



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 10 December 2012**

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**PROPOSAL**

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from:	Commission
dated:	6 December 2012
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Subject:	Proposal for a Regulation of the European Parliament and of the Council amending certain legislative acts in the domain of agricultural and fishery statistics

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Delegations will find attached a proposal from the Commission, submitted under a covering letter from Jordi Ayet Puigarnau, Director, to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

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Encl.: COM (2012) 724 final



Brussels, 5.12.2012  
COM(2012) 724 final

2012/0343 (COD)

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**  
**amending certain legislative acts in the domain of agricultural and fishery statistics**

(Text with EEA relevance)

## EXPLANATORY MEMORANDUM

### 1. CONTEXT OF THE PROPOSAL

The Treaty on the Functioning of the European Union (TFEU) makes a distinction between (a) the powers delegated to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of the legislative act as laid down in Article 290(1) of the TFEU (delegated acts), and (b) the powers conferred upon the Commission to adopt uniform conditions for implementing legally binding Union acts as laid down in Article 291(2) of the TFEU (implementing acts).

The Commission has committed itself<sup>1</sup>, with regard to Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers<sup>2</sup>, to reviewing legislative acts which currently contain references to the regulatory procedure with scrutiny in the light of the criteria laid down in the Treaty.

The overall objective is by the end of Parliament's seventh term (June 2014), to remove all provisions referring to the regulatory procedure with scrutiny from all legislative instruments.

The aim of this proposal is to modify nine legislative acts in the domain of agricultural and fishery statistics in order to align them with the new institutional context.

For the sake of completeness, the list of instruments to be aligned is:

- (1) Council Directive 96/16/EC of 19 March 1996 on statistical surveys of milk and milk products<sup>3</sup>;
- (2) Regulation (EC) No 138/2004 of the European Parliament and of the Council of 5 December 2003 on the economic accounts for agriculture in the Community<sup>4</sup>;
- (3) Regulation (EC) No 1921/2006 of the European Parliament and of the Council of 18 December 2006 on the submission of statistical data on landings of fishery products in Member States and repealing Council Regulation (EEC) No 1382/91<sup>5</sup>;
- (4) Regulation (EC) No 762/2008 of the European Parliament and of the Council of 9 July 2008 on the submission by Member States of statistics on aquaculture and repealing Council Regulation (EC) No 788/96<sup>6</sup>;
- (5) Regulation (EC) No 1165/2008 of the European Parliament and of the Council of 19 November 2008 concerning livestock and meat statistics and repealing Council Directives 93/23/EEC, 93/24/EEC and 93/25/EEC<sup>7</sup>;

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<sup>1</sup> OJ L 55, 28.2.2011, p. 19.

<sup>2</sup> OJ L 55, 28.2.2011, p. 13.

<sup>3</sup> OJ L 78, 28.3.1996, p. 27.

<sup>4</sup> OJ L 33, 5.2.2004, p. 1.

<sup>5</sup> OJ L 403, 30.12.2006, p. 1.

<sup>6</sup> OJ L 218, 13.8.2008, p. 1.

<sup>7</sup> OJ L 321, 1.12.2008, p. 1.

- (6) Regulation (EC) No 216/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic (recast)<sup>8</sup>;
- (7) Regulation (EC) No 217/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of catch and activity statistics by Member States fishing in the north-west Atlantic (recast)<sup>9</sup>;
- (8) Regulation (EC) No 218/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic (recast)<sup>10</sup>;
- (9) Regulation (EC) No 543/2009 of the European Parliament and of the Council of 18 June 2009 concerning crop statistics and repealing Council Regulations (EEC) No 837/90 and (EEC) No 959/93<sup>11</sup>.

## **2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS**

There was no need for consultation of interested parties or for impact assessment.

## **3. LEGAL ELEMENTS OF THE PROPOSAL**

### **• Summary of the proposed action**

The objective of this proposal is to modify nine legislative acts in the domain of agricultural and fishery statistics in order to align them to the new institutional context.

In particular, the aim is to identify what powers the Commission has and establish the appropriate procedure for adopting measures on the basis of these powers.

### **• Streamlining of the European Statistical System**

Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics<sup>12</sup> defined the European Statistical System (ESS) as a partnership between the European statistical authority, which is the Commission (Eurostat), and the national statistical institutes (NSIs) and other national authorities responsible in each Member States for the development, production and dissemination of European statistics.

The European Statistical System Committee (ESSC), established by Article 7 of Regulation (EC) No 223/2009, is regarded as the umbrella committee within the ESS. It assists the Commission in exercising of its implementing powers in certain statistical domains. These

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<sup>8</sup> OJ L 87, 31.3.2009, p. 1.

