



---

*Plenary sitting*

---

**A8-0150/2016**

25.4.2016

**\*\*\*I**

# **REPORT**

on the proposal for a regulation of the European Parliament and of the Council concerning the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy (recast)  
(COM(2015)0294 – C8-0160/2015 – 2015/0133(COD))

Committee on Fisheries

Rapporteur: Marco Affronte

(Recast – Rule 104 of the Rules of Procedure)

### ***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***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

## CONTENTS

	<b>Page</b>
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION .....	4
ANNEX: LETTER FROM THE COMMITTEE ON LEGAL AFFAIRS.....	49
ANNEX: OPINION OF THE CONSULTATIVE WORKING PARTY OF THE LEGAL SERVICES OF THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE COMMISSION .....	51
PROCEDURE – COMMITTEE RESPONSIBLE .....	54

## **DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION**

**on the proposal for a regulation of the European Parliament and of the Council concerning the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy (recast)  
(COM(2015)0294 – C8-0160/2015 – 2015/0133(COD))**

**(Ordinary legislative procedure – recast)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2015)0294),
  - having regard to Article 294(2) and Article 43, paragraph 2, of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0160/2015),
  - 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 16 September 2015<sup>1</sup>,
  - having regard to the opinion of the Committee of the Regions of 10 February 2016<sup>2</sup>;
  - having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts<sup>3</sup>,
  - having regard to Rules 104 and 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Fisheries (A8-0150/2016),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the Commission proposal does not include any substantive amendments other than those identified as such in the proposal and whereas, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance;
1. Adopts its position at first reading hereinafter set out, taking into account the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
  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;

---

<sup>1</sup> OJ C 13, 15.1.2016, p. 201.

<sup>2</sup> OJ C 120, 5.4.2016, p. 40.

<sup>3</sup> OJ C 77, 28.3.2002, p. 1.

- 3.. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

## **Amendment 1**

### **Proposal for a regulation**

#### **Recital 2**

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

(2) The Common Fisheries Policy has been reformed by Regulation (EU) No 1380/2013 of the European Parliament and of the Council<sup>21</sup>. The objectives of the Common Fisheries Policy and the requirements for data collection in the fisheries sector are set out in Articles 2 and 25 of that Regulation. Furthermore, Regulation (EU) No 508/2014 of the European Parliament and of the Council<sup>22</sup> has reformed the structure of financial support to Member States' data collection activities.

---

<sup>21</sup> Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L354, 28.12.2013, p.22).

<sup>22</sup> Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council (OJ L 149, 20.5.2014, p. 1).

##### *Amendment*

(2) The Common Fisheries Policy has been reformed by Regulation (EU) No 1380/2013 of the European Parliament and of the Council<sup>21</sup>. The objectives of the Common Fisheries Policy and the requirements for data collection in the fisheries sector are set out in Articles 2 and 25 of that Regulation. Furthermore, Regulation (EU) No 508/2014 of the European Parliament and of the Council<sup>22</sup> has reformed the structure of financial support to Member States' *fisheries* data collection activities.

---

<sup>21</sup> Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L354, 28.12.2013, p.22).

<sup>22</sup> Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council (OJ L 149, 20.5.2014, p. 1).

## Amendment 2

### Proposal for a regulation Recital 7 a (new)

*Text proposed by the Commission*

*Amendment*

***(7a) For practical reasons, a single European register should be set up for the gathering, management and use of data in the fisheries sector and for information exchange.***

## Amendment 3

### Proposal for a regulation Recital 7 b (new)

*Text proposed by the Commission*

*Amendment*

***(7b) Priorities should be identified and data gathering activities should be carried out in such a way as to ensure the quality of the information obtained. The data collection framework should be extended to cover all fleets, or serious consideration should be given to carrying out the work needed to assess the state of important stocks, in all cases on the basis of a cost-benefit analysis and for the sake of simplification.***

## Amendment 4

### Proposal for a regulation Recital 9

*Text proposed by the Commission*

*Amendment*

(9) The definition of "recreational fisheries" should include all non-commercial fisheries, irrespective of their specific purpose, in order to cover all forms of fisheries that may affect fish stocks.

(9) The definition of "recreational fisheries" should include all non-commercial fisheries, irrespective of their specific purpose, in order to cover all forms of fisheries that may affect fish stocks ***and ecosystems, in order to ensure that the impact and socioeconomic value of such fishing is fully taken into***

*consideration when managing fisheries.*

## **Amendment 5**

### **Proposal for a regulation Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***(9a) There is a need to have complete, reliable, comprehensive and harmonised data relating to recreational fisheries, in order to evaluate their impact on stocks and ecosystems and to take that impact fully into consideration when managing fisheries at a regional level.***

## **Amendment 6**

### **Proposal for a regulation Recital 10**

*Text proposed by the Commission*

*Amendment*

(10) The definition of "end-users" should be aligned with the definition of "end-users of scientific data" appearing in Regulation (EU) No 1380/2013 and cover also scientific bodies with an interest in the environmental aspects of fisheries management.

(10) The definition of "end-users" should be aligned with the definition of "end-users of scientific data" appearing in Regulation (EU) No 1380/2013 and cover also scientific bodies ***and not-for-profit organisations*** with an interest in the environmental aspects of fisheries management.

## **Amendment 7**

### **Proposal for a regulation Recital 13**

*Text proposed by the Commission*

*Amendment*

(13) Data needs by end-users should be identified and it should be specified which data have to be collected under this Regulation. Those data should include ecosystem data related to the impact of fisheries and data on the sustainability of

(13) Data needs by end-users should be identified and it should be specified which data have to be collected under this Regulation. Those data should include ecosystem data related to the impact of fisheries and data on the sustainability of

aquaculture. To minimise administrative burden, it is also necessary to ensure that data collected under this Regulation are not also collected under other EU legislation.

aquaculture, *as well as socioeconomic data on fisheries and aquaculture*. To *simplify and* minimise *the* administrative burden, it is also necessary to ensure that data collected under this Regulation are not also collected under other EU legislation

## **Amendment 8**

### **Proposal for a regulation Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

*(13a) It is appropriate to tailor the availability of data more closely to management needs, whilst ensuring that cost-benefit or cost-use analyses do not compromise the quality and availability of data. For certain data, research at sea cannot be replaced by less costly methods.*

## **Amendment 9**

### **Proposal for a regulation Recital 14 a (new)**

*Text proposed by the Commission*

*Amendment*

*(14a) There is a strong desire, at least in some Member States, expressed by scientists and end-users, to have fully reliable data from Regulation (EC) No 1224/2009. In some cases, control data cannot be used for statistical and scientific purposes due to the lack of correctly implemented control rules. Member States should decide, in their work plans, whether to include for scientific research purposes also data usually covered by that Regulation.*

## **Amendment 10**

### **Proposal for a regulation Recital 19**



*Text proposed by the Commission*

*Amendment*

(19) For the purpose of verification of the implementation of data collection activities by the Member States, there is a need for reporting by the Member States to the Commission in a *specified* format.

(19) For the purpose of verification of the implementation of data collection activities by the Member States, there is a need for reporting by the Member States to the Commission in a *clearly defined, standardised* format *that reduces the administrative burden*.

