(a) shall not be granted to large aquaculture enterprises.** *deleted*

Or. es

*Justification*

*The role large enterprises can play as regards innovation should be born in mind. Only large enterprises have the capacity to conduct significant activities in that field. The restriction proposed by the Commission is therefore unjustifiable.*

## Amendment 66

### Proposal for a regulation Article 54 – paragraph 1 – point c

*Text proposed by the Commission*

*Amendment*

(c) forms of **extensive** aquaculture **including** conservation and improvement of the environment, biodiversity, and management of the landscape and traditional features of aquaculture zones.

(c) forms of aquaculture **aimed at** conservation and improvement of the environment, biodiversity and management of the landscape and traditional features of aquaculture zones.

Or. es

*Justification*

*There is no reason that extensive aquaculture should be more environment-friendly than other forms of aquaculture.*



## **Amendment 67**

### **Proposal for a regulation**

#### **Article 56 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) the formation and operation of ‘health defence groups’ in the aquaculture sector.***

Or. es

#### *Justification*

*Health defence groups function very effectively in the land-based stockbreeding sector. The rapporteur proposes that these groups be created for the aquaculture sector, which is the only animal production sector not to receive Community support for this.*

## **Amendment 68**

### **Proposal for a regulation**

#### **Article 57 – paragraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) expenses resulting from the gathering and destruction of animals that have died on the farm of natural causes or from farm accidents, or have been slaughtered and buried on the farm itself for animal health reasons and with prior administrative authorisation.***

Or. es

#### *Justification*

*Expenses resulting from the gathering and destruction of animals are very high. The rapporteur proposes that these be included among the measures covered by the insurance supported by the EMFF.*

## Amendment 69

### Proposal for a regulation

#### Article 62 – paragraph 3 – point b

*Text proposed by the Commission*

(b) ensure a **significant** representation of fisheries and aquaculture sectors.

*Amendment*

(b) ensure a **majority** representation of fisheries and aquaculture sectors.

Or. es

#### *Justification*

*The term ‘significant representation’ is an ambiguous way of defining the extent to which fisheries and aquaculture professionals are represented in Fisheries Local Action Groups (FLAGs).*

## Amendment 70

### Proposal for a regulation

#### Article 65 – paragraph 1 – point b

*Text proposed by the Commission*

(b) supporting diversification and job creation in fisheries areas, **in particular** in other maritime sectors;

*Amendment*

(b) supporting diversification and job creation in fisheries areas, **including** in other maritime sectors;

Or. es

#### *Justification*

*The diversification of economic activities should not have to be ‘in particular’ into other maritime sectors. The fisheries sector might present opportunities that it would make no sense to overlook.*

## Amendment 71

### Proposal for a regulation

#### Article 65 – paragraph 2

*Text proposed by the Commission*

2. The support given may include measures

*Amendment*

2. The support given may include measures

provided for Chapters I *and* II of this Title, provided there is a clear rationale for their management at local level. When assistance is granted for operations corresponding to these measures, the relevant conditions and the scales of contribution per operation laid down in Chapters I *and* II of this Title shall apply.

provided for Chapters I, II *and* IV of this Title, provided there is a clear rationale for their management at local level. When assistance is granted for operations corresponding to these measures, the relevant conditions and the scales of contribution per operation laid down in Chapters I, II *and* IV of this Title shall apply.

Or. es

### *Justification*

*Owing to their key role in generating employment, marketing and processing should be included under the implementation of local development strategies.*

## **Amendment 72**

### **Proposal for a regulation**

#### **Article 70 – paragraph 1 – point c**

##### *Text proposed by the Commission*

(c) the financial assistance per year shall not exceed *the following percentages* of the average annual value of the marketed production at first sale of the members of producer organisation in the period 2009-2011. In the case that members of producer organisation did not have any marketed production in 2009-2011, the average annual value of marketed production in the first three years of production of such member shall be taken into account:

– *1% in 2014*

– *0.8% in 2015*

– *0.6% in 2016*

– *0.4% in 2017*

– *0.2% in 2018*

##### *Amendment*

(c) the financial assistance per year shall not exceed **2%** of the average annual value of the marketed production at first sale of the members of producer organisation in the period 2009-2011. In the case that members of producer organisation did not have any marketed production in 2009-2011, the average annual value of marketed production in the first three years of production of such member shall be taken into account:

