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*Plenary sitting*

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**B9-0090/2022**

9.2.2022

## MOTION FOR A RESOLUTION

pursuant to Rule 111(3) of the Rules of Procedure

on the Commission delegated regulation of 5 November 2021 supplementing Regulation (EU) 2021/1139 of the European Parliament and of the Council on the European Maritime, Fisheries and Aquaculture Fund as regards the periods of time and the dates for the inadmissibility of applications for support (C(2021)7701 – 201/2961(DEA))

**Pierre Karleskind**

on behalf of the Committee on Fisheries

**European Parliament resolution on the Commission delegated regulation of 5 November 2021 supplementing Regulation (EU) 2021/1139 of the European Parliament and of the Council on the European Maritime, Fisheries and Aquaculture Fund as regards the periods of time and the dates for the inadmissibility of applications for support (C(2021)7701 – 201/2961(DEA))**

*The European Parliament,*

- having regard to the Commission delegated regulation (C(2021)7701),
  - having regard to Article 290 of the Treaty on the Functioning of the European Union,
  - having regard to Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation (EU) 2017/1004<sup>1</sup>, and in particular Articles 11(4) and 62(6) thereof,
  - having regard to Rule 111(3) of its Rules of Procedure,
  - having regard to the motion for a resolution by the Committee on Fisheries,
- A. whereas Article 11(4) of Regulation (EU) 2021/1139 (EMFAF) empowers the Commission to adopt delegated acts identifying the threshold for triggering the inadmissibility, which should be proportionate to the nature, gravity, duration and repetition of the serious infringements, offences or fraud committed and should be of at least one year's duration;
- B. whereas Commission Delegated Regulation 2015/288 of 17 December 2014<sup>2</sup> supplementing the Regulation (EU) No 508/2014 of the European Parliament and of the Council<sup>3</sup> (EMFF), with regard to the period of time and the dates for the inadmissibility of applications provides for a period of 12 months of inadmissibility in case of 9 points of infraction, and in the case of infringements deemed 'minor' the inadmissibility triggers only when 9 points are reached;
- C. whereas the proposed Commission delegated regulation (C(2021)7701) supplementing EMFAF worsens these conditions as the inadmissibility triggers at the second infringement with only 7 points and is calculated in 2 months/point which seems not proportionate and not in line with EMFAF;
- D. whereas the Commission should propose an alternative and more proportionate solution

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<sup>1</sup> OJ L 247, 13.7.2021, p. 1.

<sup>2</sup> Commission Delegated Regulation (EU) 2015/288 of 17 December 2014 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regard to the period of time and the dates for the inadmissibility of applications (OJ L 51, 24.2.2015, p. 1).

<sup>3</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).

regarding the duration of the inadmissibility period based on points;

- E. whereas a more proportionate solution could be to provide for the first two infringements only one month of inadmissibility instead of two for each point in the case of certain infringements, thus better capturing the rationale of the basic regulation in terms of proportionality;
1. Objects to the Commission delegated regulation;
  2. Instructs its President to forward this resolution to the Commission and to notify it that the delegated regulation cannot enter into force;
  3. Instructs its President to forward this resolution to the Council and to the governments and parliaments of the Member States.