**Amendment 11**

**Proposal for a regulation**

**Recital 21**

*Text proposed by the Commission*

*Amendment*

(21) *In view of the objective of the Common Fisheries Policy to give more responsibility to Member States and to better involve end-users in data collection, regional co-ordination should be expanded from one single meeting into a continuous process coordinated by Regional Co-ordination Groups for each marine region.*

(21) *Given that the Common Fisheries Policy attaches particular importance to the collection and transmission of data so that fisheries management can be based on the best available scientific knowledge, it is vital that clear, reliable, accurate data be collected on fleets and their fishing activities, their environmental impact and their discards, in line with proper standardised statistical principles, and so that undertakings in the fisheries sector can be analysed from an economic standpoint.*

*Justification*

*Before the regional coordination bodies are given control over the regional collection of data, a number of key aspects – such as the composition of these bodies, their role and the validity of their agreements – must be defined.*

**Amendment 12**

**Proposal for a regulation**

**Recital 21 a (new)**

*Text proposed by the Commission*

*Amendment*

*(21a) With a view to ensuring that similar data collection policies are properly*

*coordinated, in particular as regards the methodologies to be used and the quality and reliability targets to be met, Member States should apply the European Statistics Code of Practice and the Quality Assurance Framework of the European Statistical System.*

#### **Amendment 13**

##### **Proposal for a regulation Recital 21 b (new)**

*Text proposed by the Commission*

*Amendment*

*(21b) The data collection framework should be extended to cover all fleets.*

#### **Amendment 14**

##### **Proposal for a regulation Recital 21 c (new)**

*Text proposed by the Commission*

*Amendment*

*(21c) It is essential for data collectors to plan their work in consultation with data end-users at regional level, in order to ensure that the data collected are as relevant as possible.*

#### **Amendment 15**

##### **Proposal for a regulation Recital 21 d (new)**

*Text proposed by the Commission*

*Amendment*

*(21d) Fish stock assessments that are fundamental for scientific advice on sustainable catch levels depend on good quality data. However, data are often the product of incomplete and inaccurate reporting, due inter alia to illegal,*

*unreported and unregulated fishing (IUU fishing) and some catches from recreational fisheries not being included in the assessments.*

## **Amendment 16**

### **Proposal for a regulation Recital 21 e (new)**

*Text proposed by the Commission*

*Amendment*

*(21e) There is a need for collection, management and use of good quality data regarding the landing obligation, in order to control and assess the effectiveness of the implementation of the landing obligation and to bring data collection into line with the requirements resulting from the revised CFP. Data needs in support of the landing obligation should be fully assessed. A specific short- to medium-term strategy is necessary in order to allow the full use of control and monitoring tools applicable to the implementation of the landing obligation. That strategy should take into account the need for data for the implementation of the landing obligation, for capacity building for industry and administrations in the use of new technologies and the development of technical infrastructure.*

## **Amendment 17**

### **Proposal for a regulation Recital 21 f (new)**

*Text proposed by the Commission*

*Amendment*

*(21f) The role of Regional Co-ordination Groups should be strengthened and their structure reinforced, potentially leading to those Groups obtaining legal status in the future.*

## **Amendment 18**

### **Proposal for a regulation**

#### **Recital 21 g (new)**

*Text proposed by the Commission*

*Amendment*

***(21g) Regional Co-ordination Groups should work towards the creation of regional supranational databases, and should start all the necessary preparatory steps in order to reach that goal.***

## **Amendment 19**

### **Proposal for a regulation**

#### **Recital 21 h (new)**

*Text proposed by the Commission*

*Amendment*

***(21h) Strengthening regional cooperation, in line with the regionalisation of the CFP, is one of the objectives of this Regulation, especially through the Regional Co-ordination Groups. In that respect it is necessary to harmonise procedures for data collection, analysis and availability to end-users among the different marine regions. It has hitherto been difficult to achieve this, especially when there is a need for cooperation among Member States and third countries in activities relevant to the Regional Co-ordination Groups.***

## **Amendment 20**

### **Proposal for a regulation**

#### **Recital 21 i (new)**

*Text proposed by the Commission*

*Amendment*

***(21i) In order to ensure the proper implementation of Directive 2008/56/EC, there is a need for good quality data***

*gathering on accidental catches of protected species (for instance sea birds, marine mammals and turtles) and on the impact of fisheries on habitats, vulnerable marine areas and food chains.*

## **Amendment 21**

### **Proposal for a regulation Recital 21 j (new)**

*Text proposed by the Commission*

*Amendment*

*(21j) New, extensive and frequent data will be provided through the discard plans. It is important to take full advantage of those new data for the sustainable management of fisheries and for the evaluation and monitoring of stocks and ecosystems.*

## **Amendment 22**

### **Proposal for a regulation Recital 21 k (new)**

*Text proposed by the Commission*

*Amendment*

*(21k) Approximately half of all landings from European Atlantic and Baltic waters under exclusive European management are currently taken from data deficient stocks. In Mediterranean and Black Sea waters managed through the General Fisheries Commission for the Mediterranean (GFCM) approximately 80 % of landings come from data-deficient stocks.*

*Justification*

*European Parliament Study, Policy Department, Data deficient fisheries in the EU waters, European Union, June 2013.*

## Amendment 23

### Proposal for a regulation

#### Recital 21 l (new)

*Text proposed by the Commission*

*Amendment*

***(21l) In accordance with the recent recommendations of the GFCM, the Mediterranean sea should not be considered a single and homogeneous marine region: Western, Central, Adriatic and Black Sea and Eastern are four sub-regions which are geographically, oceanographically and ecologically different.***

## Amendment 24

### Proposal for a regulation

#### Recital 21 m (new)

*Text proposed by the Commission*

*Amendment*

***(21m) there is a need for collection of data on by-catches of protected species, including sea birds, marine mammals and turtles, and on the impact of fisheries on habitats, vulnerable marine areas and the ecosystem in order to ensure the proper implementation of Directive 2008/56/EC.***

## Amendment 25

### Proposal for a regulation

#### Recital 22

*Text proposed by the Commission*

*Amendment*

(22) Member States should determine the way they collect data, but in order to be able to combine data on a regional level, minimum requirements for data quality, coverage and compatibility should be agreed by Member States at regional level. When there is general agreement on the methods at regional level, Regional Co-

(22) Member States should determine the way they collect data, but in order to be able to combine data on a regional level ***in a meaningful way***, minimum requirements for data quality, coverage and compatibility should be agreed by Member States at regional level, ***taking into account the fact that in some regions***

ordination Groups should submit a regional work plan for adoption by Commission.

***basins are managed jointly with third countries which have sovereignty or jurisdiction over waters in those regions.***  
When there is general agreement on the methods at regional level, Regional Co-ordination Groups should submit a regional work plan ***on the basis of that agreement*** for adoption by ***the*** Commission. ***With that aim in view, the objectives, role and powers of the proposed Regional Co-ordination Groups and the role of the authorities with responsibility for taking the necessary measures must be clearly defined.***

## Amendment 26

### Proposal for a regulation Recital 22 a (new)

*Text proposed by the Commission*

*Amendment*

***(22a) As regards the activities of Regional Co-ordination Groups, cooperation should be intensified between Member States and third countries which have sovereignty or jurisdiction over waters in the same region with a view, as far as possible, to harmonising data collection, processing and exchange, as well as procedures regarding access to those data.***

## Amendment 27

### Proposal for a regulation Recital 23

*Text proposed by the Commission*

*Amendment*

(23) Union legislation should no longer determine the details of methodologies to be applied in collecting data. Provisions on particular methods of data collection should therefore be replaced by the description of the process by which they will be determined. That process should essentially include cooperation between

(23) Union legislation should no longer determine the ***precise*** details of methodologies to be applied in collecting data. Provisions on particular methods of data collection should therefore be replaced by the description of the process by which they will be determined. That process should ***be in accordance with Union***

Member States and data users in regional co-ordination groups, and validation by the Commission through work plans submitted by Member States.

*minimum requirements for data quality, coverage and compatibility and* essentially include cooperation between Member States and data users in regional co-ordination groups, and validation by the Commission through work plans submitted by Member States.

## Amendment 28

### Proposal for a regulation Recital 24

#### *Text proposed by the Commission*

(24) The data referred to in this Regulation should be put into national computerised databases so that they are accessible to the Commission and can be made available to data users. It is in the interest of all data user that data which does not allow for personal identification should be available without restrictions to any party who has an interest in its analysis.

#### *Amendment*

(24) The data referred to in this Regulation should be put into ***publicly available*** national computerised databases so that they are accessible to the Commission and can be made available to data users. It is in the interest of all data user that data which does not allow for personal identification should be available without restrictions to any party who has an interest in its analysis.