<sup>9</sup> OJ L 87, 31.3.2009, p. 42.

<sup>10</sup> OJ L 87, 31.3.2009, p. 70.

<sup>11</sup> OJ L 167, 29.6.2009, p. 1.

<sup>12</sup> OJ L 87, 31.3.2009, p. 164.

exclude agricultural and fishery statistics where the Commission is assisted by the Standing Committee for Agricultural Statistics (SCAS)<sup>13</sup>.

The Commission is proposing a new ESS structure aimed at improving coordination and partnership in a clear pyramid structure within the ESS, with the ESSC as highest strategic body. One aspect of this streamlining is to concentrate comitology powers in the hands of the ESSC. In February 2012<sup>14</sup>, the ESSC supported this new approach.

The suggestion is therefore to modify the nine legislative acts in order to replace the reference to the SCAS by a reference to the ESSC.

- **Legal basis**

Article 338 (1) of the Treaty on the Functioning of the European Union.

- **Choice of instrument**

Regulation of the European Parliament and of the Council.

#### **4. BUDGETARY IMPLICATION**

The proposal has no implications for the EU budget.

#### **5. OPTIONAL ELEMENTS**

None

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<sup>13</sup> OJ L 179, 7.8.1972, p. 1 (Council Decision 72/279/EEC of 31 July 1972 setting up a Standing Committee for Agricultural Statistics).

<sup>14</sup> 12<sup>th</sup> meeting of the ESSC, 12 February 2012.

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**amending certain legislative acts in the domain of agricultural and fishery statistics**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) As a consequence of the entry into force of the Treaty on the Functioning of the European Union (TFEU), the powers conferred upon the Commission need to be aligned to Articles 290 and 291 of the TFEU.
- (2) The Commission has committed itself<sup>15</sup>, with regard to Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers<sup>16</sup>, to reviewing legislative acts which currently contain references to the regulatory procedure with scrutiny in the light of the criteria laid down in the Treaty.
- (3) The Commission should have the power to adopt delegated acts under Article 290 of the TFEU in order to supplement or amend certain non-essential elements of the legislative acts, notably to take account of economic, social and technical developments. The Commission should ensure that these delegated acts do not impose a significant additional administrative burden on the Member States or on the respondent units.
- (4) Legislative acts in the field of agricultural and fishery statistics, referred to in recitals 5-13, contain references to the regulatory procedure with scrutiny and should therefore be reviewed in the light of the criteria laid down in the Treaty.

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<sup>15</sup> OJ L 55, 28.2.2011, p. 19.

<sup>16</sup> OJ L 55, 28.2.2011, p. 13.

- (5) As regards Council Directive 96/16/EC of 19 March 1996 on statistical surveys of milk and milk products<sup>17</sup>, in order to take account of experience acquired and of economic evolution, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the definition of agricultural holdings, the list of milk products covered by the surveys and the standard definitions to be used when communicating the results for the various products.
- (6) As regards Regulation (EC) No 138/2004 of the European Parliament and of the Council of 5 December 2003 on the economic accounts for agriculture in the Community<sup>18</sup>, in order to take account of economic, social and technical developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of updating of Annexes I and II to that Regulation.
- (7) As regards Regulation (EC) No 1921/2006 of the European Parliament and of the Council of 18 December 2006 on the submission of statistical data on landings of fishery products in Member States and repealing Council Regulation (EEC) No 1382/91<sup>19</sup>, in order to take account of technical developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of technical adaptation of the Annexes to that Regulation.
- (8) As regards Regulation (EC) No 762/2008 of the European Parliament and of the Council of 9 July 2008 on the submission by Member States of statistics on aquaculture and repealing Council Regulation (EC) No 788/96<sup>20</sup>, in order to take account of technical developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of technical changes to the Annexes to that Regulation.
- (9) As regards Regulation (EC) No 1165/2008 of the European Parliament and of the Council of 19 November 2008 concerning livestock and meat statistics and repealing Council Directives 93/23/EEC, 93/24/EEC and 93/25/EEC<sup>21</sup>, in order to take account of technical developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of modifications of Annexes I, II, IV and V to that Regulation.
- (10) As regards Regulation (EC) No 216/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic<sup>22</sup>, in order to take account of technical progress and international requirements, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amendments of Annexes I, II, III and IV.

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<sup>17</sup> OJ L 78, 28.3.1996, p.27.

<sup>18</sup> OJ L 33, 5.2.2004, p. 1.