Or. es

*Justification*

*Storage aid is the only market stabilisation measure which the Commission is proposing to carry into the next programming period. That measure must be maintained in order to address fluctuations in the market.*

**Amendment 73**

**Proposal for a regulation  
Article 70 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

***2. By 2019 support referred to in paragraph 1 shall be phased out.***

***deleted***

Or. es

*Justification*

*Storage aid is the only market stabilisation measure which the Commission is proposing to carry into the next programming period. That measure must be maintained in order to address fluctuations in the market.*

**Amendment 74**

**Proposal for a regulation  
Article 70 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 70a***

***Compensation for producers of tuna***

***1. The EMFF may support compensation for producers organisations when a fall in the import prices of tuna for the canning industry may threaten the income levels of Community producers.***

***2. Compensation shall be granted in accordance with the conditions laid down in Regulation No (..) on the common organisation of the markets in fisheries and aquaculture products.***

*Justification*

*The rapporteur is in favour of maintaining the compensation currently paid to tuna producers in return for the complete and permanent suspension of Common Customs Tariff duties on whole tuna imported from third countries for processing. The abolition of these compensatory payments would put Community producers at a clear disadvantage.*

**Amendment 75****Proposal for a regulation****Article 71 – paragraph 1 – point b – subpoint iii***Text proposed by the Commission*

(iii) direct marketing of fishery products by small scale coastal fishermen.

*Amendment*

(iii) direct marketing of fishery products by small scale coastal fishermen ***and those who gather seafood by hand.***

*Justification*

*Shellfish gatherers should not be excluded from this support for quality promotion.*

**Amendment 76****Proposal for a regulation****Article 71 – paragraph 1 – point f a (new)***Text proposed by the Commission**Amendment*

***(fa) information campaigns.***

*Justification*

*Information campaigns would help improve the marketing of fishery and aquaculture products. The rapporteur therefore proposes including them in the list of measures that may be supported.*

## **Amendment 77**

### **Proposal for a regulation**

#### **Article 71 – paragraph 1 – point f b (new)**

*Text proposed by the Commission*

*Amendment*

***(fb) organisation and participation in sectoral fairs and trade events.***

Or. es

#### *Justification*

*The Commission's proposal should be rounded off with measures that the rapporteur considers are needed to boost the marketing of fishery and aquaculture products.*

## **Amendment 78**

### **Proposal for a regulation**

#### **Article 71 – paragraph 1 – point f c (new)**

*Text proposed by the Commission*

*Amendment*

***(fc) innovation in businesses.***

Or. es

#### *Justification*

*The Commission's proposal should be rounded off with measures that the rapporteur considers are needed to boost the marketing of fishery and aquaculture products.*

## **Amendment 79**

### **Proposal for a regulation**

#### **Article 71 – paragraph 1 – point f d (new)**

*Text proposed by the Commission*

*Amendment*

***(fd) training, especially in the field of innovation.***

Or. es

*Justification*

*The Commission's proposal should be rounded off with measures that the rapporteur considers are needed to boost the marketing of fishery and aquaculture products.*

**Amendment 80**

**Proposal for a regulation**

**Article 71 – paragraph 1 – point f e (new)**

*Text proposed by the Commission*

*Amendment*

*(fe) finding new markets.*

Or. es

*Justification*

*Ditto previous justifications.*

**Amendment 81**

**Proposal for a regulation**

**Article 71 – paragraph 1 – point f f (new)**

*Text proposed by the Commission*

*Amendment*

*(ff) support for the promotion and placing on the market of local and seasonal products.*

Or. es

**Amendment 82**

**Proposal for a regulation**

**Article 72 – paragraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

*(da) for improving the competitiveness and economic viability of businesses;*

Or. es

*Justification*

*The processing sector has a very important role in ensuring the fisheries industry is economically sustainable and in maintaining and creating jobs. The Commission's proposal should be improved by widening the aims of the support provided for under the EMFF.*

**Amendment 83**

**Proposal for a regulation**

**Article 72 – paragraph 1 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(db) for improving working conditions, hygiene, public health and quality;***

Or. es

*Justification*

*The processing sector has a very important role in ensuring the fisheries industry is economically sustainable and in maintaining and creating jobs. The Commission's proposal should be improved by widening the aims of the support provided for under the EMFF.*