## Amendment 29

### Proposal for a regulation Recital 24 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***(24a) It is necessary to bear in mind that a species to which no protection plan currently applies could become a priority in future. It is therefore necessary to ensure the availability of the time series necessary for effective scientific monitoring of the status of fisheries resources.***

## Amendment 30

### Proposal for a regulation Recital 24 b (new)



*Text proposed by the Commission*

*Amendment*

***(24b) There has been a reduction in the frequency of data gathering, which could affect monitoring and the establishment of series, particularly for data which can change rapidly and have a major impact on management measures.***

## **Amendment 31**

### **Proposal for a regulation Recital 25 a (new)**

*Text proposed by the Commission*

*Amendment*

***(25a) It is necessary to emphasise the importance of scientific surveys for the evaluation of the status of fish stocks, especially in the Mediterranean, where due to the almost exclusive existence of mixed fisheries it is difficult to make scientific evaluations based upon the monitoring of commercial fisheries that are often biased by underreporting or misreporting.***

## **Amendment 32**

### **Proposal for a regulation Recital 25 b (new)**

*Text proposed by the Commission*

*Amendment*

***(25b) Further scientific studies should be carried out to assess the state of fish stocks, in particular in the Mediterranean, where there is a need to improve the state of its stocks and where it is difficult to carry out scientific studies based on the monitoring of commercial fisheries because almost all the fisheries there are mixed.***

### *Justification*

*Special research programmes are being carried out at sea in the Mediterranean and a strategy has been developed there for the collection of data by observers in the main ports and fish markets, and so the rapporteur's amendment needs to be clarified.*

### **Amendment 33**

#### **Proposal for a regulation Recital 25 c (new)**

*Text proposed by the Commission*

*Amendment*

***(25c) In the North Atlantic there are 19 scientific surveys under the current data collection framework whereas in the Mediterranean and the Black Sea there are only two each. In that respect, it is important to increase the number of scientific surveys undertaken in the Mediterranean and the Black Sea.***

### **Amendment 34**

#### **Proposal for a regulation Recital 25 d (new)**

*Text proposed by the Commission*

*Amendment*

***(25d) It is important to ensure, as far as possible, that enough scientific studies are carried out and that they are carried out in accordance with the needs identified in each of the fishing areas so that better knowledge can be gained about their fisheries resources and the best possible scientific research can be used to assess what forms of management are most suitable in each of those areas.***

### *Justification*

*It is not as important to cite the number of studies being carried out right now as to make it possible for Member States to adapt the methods to their specific needs.*

## Amendment 35

### Proposal for a regulation Recital 25 e (new)

*Text proposed by the Commission*

*Amendment*

***(25e) Where specific targets for maximum sustainable yield cannot be determined owing to insufficient data, multiannual plans under the CFP shall provide for measures based on the precautionary approach that ensure at least a comparable degree of conservation of the relevant stocks.***

## Amendment 36

### Proposal for a regulation Recital 27 a (new)

*Text proposed by the Commission*

*Amendment*

***(27a) It is necessary to emphasise the importance of socioeconomic data for the fisheries and aquaculture sectors, and the harmonisation of those data could, in the medium term, contribute to greater harmonisation and enhancement of social rules in those sectors.***

## Amendment 37

### Proposal for a regulation Recital 28

*Text proposed by the Commission*

*Amendment*

(28) There is a need to ensure that end-users are provided with data ***within relatively short deadlines***, as they need to provide timely advice to enable sustainable fisheries. Other interested parties should also be assured to receive data within a certain deadline.

(28) There is a need to ensure that end-users are provided with data ***quickly and in a standardised form, with clear codification systems, so that they can send a rapid response*** as they need to provide timely advice to enable sustainable fisheries. Other interested parties should also be assured to receive data within a certain deadline.

## **Amendment 38**

### **Proposal for a regulation Recital 28 a (new)**

*Text proposed by the Commission*

*Amendment*

***(28a) The confidentiality of information obtained in the course of compiling primary data should be ensured, and data protection laws should be complied with.***

## **Amendment 39**

### **Proposal for a regulation Recital 30 a (new)**

*Text proposed by the Commission*

*Amendment*

***(30a) For the sake of simplification and rationalisation, the information to be collected should be selected on the basis of its value and demand and the impact analysing it could have.***

## **Amendment 40**

### **Proposal for a regulation Recital 30 b (new)**

*Text proposed by the Commission*

*Amendment*

***(30b) It is necessary to emphasise the importance of establishing criteria for the collection of information, taking into account its usefulness, demand, and the economic importance and social impact that analysing the information can have.***

## **Amendment 41**

### **Proposal for a regulation Recital 30 c (new)**

***(30c) In order to raise the profile of women in the fisheries sector, the gender variable should be taken into account in the collection of data on natural persons, in particular the data listed under points (d), (e) and (f) of Article 5(2) of this Regulation on the socioeconomic aspects of fisheries, aquaculture and the processing of fisheries products.***

## **Amendment 42**

### **Proposal for a regulation Recital 34**

*Text proposed by the Commission*

(34) In accordance with the principle of proportionality, it is necessary and appropriate, for the achievement of the basic objective of improving data quality, access and availability in the fisheries sector, to establish a framework for data collection, management and use. This Regulation does not go beyond what is necessary in order to achieve the objectives pursued, in accordance with Article 5(4) of the Treaty on European Union,

*Amendment*

(34) In accordance with the principle of proportionality, it is necessary and appropriate, for the achievement of the basic objective of improving data quality, access and availability in the fisheries sector, to establish a framework ***and general guidelines*** for data collection, management and use ***with enough flexibility in the methods for its implementation to take account of the specifics of each case.*** This Regulation does not go beyond what is necessary in order to achieve the objectives pursued, in accordance with Article 5(4) of the Treaty on European Union,

## **Amendment 43**

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

*Text proposed by the Commission*

1. This Regulation establishes rules on the collection, management, and use of biological, technical, environmental, social

*Amendment*

***1. With a view to contributing to the objectives of the Common Fisheries Policy set out in Article 2 of Regulation***

and economic data concerning the fisheries sector *in the framework of the Common Fisheries Policy*.

(EU) No 1380/2013, this Regulation establishes rules on the collection, management, and use of biological, technical, environmental, social and economic data concerning the fisheries sector *as provided for in Article 25 of Regulation (EU) No 1380/2013*.

#### Amendment 44

##### Proposal for a regulation Article 1 – paragraph 2

*Text proposed by the Commission*

2. For data which are to be collected under legal acts *other than this one*, this Regulation defines only rules for use of these data

*Amendment*

2. For data which are to be collected under *other* legal acts *relating to fisheries management*, this Regulation defines only rules for use of these data.

#### Amendment 45

##### Proposal for a regulation Article 3 – point c

*Text proposed by the Commission*

(c) ‘recreational fisheries’ means non-commercial fishing activities exploiting living aquatic resources ;

*Amendment*

(c) 'recreational fisheries' means non-commercial fishing activities exploiting *marine* living aquatic resources *for recreation, tourism or sport*;

#### Amendment 46

##### Proposal for a regulation Article 3 – point d

*Text proposed by the Commission*

(d) ‘marine region’ means a geographical area set out in article 4(2) of Regulation (EU) No 1380/2013, an area established by the regional fisheries management organisations *or an area defined in the implementing act mentioned under the*

*Amendment*

(d) ‘marine region’ means a geographical area set out in article 4(2) of Regulation (EU) No 1380/2013, *or* an area established by the regional fisheries management organisations;

**Article 5 (6) ;**

*Justification*

*There is no reference to an implementing act in Article 5(6). In addition, to avoid any confusion, it seems more efficient to keep Marine Region as agreed in (EU) 1380/2013 CFP and marine regions already defined by RFMOs.*

**Amendment 47**

**Proposal for a regulation**  
**Article 4 – title**

*Text proposed by the Commission*

Establishment of multi-annual Union  
**programmes**

*Amendment*

Establishment of **a** multi-annual Union  
**programme**

*Justification*

*Only one programme will be in force for the Union. This does not affect the availability of the Commission to amend the programme.*

**Amendment 48**

**Proposal for a regulation**  
**Article 4 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall be empowered to adopt, in accordance with Article 23, delegated acts establishing multi-annual Union **programmes** for the collection and management of biological, technical, environmental, social and economic data concerning the fisheries sector.

*Amendment*

1. The Commission shall be empowered to adopt, in accordance with Article 23, delegated acts establishing **a** multi-annual Union **programme** for the collection and management of biological, technical, environmental, social and economic data concerning the fisheries sector.

*Justification*

*Only one programme will be in force for the Union. This does not affect the availability of the Commission to amend the programme.*

## Amendment 49

### Proposal for a regulation

#### Article 4 – paragraph 2

*Text proposed by the Commission*

2. Multi-annual Union **programmes** shall be established after consulting the Regional Co-ordination Groups referred to in Article 8, the Scientific, Technical and Economic Committee for Fisheries (STECF) and any other relevant scientific advisory body.

*Amendment*

2. **The** multi-annual Union **programme** shall be established after consulting the Regional Co-ordination Groups referred to in Article 8, the Scientific, Technical and Economic Committee for Fisheries (STECF) and any other relevant scientific advisory body.

*Justification*

*Only one programme will be in force for the Union. This does not affect the availability of the Commission to amend the programme.*

## Amendment 50

### Proposal for a regulation

#### Article 4 – paragraph 3 – point a

*Text proposed by the Commission*

(a) the information needs for the management of the Common Fisheries Policy;

*Amendment*

(a) the information needs for the management **and efficient implementation** of the Common Fisheries Policy, **including the needs for ecosystem-based fisheries management, the impact of recreational fisheries and the needs of the CFP where those information needs overlap with other legal acts such as the Marine Strategy Framework Directive, the Integrated Maritime Policy and the Birds and Habitats Directives**;

## Amendment 51

### Proposal for a regulation

#### Article 4 – paragraph 3 – point b



*Text proposed by the Commission*

(b) the need and relevance of data for decisions on fisheries management and protection of *the ecosystem* including vulnerable species and habitats,

*Amendment*

(b) the need *for* and relevance of *comprehensive and reliable* data *of good quality* for decisions on fisheries management and protection of *ecosystems* including vulnerable species and habitats;

**Amendment 52**

**Proposal for a regulation**

**Article 4 – paragraph 3 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(ba) the need for harmonised data that are in line with correct, standardised statistical principles that make it possible to assess the impact on ecosystems and fish stocks and that are taken into account for management at regional level;*

**Amendment 53**

**Proposal for a regulation**

**Article 4 – paragraph 3 – point e**

*Text proposed by the Commission*

*Amendment*

(e) existing time-series,

(e) existing time-series *and the need to avoid any interruption in the chronology of data,*

**Amendment 54**

**Proposal for a regulation**

**Article 4 – paragraph 3 – point f**

*Text proposed by the Commission*

*Amendment*

(f) the need to avoid duplication of data collection,

(f) the need *for simplification and* to avoid duplication of data collection,

## Amendment 55

### Proposal for a regulation

#### Article 4 – paragraph 3 – point f a (new)

*Text proposed by the Commission*

*Amendment*

*(fa) the need for data to cover data-deficient fisheries,*

## Amendment 56

### Proposal for a regulation

#### Article 4 – paragraph 3 – point f b (new)

*Text proposed by the Commission*

*Amendment*

*(fb) the need to collect information on fleets that have not yet been covered;*

## Amendment 57

### Proposal for a regulation

#### Article 5 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

1. Multi-annual Union **programmes** shall establish:

1. **The** Multi-annual Union **programme** shall establish:

## Amendment 58

### Proposal for a regulation

#### Article 5 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) data requirements to achieve the objectives of **Article 25** of Regulation (EU) No 1380/2013;

(a) **a detailed list of the** data requirements to achieve the objectives of **Articles 2, 6, 9 and 25** of Regulation (EU) No 1380/2013;

## Amendment 59

### Proposal for a regulation

#### Article 5 – paragraph 1 – point c

*Text proposed by the Commission*

(c) thresholds below which Member States **do not need** to collect data or carry out research surveys, based on their fishing activities.

*Amendment*

(c) thresholds below which **it is not mandatory for** Member States to collect data or carry out research surveys, based on their fishing **and aquaculture** activities.

## Amendment 60

### Proposal for a regulation

#### Article 5 – paragraph 2 – point a

*Text proposed by the Commission*

(a) biological data on all stocks caught or by-caught by Union commercial and, where appropriate, recreational fisheries in Union and external waters to enable ecosystem based management and conservation as necessary for the operation of the Common Fisheries Policy;

*Amendment*

(a) biological data on all stocks caught or by-caught by Union commercial and, where appropriate, recreational fisheries in Union and external waters **including diadromous fish species of commercial interest** to enable ecosystem based management and conservation as necessary for the operation of the Common Fisheries Policy;

## Amendment 61

### Proposal for a regulation

#### Article 5 – paragraph 2 – point a a (new)

*Text proposed by the Commission*

*Amendment*

**(aa) data on fish stocks and their conservation and management;**

## Amendment 62

### Proposal for a regulation

#### Article 5 – paragraph 2 – point a b (new)

***(ab) the quantifiable targets required for the implementation of the multiannual plans referred to in Article 9 of Regulation (EU) No 1380/2013, such as fishing mortality rates and spawning stock biomass;***

## **Amendment 63**

### **Proposal for a regulation Article 5 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) ecosystem data to assess the impact of Union fisheries on the marine ecosystem in Union and external waters, including data on by-catch of non-target species, in particular species protected under international or Union law, data on impacts of fisheries on marine habitats and data on impacts of fisheries on food webs;

*Amendment*

(b) ecosystem data to assess the impact of Union fisheries on the marine ecosystem in Union and external waters, including data on by-catch of non-target species, in particular species protected under international or Union law, data on impacts of fisheries on marine habitats and data on impacts of fisheries on food webs,  
***obtained, inter alia, by analysing catches and vulnerable marine areas such as nursery areas and Posidonia seabeds (marine seagrasses);***

## **Amendment 64**

### **Proposal for a regulation Article 5 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) data on the ***activity of*** Union ***vessels*** in Union and external waters, including levels of fishing and of effort and capacity of the Union fleet;

*Amendment*

(c) data on the Union ***fleet and its activity*** in Union and external waters, including levels of fishing and of effort and capacity of the Union fleet;

## **Amendment 65**

### **Proposal for a regulation Article 5 – paragraph 2 – point d**

*Text proposed by the Commission*

*Amendment*

(d) socio-economic data on fisheries to enable the assessment of the socio-economic performance of the Union fisheries sector;

(d) socio-economic data on fisheries, ***including recreational fisheries***, to enable the assessment of the socio-economic performance of the Union fisheries sector;

**Amendment 66**

**Proposal for a regulation**

**Article 5 – paragraph 2 – point e**

*Text proposed by the Commission*

*Amendment*

(e) socio-economic data and sustainability data on aquaculture to enable the assessment of the socio-economic performance and the sustainability of the Union aquaculture sector, including its environmental impact;

(e) socio-economic data and sustainability data on aquaculture ***of marine and diadromous species*** to enable the assessment of the socio-economic performance and the sustainability of the Union aquaculture sector, including its environmental impact;

**Amendment 67**

**Proposal for a regulation**

**Article 5 – paragraph 2 – point f**

*Text proposed by the Commission*

*Amendment*

(f) socio-economic data on the fish processing sector to enable the assessment of the socio-economic performance of that sector.

(f) socio-economic data on the fish ***and aquaculture product*** processing sector to enable the assessment of the socio-economic performance of that sector.

*Justification*

*Processing and commercialisation sectors are often considered as complementary and cannot be separated. This is coherent with Art. 6(5)(b) of (EU) 508/2014 EMFF.*

**Amendment 68**

**Proposal for a regulation**

**Article 5 – paragraph 3**

*Text proposed by the Commission*

3. The data referred to in paragraph 1(a) shall only be collected under this Regulation if they are not collected within other Union legal frameworks.