**Amendment 84**

**Proposal for a regulation**

**Article 72 – paragraph 1 – point d c (new)**

*Text proposed by the Commission*

*Amendment*

***(dc) increasing production capacity where good market prospects exist;***

Or. es

**Amendment 85**

**Proposal for a regulation**

**Article 72 – paragraph 1 – point d d (new)**

*Text proposed by the Commission*

*Amendment*

***(dd) for innovation and research in***



*businesses and organisations in the sector;*

Or. es

#### **Amendment 86**

##### **Proposal for a regulation**

##### **Article 72 – paragraph 1 – point d e (new)**

*Text proposed by the Commission*

*Amendment*

*(de) for innovation training for workers;*

Or. es

#### **Amendment 87**

##### **Proposal for a regulation**

##### **Article 72 – paragraph 1 – point d f (new)**

*Text proposed by the Commission*

*Amendment*

*(df) social measures for workers;*

Or. es

#### **Amendment 88**

##### **Proposal for a regulation**

##### **Article 72 – paragraph 1 – point d g (new)**

*Text proposed by the Commission*

*Amendment*

*(dg) for measures to facilitate dialogue and cooperation between the interested parties.*

Or. es

## Amendment 89

### Proposal for a regulation Article 96 – paragraph 1

#### *Text proposed by the Commission*

1. In addition to the general rules of Article 72 of [Regulation (EU) No [...] laying down Common Provisions], and following the Commission decision approving the operational programme, an initial pre-financing amount for the whole programming period shall be paid by the Commission. This shall represent **4%** of the contribution from the Union budget to the operational programme concerned. It may be split into two instalments depending on budget availability.

#### *Amendment*

1. In addition to the general rules of Article 72 of [Regulation (EU) No [...] laying down Common Provisions], and following the Commission decision approving the operational programme, an initial pre-financing amount for the whole programming period shall be paid by the Commission. This shall represent **7%** of the contribution from the Union budget to the operational programme concerned. It may be split into two instalments depending on budget availability.

Or. es

#### *Justification*

*The Community's pre-financing rate for the operational programme should not be reduced during a financial crisis like the current one.*

## Amendment 90

### Proposal for a regulation Article 102 – paragraph 3

#### *Text proposed by the Commission*

3. By way of derogation from Article 55(7) of [Regulation (EU) No [...] laying down Common Provisions], expenditure which becomes eligible because of an amendment of the programme under Article 22(2) shall only be eligible as of **1st January of the year following the submission of the** amendment.

#### *Amendment*

3. By way of derogation from Article 55(7) of [Regulation (EU) No [...] laying down Common Provisions], expenditure which becomes eligible because of an amendment of the programme under Article 22(2) shall only be eligible as of **the date on which the amendment is submitted**.

Or. es

### *Justification*

*In most of the cases where a Managing Authority submits an amendment to the programme this is done to correct or alter an action to fit new circumstances and therefore it should take effect from the date on which it is submitted, as occurs in the EFF.*

## **Amendment 91**

### **Proposal for a regulation**

#### **Article 105 – paragraph 1 – final part**

##### *Text proposed by the Commission*

1. The Commission shall exercise the empowerment in full respect of the principle of proportionality and taking into account the risk that the non-compliance with the respective CFP rules constitutes a serious *threats* to the sustainable exploitation of living marine biological resources that restores and maintains populations of harvested species *above* levels *which can produce* the MSY, the sustainability of the stocks concerned or the conservation of the marine environment.

##### *Amendment*

1. The Commission shall exercise the empowerment in full respect of the principle of proportionality and taking into account the risk that the non-compliance with the respective CFP rules constitutes a serious *threat* to the sustainable exploitation of living marine biological resources that restores and maintains populations of harvested species *at* levels *close to* the MSY, the sustainability of the stocks concerned or the conservation of the marine environment.

Or. es

## **Amendment 92**

### **Proposal for a regulation**

#### **Annex III – title**

##### *Text proposed by the Commission*

***General Ex ante conditionalities***

##### *Amendment*

***deleted***

Or. es

### *Justification*

*The Commission should examine the ex ante conditionalities in more depth so as to maintain preferably only those that refer to making the fund more efficient.*