*Amendment*

3. The data referred to in paragraph 1(a) shall only be collected under this Regulation if they are not collected within other Union legal frameworks. ***However, the collection of data under this Regulation may include data requirements covered by Regulation (EC) No 1224/2009, in the event that the data currently collected in accordance with that Regulation do not comply with the technical standards required for scientific and statistical purposes. If Member States decide that the data to be collected under this Regulation are to include data requirements covered by Regulation (EC) No 1224/2009, they shall clearly indicate this in their national work plans.***

**Amendment 69**

**Proposal for a regulation**

**Article 5 – paragraph 4 – point a**

*Text proposed by the Commission*

(a) information needs for management of the Common Fisheries Policy;

*Amendment*

(a) information needs for ***the*** management of the Common Fisheries Policy, ***including compliance with Union environmental legislation, in particular the objective of achieving good environmental status by 2020, as set out in Article 1(1) of Directive 2008/56/EC;***

**Amendment 70**

**Proposal for a regulation**

**Article 5 – paragraph 4 – point c**

*Text proposed by the Commission*

(c) information needs for the evaluation of ***management plans***, including the monitoring of ecosystem variables;

*Amendment*

(c) information needs for the evaluation of ***conservation measures as referred to in Article 7 of Regulation (EU) No 1380/2013***, including the monitoring of

ecosystem variables;

*Justification*

*Management plans are only one possible conservation measure among others. It is important to open up the scope and to include all conservation measures in the content of the multi-annual programme*

**Amendment 71**

**Proposal for a regulation**

**Article 5 – paragraph 4 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

*(da) information needs for data-deficient fisheries;*

**Amendment 72**

**Proposal for a regulation**

**Article 5 – paragraph 4 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

*(db) information which is necessary in order to terminate or adjust emergency measures when they have initially been based on the precautionary principle;*

**Amendment 73**

**Proposal for a regulation**

**Article 5 – paragraph 4 – point e**

*Text proposed by the Commission*

*Amendment*

(e) avoidance of duplication between surveys; and

(e) avoidance of duplication between **research** surveys; and

**Amendment 74**

**Proposal for a regulation**

**Article 5 – paragraph 4 – point f**

*Text proposed by the Commission*

(f) avoidance of disrupting the history of survey data.

*Amendment*

(f) avoidance of disrupting the history of survey data, ***and the need to maintain reliable time series.***

**Amendment 75**

**Proposal for a regulation  
Article 6 – paragraph 1**

*Text proposed by the Commission*

1. Without prejudice to their current data collection obligations under Union law, Member States shall collect data within the framework of an operational programme, as referred to in Article 18 of Regulation (EU) No 508/2014, and a work plan drawn up in accordance with the multi-annual Union programme and pursuant to Article 21 of Regulation (EU) No 508/2014.

*Amendment*

1. Without prejudice to their current data collection obligations under Union law, Member States shall collect data within the framework of an operational programme, as referred to in Article 18 of Regulation (EU) No 508/2014, and a work plan drawn up in accordance with the multi-annual Union programme and pursuant to Article 21 of Regulation (EU) No 508/2014 ***by 31 October of the year preceding the year from which the work plan is to apply, unless an existing plan still applies, in which case they shall notify the Commission thereof.***

*Justification*

*Article 21 EMFF, recall that deadline for clarification.*

**Amendment 76**

**Proposal for a regulation  
Article 6 – paragraph 2 – point d**

*Text proposed by the Commission*

(d) ***how*** and when ***the data are needed***;

*Amendment*

(d) ***in what format*** and when ***data are to be delivered to end users, taking into consideration deadlines provided for data calls***;



## Amendment 77

### Proposal for a regulation

#### Article 6 – paragraph 2 – point f a (new)

*Text proposed by the Commission*

*Amendment*

***(fa) which data are collected for control purposes and which are collected in the framework of this Regulation.***

## Amendment 78

### Proposal for a regulation

#### Article 6 – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. In preparing ***its*** work plan, ***each*** Member ***State*** shall coordinate ***its*** efforts with other Member States, notably in the same marine region, to ensure sufficient and efficient coverage and avoid duplication of data collection activities.

3. In preparing ***their*** work plan, Member ***States*** shall ***endeavour to cooperate closely with regional authorities and shall*** coordinate ***their*** efforts with other Member States, notably in the same marine region, to ensure sufficient and efficient coverage and avoid ***unnecessary*** duplication of data collection activities. ***Data collection activities and methods shall be such as to ensure that it is possible for data to be compared and integrated at least at regional level.***

## Amendment 79

### Proposal for a regulation

#### Article 7 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. The Commission shall establish by means of implementing acts the official list of national correspondents. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24(2).***

### *Justification*

*It is important to have a maximum of transparency for the national correspondents. Therefore the Commission shall establish the official list by means of implementing acts that could be revised at any time and be publicly available.*

#### **Amendment 80**

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

##### **Article 7 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) coordinate the preparation of the annual report referred to in Article 10;

*Amendment*

(a) ***with a view to improving transparency,*** coordinate the preparation of the ***national work plan referred to in Article 6 and of the*** annual report referred to in Article 10, ***working closely with the relevant regional authorities;***

#### **Amendment 81**

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

##### **Article 7 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) ensure the transmission of information within the Member State; ***and***

*Amendment*

(b) ensure the transmission of information within the Member State ***to the relevant authorities;*** and

#### **Amendment 82**

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

##### **Article 7 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) ensure attendance of relevant experts in meetings ***organized*** by the Commission and participation in the relevant Regional Co-ordination Groups referred to in Article 8.

*Amendment*

(c) ensure attendance of relevant experts in ***expert group*** meetings ***organised*** by the Commission and ***in the meetings referred to in Article 20 as well as*** participation in the relevant Regional Co-ordination Groups referred to in Article 8;

## Amendment 83

### Proposal for a regulation

#### Article 7 – paragraph 2 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) inform coastal local authorities which have legal or economic powers in relation to fisheries.***

## Amendment 84

### Proposal for a regulation

#### Article 7 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***3a. Member States shall ensure that their national correspondent is sufficiently trained and experienced, has a sufficient mandate to represent its Member State in the expert group meetings referred to in point (c) of paragraph 2, and can negotiate on task sharing with regard to sampling, analysis and scientific surveys.***

#### *Justification*

*In the past there were several cases in which National Correspondents did not have the mandate to negotiate when this was needed to distribute the work at the Regional Co-ordination Meeting. It is important to ensure that all Member States and not just a few have such a mandate to enable a fair and timely distribution of the work.*

## Amendment 85

### Proposal for a regulation

#### Article 8 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. In accordance with Article 25 of Regulation (EU) No 1380/2013, Member States shall coordinate their actions with other Member States ***and make every effort to coordinate their actions with***

1. In accordance with Article 25 of Regulation (EU) No 1380/2013, Member States shall coordinate their actions with other Member States. For this purpose, a Regional Co-ordination Group shall be

***third countries having sovereignty or jurisdiction over waters in the same marine region.*** For this purpose, a Regional Co-ordination Group shall be established by the relevant Member States in each Marine Region.

established by the relevant Member States in each Marine Region.

#### **Amendment 86**

##### **Proposal for a regulation Article 8 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. In addition, Member States shall make every effort to coordinate their actions with third countries which have sovereignty or jurisdiction over waters in the same marine region, as referred to in point (d) of Article 3.***

#### **Amendment 87**

##### **Proposal for a regulation Article 8 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***1b. The role, objectives and mandates of Regional Co-ordination Groups will need to be clearly defined.***

#### **Amendment 88**

##### **Proposal for a regulation Article 8 – paragraph 1 c (new)**

*Text proposed by the Commission*

*Amendment*

***1c. In accordance with Article 21, the purpose of Regional Co-ordination Groups shall be to coordinate Member States' efforts in order to further improve the quality, timeliness and coverage of***

*data, and to cooperate on enabling further improvement of the reliability of scientific advice, of the quality of the work programmes and of the working methods of the regional fisheries management organisations to which the Union is a contracting party or observer and international scientific bodies.*

*Justification*

*It is important to state the tasks of the Regional Co-ordination Groups so that they can plan their activities*

**Amendment 89**

**Proposal for a regulation**

**Article 8 – paragraph 1 d (new)**

*Text proposed by the Commission*

*Amendment*

***1d. Regional Co-ordination Groups shall develop and implement procedures, methods, quality assurance and quality control for the collecting and processing of data for the purpose of drawing up regional work plans as referred to in points (a) and (b) of Article 5(2) and in Article 5(4) as well as regionally coordinated sampling strategies.***

*Justification*

*It is important to state purpose of the Regional Co-ordination Groups so that they can prioritize their activities*

**Amendment 90**

**Proposal for a regulation**

**Article 8 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Regional Co-ordination Groups shall consist of experts *from* Member States, the Commission, and relevant end-users of data.

2. Regional Co-ordination Groups shall consist of *the national correspondents*, experts *nominated by* Member States, *experts from* the Commission, and relevant

end-users of data *including Advisory Councils as well as, where applicable, representatives of relevant local authorities*.

## Amendment 91

### Proposal for a regulation Article 8 – paragraph 4

*Text proposed by the Commission*

4. Regional Co-ordination Groups shall coordinate with each other and with the Commission where issues affect several regions.

*Amendment*

4. Regional Co-ordination Groups shall coordinate with each other and with the Commission where issues affect several *marine* regions.

## Amendment 92

### Proposal for a regulation Article 8 – paragraph 5

*Text proposed by the Commission*

5. Regional Co-ordination Groups *may* prepare joint recommendations in the form of a draft of a regional work plan regarding procedures, methods, quality assurance and quality control for collecting and processing of data as referred to in paragraph 2(a) and (b) and paragraph 4 of Article 5, and regionally coordinated sampling strategies. In doing so, the Regional Co-ordination Groups shall take into account the opinion of STECF when relevant. ***Those recommendations shall be submitted to the Commission, which*** shall verify whether the draft joint recommendations are compatible with the provisions of this Regulation and with the Union's multiannual programme and, if so, approve the regional work plan by way of implementing acts.

*Amendment*

5. Regional Co-ordination Groups ***shall*** prepare joint recommendations in the form of a draft of a regional work plan regarding procedures, methods, quality assurance and quality control for collecting and processing of data as referred to in paragraph 2(a) and (b) and paragraph 4 of Article 5, and regionally coordinated sampling strategies ***and the relevant contribution by Member State to scientific surveys***. In doing so, the Regional Co-ordination Groups shall take into account the opinion of STECF, ***ICES and the regional fisheries management organisations*** when relevant. ***The*** Commission shall verify whether the draft joint recommendations are compatible with the provisions of this Regulation and with the Union's multiannual programme and, if so, approve the regional work plan by way of implementing acts.

## Amendment 93

### Proposal for a regulation

#### Article 8 – paragraph 6

*Text proposed by the Commission*

6. Where regional work plans are approved by the Commission, they replace the relevant parts of the work plans drawn up by each Member State. Member States shall update their work plans accordingly.

*Amendment*

6. Where regional work plans are approved by the Commission, they replace the relevant parts of the work plans drawn up by each Member State. Member States shall update their work plans accordingly ***by removing the relevant parts covered by the regional work plan.***

## Amendment 94

### Proposal for a regulation

#### Article 9 – paragraph 3

*Text proposed by the Commission*

3. The Commission shall approve the work plans and the amendments thereto made in accordance with Article 8(2) on the basis of the evaluation by the STECF.

*Amendment*

3. The Commission shall approve the work plans and the amendments thereto made in accordance with Article 8(2) on the basis of the evaluation by the STECF.

***The Commission shall adopt implementing acts approving the work plans by 31 December of the year preceding the year from which the work plan is to apply, as referred to in Article 21(2) of Regulation (EU) No 508/2014.***

***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24(2).***

## Amendment 95

### Proposal for a regulation

#### Article 10 – paragraph 1

*Text proposed by the Commission*

1. Member States shall on an annual basis submit to the Commission a report on the carrying out of their work plans . The

*Amendment*

1. Member States shall on an annual basis submit to the Commission a report on the carrying out of their work plans. ***That***

Commission may adopt implementing acts laying down rules on procedures, format and timetables for the submission and approval of annual reports. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24(2).

***report shall be submitted not later than 31 May of the following reference year and shall be made publicly available.*** The Commission may adopt implementing acts laying down rules on procedures, format and ***different*** timetables for the submission and approval of annual reports. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24(2).

## **Amendment 96**

### **Proposal for a regulation**

#### **Article 11 – title**

*Text proposed by the Commission*

*Amendment*

Access to the sampling sites

Access to the sampling sites ***and data sources***

## **Amendment 97**

### **Proposal for a regulation**

#### **Article 11 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. With regard to data collection, the Commission shall by ... [five years from the entry into force of this Regulation] set up a single European database in order to simplify and facilitate data analysis at European level.***

## **Amendment 98**

### **Proposal for a regulation**

#### **Article 11 – paragraph 3 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

3. The Commission ***may*** adopt

3. The Commission ***shall be empowered to***



**implementing** acts laying down detailed rules on the following:

adopt, **in accordance with Article 23, delegated** acts laying down detailed rules on the following:

*Justification*

*In order to reinforce the scrutiny of the Parliament on this important provision, and in particular the conditions under which masters of vessels are obliged to accept scientific observers and the alternative data collection methods, a delegated act seems more appropriate.*

**Amendment 99**

**Proposal for a regulation**

**Article 11 – paragraph 3 – subparagraph 1 – point b**

*Text proposed by the Commission*

(b) the conditions under which masters of Union fishing vessels are obliged to accept on board scientific observers, as referred to in paragraph 2 and alternative data collection methods, and rules for Member States to monitor and report on those conditions and methods.

*Amendment*

(b) the conditions under which masters of Union fishing vessels are obliged to accept on board scientific observers as referred to in paragraph 2, and alternative data collection methods ***in cases in which, for duly justified reasons, it is not possible for on board observers to be present***, and rules for Member States to monitor and report on those conditions and methods.

**Amendment 100**

**Proposal for a regulation**

**Article 11 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24(2).***

*Amendment*

***deleted***

*Justification*

*A delegated act of proposed in Art. 11(3). There is no need for the examination procedure that concern implementing acts only.*

## Amendment 101

### Proposal for a regulation Article 11 a (new)

*Text proposed by the Commission*

*Amendment*

#### **Article 11 a**

#### **Collection of data in the context of scientific advice**

***When the Commission, for the purpose of collecting data referred to in Article 5(2), seeks scientific advice from a competent scientific body, it shall inform in due time the European Parliament and the Council and shall forward to them a copy of the request submitted to the scientific body concerned.***

## Amendment 102

### Proposal for a regulation Article 14 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. For the purpose of the verification of the existence of the primary data collected in accordance with Article 6(1), other than socio-economic data, Member States shall ensure that the Commission has access to the national computerised databases referred to in Article 12(a).

1. For the purpose of the verification of the existence of the primary data collected ***and its quality*** in accordance with Article 6(1), other than socio-economic data, Member States shall ensure that the Commission has access to the national computerised databases referred to in Article 12(a).

## Amendment 103

### Proposal for a regulation Article 14 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. For the purpose of the verification of the socio-economic data collected in accordance with Article 6(1), Member States shall ensure that the Commission has access to the national computerised

2. For the purpose of the verification of the socio-economic data collected in accordance with Article 6(1), Member States shall ***take all the requisite steps to*** ensure that the Commission has access to

databases referred to in Article 12(b).

the national computerised databases referred to in Article 12(b).

#### **Amendment 104**

##### **Proposal for a regulation Article 14 – paragraph 3**

*Text proposed by the Commission*

3. Member States ***shall conclude agreements with the Commission to*** ensure effective and unhindered access for the Commission to their national computerised databases referred to in paragraph 1 and 2, without prejudice to the obligations established by other Union rules.

*Amendment*

3. Member States ensure effective and unhindered access for the Commission to their national computerised databases referred to in paragraph 1 and 2, without prejudice to the obligations established by other Union rules. ***The Commission may adopt implementing acts to define, together with Member States, specific requirements to ensure that access. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24(2).***

*Justification*

*There is no justification to have bilateral agreements between the Commission and Member State as Data Collection is of the competence of the Union. However, the Commission may decide on specific requirements to access the data according the national law by means of implementing acts with examination procedure.*

#### **Amendment 105**

##### **Proposal for a regulation Article 14 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. The Member States and the Commission shall ensure the confidentiality of information whilst adhering to data protection rules.***

#### **Amendment 106**

##### **Proposal for a regulation Article 16 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall set up adequate processes and electronic technologies to ensure an effective application of Article 25 of Regulation (EU) No 1380/2013, and shall refrain from **any** unnecessary restrictions to the widest possible dissemination of detailed and aggregated data.

*Amendment*

1. Member States shall set up adequate processes and electronic technologies to ensure an effective application of Article 25 of Regulation (EU) No 1380/2013, and shall refrain from **imposing** unnecessary restrictions **on public availability, aiming to ensure** the widest possible dissemination of detailed and aggregated data.

**Amendment 107**

**Proposal for a regulation**  
**Article 16 – paragraph 3**

*Text proposed by the Commission*

3. Member States shall ensure that relevant detailed and aggregated data are updated and made available to end-users **within one month** from the receipt of a request for those data. ***In case of requests made by other interested parties, Member States shall ensure that the data are updated and made available within two months from the receipt of a request for those data.***

*Amendment*

3. Member States shall ensure that relevant detailed and aggregated data are updated and made available to end-users **and other interested parties** within **two months** from the receipt of a request for those data.

***Without prejudice to paragraph 2, Member States shall make publicly available detailed and aggregated data one year after being collected and processed***

**Amendment 108**

**Proposal for a regulation**  
**Article 16 – paragraph 4**

*Text proposed by the Commission*

4. Where detailed data are **requested** for scientific publication, Member States may, in order to protect the professional interests of data collectors, require that the publication of data be delayed by 3 years

*Amendment*

4. Where detailed data are **intended** for **peer-reviewed** scientific publication, Member States may, in order to protect the professional interests of data collectors, require that the publication of data be

from the date to which the data refer.  
Member States shall inform the end-users  
and the Commission of any such decision  
and of the reasons therefor.

delayed by 3 years from the date to which  
the data refer. Member States shall inform  
the end-users and the Commission of any  
such decision and of the reasons therefor.

## **Amendment 109**

### **Proposal for a regulation Article 17 – title**

*Text proposed by the Commission*

Compatible data storage and exchange  
*systems*

*Amendment*

Compatible *systems for harmonising* data  
storage and exchange

## **Amendment 110**

### **Proposal for a regulation Article 17 – paragraph 1**

*Text proposed by the Commission*

1. In view of reducing costs and facilitating  
access to data for end-users and other  
interested parties, Member States, the  
Commission, scientific advisory bodies and  
any relevant end-users shall cooperate to  
develop compatible data storage and  
exchange *systems*, taking into account the  
provisions of Directive 2007/2/EC. Those  
systems shall also facilitate dissemination  
of information to other interested parties.  
Regional work plans referred to in  
Article 8(6) may serve as a basis for  
agreement on such systems.

*Amendment*

1. In view of reducing costs and facilitating  
access to data for end-users and other  
interested parties, Member States, the  
Commission, scientific advisory bodies and  
any relevant end-users shall cooperate to  
develop compatible *systems to harmonise*  
data storage and exchange, taking into  
account the provisions of Directive  
2007/2/EC. Those systems shall also  
facilitate dissemination of information to  
other interested parties. Regional work  
plans referred to in Article 8(6) may serve  
as a basis for agreement on such systems.

## **Amendment 111**

### **Proposal for a regulation Article 18**

*Text proposed by the Commission*

If a Member State refuses to provide data  
under Article 16(4), the end-user may  
request the Commission to review the

*Amendment*

If a Member State refuses to provide data  
under Article 16(4) *within six months of a  
request being made*, the end-user may

refusal. If the Commission finds that the refusal is not duly justified, it may require the Member State to supply the data to the end-user within one month.

request the Commission to review the refusal ***within one month***. If the Commission, ***within one month***, finds that the refusal is not duly justified, it may require the Member State to supply the data to the end-user within one month.

## Amendment 112

### Proposal for a regulation Article 21 – paragraph 1

#### *Text proposed by the Commission*

1. Member States and the Commission shall coordinate their efforts and cooperate in order to further improve the quality, timeliness and coverage of data enabling further improvement of the reliability of scientific advice, the quality of the work programmes and the working methods of the regional fisheries management organisations to which the Union is contracting party or observer and international scientific bodies.

#### *Amendment*

1. Member States, ***alongside regions with relevant powers*** and the Commission shall coordinate their efforts and cooperate in order to further improve the quality, timeliness and coverage of data enabling further improvement of the reliability of scientific advice, the quality of the work programmes and the working methods of the regional fisheries management organisations to which the Union is contracting party or observer and international scientific bodies.

## Amendment 113

### Proposal for a regulation Article 22 – paragraph 2

#### *Text proposed by the Commission*

2. ***Five*** years after the ***entering*** into force of this Regulation, the Commission shall submit to the European Parliament and the Council a report on the implementation and functioning of this Regulation.

#### *Amendment*

2. ***Three*** years after the ***entry*** into force of this Regulation, the Commission shall submit to the European Parliament and the Council a report on the implementation and functioning of this Regulation.

#### *Justification*

*Since this is the first revision of the Data Collection Framework Regulation, the first monitoring of the implementation and functioning of this Regulation should be done earlier than 5 years.*

## Amendment 114

### Proposal for a regulation

#### Article 23 – paragraph 2

*Text proposed by the Commission*

2. The power to adopt delegated acts referred to in Articles 4, 16 and 17 shall be conferred on the Commission for ***an indeterminate*** period of ***time***.

*Amendment*

2. The power to adopt delegated acts referred to in Articles 4, ***II***, 16 and 17 shall be conferred on the Commission for ***a*** period of ***five years***.

*Justification*

*Technical adaptation with the new reference. According to the interinstitutional agreement for better law making delegation of power shall be given for standardised period of 5 years.*

## Amendment 115

### Proposal for a regulation

#### Article 23 – paragraph 3

*Text proposed by the Commission*

3. The delegation of power referred to in Articles 4, 16 and 17 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the powers specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

*Amendment*

3. The delegation of power referred to in Articles 4, ***II***, 16 and 17 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the powers specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

*Justification*

*Technical adaptation with the new reference.*

## Amendment 116

### Proposal for a regulation

#### Article 23 – paragraph 5

*Text proposed by the Commission*

5. A delegated act adopted pursuant to

*Amendment*

5. A delegated act adopted pursuant to

Articles 4, 16 and 17 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

Articles 4, **II**, 16 and 17 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

*Justification*

*Technical adaptation with the new reference.*

**Amendment 117**

**Proposal for a regulation**  
**Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 24a**

***Transitional measures***

***The Community programme in force until 31 December 2016, as referred to in Article 3 of Regulation (EC) No 199/2008, shall be automatically renewed for a maximum period of one year in the event that the Commission is unable to adopt by 31 December 2016 the multi-annual Union programme referred to in Article 4 of this Regulation.***

*Justification*

*In order to avoid an automatic renewal for 3 years of the Community Programme under the previous framework, in case the Commission will be unable to adopt the new Multi-annual programme, it is essential to set up transitional measures and mitigate the potential effect of this automatic renewal.*



## ANNEX: LETTER FROM THE COMMITTEE ON LEGAL AFFAIRS

Ref. D(2016)4243

Alain Cadec  
Chair, Committee on Fisheries  
ASP 13E205  
Brussels

**Subject: Proposal for a regulation of the European Parliament and of the Council concerning the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy (recast) (COM(2015)0294 – C8-0160/2015– 2015/0133(COD))**

Dear Chair,

The Committee on Legal Affairs has examined the proposal referred to above, pursuant to Rule 104 on Recasting, as introduced into the Parliament's Rules of Procedure.

Paragraph 3 of that Rule reads as follows:

*"If the committee responsible for legal affairs considers that the proposal does not entail any substantive changes other than those identified as such in the proposal, it shall inform the committee responsible.*

*In such a case, over and above the conditions laid down in Rules 169 and 170, amendments shall be admissible within the committee responsible only if they concern those parts of the proposal which contain changes.*

*However, if in accordance with point 8 of the Interinstitutional Agreement, the committee responsible intends also to submit amendments to the codified parts of the proposal, it shall immediately notify its intention to the Council and to the Commission, and the latter should inform the committee, prior to the vote pursuant to Rule 58, of its position on the amendments and whether or not it intends to withdraw the recast proposal."*

Following the opinion of the Legal Service, whose representatives participated in the meetings of the Consultative Working Party examining the recast proposal, and in keeping with the recommendations of the draftsman, the Committee on Legal Affairs considers that the proposal in question does not include any substantive changes other than those identified as such in the proposal and that, as regards the codification of the unchanged provisions of the earlier acts with those changes, the proposal contains a straightforward codification of the existing texts, without any change in their substance.

In conclusion, at its meeting of 28 January 2016, the Committee on Legal Affairs unanimously decided, with 24 votes in favour<sup>1</sup>, to recommend that the Committee on Fisheries, as the committee responsible, proceed to examine the above proposal in accordance with Rule 104.

Yours sincerely,

Pavel Svoboda

*Encl.: Opinion of the Consultative Working Party.*

---

<sup>1</sup> The following Members were present: Max Andersson, Joëlle Bergeron, Marie-Christine Boutonnet, Daniel Buda, Jean-Marie Cavada, Kostas Chrysogonos, Sergio Gaetano Cofferati, Therese Comodini Cachia, Mady Delvaux, Pascal Durand, Angel Dzhambazki, Laura Ferrara, Lidia Joanna Geringer de Oedenberg, Jytte Guteland, Heidi Hautala, Sajjad Karim, Dietmar Köster, Constance Le Grip, Gilles Lebreton, António Marinho e Pinto, Jiří Maštálka, Angelika Niebler, Emil Radev, Julia Reda, Evelyn Regner, Virginie Rozière, Pavel Svoboda, Axel Voss, Tadeusz Zwiefka.

**ANNEX: OPINION OF THE CONSULTATIVE WORKING PARTY OF THE LEGAL  
SERVICES OF THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE  
COMMISSION**



GROUPE CONSULTATIF  
DES SERVICES JURIDIQUES

Brussels, 17.12.2015

**OPINION**

**FOR THE ATTENTION OF      THE EUROPEAN PARLIAMENT  
THE COUNCIL  
THE COMMISSION**

**Proposal for a Regulation of the European Parliament and of the Council concerning the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy (recast)**

**COM(2015) 294 final of 18.6.2015 - 2015/0133 (COD)**

Having regard to the Inter-institutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts, and in particular to point 9 thereof, the Consultative Working Party consisting of the respective legal services of the European Parliament, the Council and the Commission met on 21 October and 12 November 2015 for the purpose of examining, among others, the aforementioned proposal submitted by the Commission.

At those meetings<sup>1</sup>, an examination of the proposal for a Regulation of the European Parliament and of the Council recasting Council Regulation (EC) No 199/2008 of 25 February 2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy resulted in the Consultative Working Party's establishing, by common accord, as follows.

1. In the first citation, the indication '(2)' should have been presented between adaptation arrows together with the article number 43.

---

<sup>1</sup> The Consultative Working Party worked on the basis of the English language version of the proposal, being the master-copy language version of the text under discussion.

2. The following should have been marked with the grey-shaded type generally used for identifying substantive changes:

- the proposed deletion of recitals 8, 9, 10, 19, 21 and 23 of Regulation (EC) No 199/2008;
- in recital 24, the proposed replacements of the word '*transmitted*' with the words '*made available*', of the word '*end*' with '*data*' and of the words '*the scientific community*' with '*all data user*', and the proposed adding of the words '*without restrictions*';
- in recital 25, the proposed replacements of the word '*Managing*' with the words '*Scientific advice to*' and of the words '*specific issues*' with the words '*the needs of fisheries managers*', as well as the word '*managements*' (having been presented between adaptation arrows) and the entire wording of the third sentence (already marked with 'double strikethrough');
- in Article 3(c), the proposed deletion of the final words '*for recreation or sport*';
- in Article 3(d), the proposed replacement of the reference currently made to '*Annex I to Council Decision 2004/585/EC*' with a new reference to '*article 4(2) of Regulation (EU) No 1380/2013*', and the proposed adding of the final words '*or an area defined in the implementing act mentioned under the Article 5(6)*';
- the proposed deletion of point (j) of Article 2 of Regulation (EC) No 199/2008;
- in Article 9(3) of the draft recast text, the proposed deletion of the final words '*and the evaluation of costs carried out by its services*';
- the entire text of Article 10(1), second and third sentence;
- the proposed deletion of point (c) of Article 7(3) of Regulation (EC) No 199/2008;
- the entire text of Article 11(1) of the draft recast text;
- the proposed deletion of paragraphs 1, 2 and 4 of Article 11 of Regulation (EC) No 199/2008;
- in Article 11(2) of the draft recast text, the proposed replacement of the words '*samplers operating under the at-sea monitoring scheme and designated by the body in charge of the implementation of the national programme*' with the words '*scientific observers*';
- the proposed deletion of Article 12 of Regulation (EC) No 199/2008;
- in Article 13(2)(c) of the draft recast text, the proposed adding of the final words '*and Regional Co-ordination Groups as referred to in Article 8*';
- in the title and in paragraphs 2 and 3 of Article 19, the proposed replacement of the word '*end*' with the word '*data*';
- in the introductory wording of Article 19(1), the proposed replacement of the words '*The end users of data*' with the words '*Data users*';
- in Article 21(1), the proposed adding of the words '*the quality, timeliness and coverage of data enabling further improvement of*';
- the proposed deletion of Article 25 of Regulation (EC) No 199/2008;
- the entire text of Article 24 of the draft recast act.

In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal does not comprise any substantive amendments other than those identified as such. The Working Party also concluded, as regards the codification of the unchanged provisions of the earlier act with those substantive amendments, that the proposal contains a straightforward codification of the existing legal text, without any change in its substance.

F. DREXLER  
Jurisconsult

H. LEGAL  
Jurisconsult

L. ROMERO REQUENA  
Director General

## PROCEDURE – COMMITTEE RESPONSIBLE

<b>Title</b>	Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy (recast)	
<b>References</b>	COM(2015)0294 – C8-0160/2015 – 2015/0133(COD)	
<b>Date submitted to Parliament</b>	18.6.2015	
<b>Committee responsible</b> Date announced in plenary	PECH 6.7.2015	
<b>Rapporteurs</b> Date appointed	Marco Affronte 26.8.2015	
<b>Discussed in committee</b>	10.11.2015	14.1.2016
<b>Date adopted</b>	19.4.2016	
<b>Result of final vote</b>	+: 21 -: 0 0: 2	
<b>Members present for the final vote</b>	Marco Affronte, Clara Eugenia Aguilera García, Renata Briano, Alain Cadec, Richard Corbett, Diane Dodds, Linnéa Engström, Ian Hudghton, Carlos Iturgaiz, Werner Kuhn, António Marinho e Pinto, Gabriel Mato, Norica Nicolai, Ulrike Rodust, Remo Sernagiotto, Ricardo Serrão Santos, Isabelle Thomas, Ruža Tomašić, Peter van Dalen, Jarosław Wałęsa	
<b>Substitutes present for the final vote</b>	Izaskun Bilbao Barandica, Anja Hazekamp, Maria Lidia Senra Rodríguez	
<b>Substitutes under Rule 200(2) present for the final vote</b>	Laura Ferrara	
<b>Date tabled</b>	25.4.2016	