<sup>19</sup> OJ L 403, 30.12.2006, p. 1.

<sup>20</sup> OJ L 218, 13.8.2008, p. 1.

<sup>21</sup> OJ L 321, 1.12.2008, p. 1.

<sup>22</sup> OJ L 87, 31.3.2009, p. 1.

- (11) As regards Regulation (EC) No 217/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of catch and activity statistics by Member States fishing in the north-west Atlantic<sup>23</sup>, in order to take account of technical progress and international requirements, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amendments to the lists of species and statistical fishing regions and the descriptions of those regions, as well as the measures, codes and definitions applied to fishing activity, fishing gear, vessel sizes and methods of fishing.
- (12) As regards Regulation (EC) No 218/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic<sup>24</sup>, in order to take account of technical progress and international requirements, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amendments to the lists of species and statistical fishing regions, the descriptions of those fishing regions and the permitted degree of aggregation of data.
- (13) As regards Regulation (EC) No 543/2009 of the European Parliament and of the Council of 18 June 2009 concerning crop statistics and repealing Council Regulations (EEC) No 837/90 and (EEC) No 959/93<sup>25</sup>, in order to take account of economic and technical developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of adaptation of the transmission tables as set out in the Annex.
- (14) It is particularly important for the Commission to carry out appropriate consultations during its preparatory work, including at expert level. When preparing and drawing-up delegated acts, the Commission should ensure the simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.
- (15) The Standing Committee for Agricultural Statistics (SCAS) set up by Council Decision 72/279/EEC of 31 July 1972<sup>26</sup> provides advice to and assists the Commission in exercising of its implementing powers under the legislative acts referred to in recitals 5-13.
- (16) Under the strategy for a new European Statistical System (ESS) structure, aimed at improving coordination and partnership in a clear pyramid structure within the ESS, the European Statistical System Committee (ESSC), established by Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics<sup>27</sup>, should have an advisory role and assist the Commission in the exercising its implementing powers.

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<sup>23</sup> OJ L 87, 31.3.2009, p.42.

<sup>24</sup> OJ L 87, 31.3.2009, p.70.

<sup>25</sup> OJ L 167, 29.6.2009, p.1.

<sup>26</sup> OJ L 179, 7.8.1972, p.1.

<sup>27</sup> JO L 87, 31.3.2009, p.164.



- (17) To that effect, the legislative acts referred to in recitals 5-13 should be modified, with the reference to the SCAS being replaced by a reference to the ESSC.
- (18) In accordance with the principle of proportionality, it is necessary and appropriate for the achievement of the basic objective of the alignment of the powers conferred upon the Commission to Articles 290 and 291 of the TFEU to lay down rules on such alignment in the domain of agricultural and fishery statistics. This Regulation does not go beyond what is necessary in order to achieve that objective, in accordance with Article 5(4) of the Treaty on the European Union.
- (19) In order to ensure legal certainty, it is necessary that the procedures for the adoption of measures which have been initiated but not completed before the entry into force of this Regulation are not affected by this Regulation.
- (20) Since the amendments made to Council Directive 96/16/EC concern committee procedure only, that Directive does not need to be transposed by Member States,

HAVE ADOPTED THIS REGULATION:

*Article 1*

The legislative acts listed in the Annex are amended in accordance with t this same Annex.

*Article 2*

This Regulation shall not affect the procedures for the adoption of measures provided for in the legislative acts in the Annex which have been initiated but not completed before the entry into force of this Regulation.

*Article 3*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

## ANNEX

### **1. Council Directive 96/16/EC of 19 March 1996 on statistical surveys of milk and milk products<sup>28</sup>.**

Directive 96/16/EC is amended as follows:

(1) In Article 1, point 2 is replaced by the following:

'2. shall carry out annual surveys of the production of milk and its use among agricultural holdings. The Commission shall be empowered to adopt delegated acts in accordance with Article 6a concerning the definition of agricultural holdings.'

(2) In Article 3, paragraphs 2 and 3 are replaced by the following:

'2. The Commission shall be empowered to adopt delegated acts in accordance with Article 6a concerning the list of milk products covered by the surveys and to draw up standard definitions to be used when communicating the results for the various products.'

(3) The following Article 6a is inserted:

#### *Article 6a*

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. When exercising the powers delegated in Article 1(2) and Article 3(2), the Commission shall ensure that the delegated acts do not impose a significant additional administrative burden on the Member States and on the respondents.

3. The power to adopt delegated acts referred to in Article 1(2) and Article 3(2) shall be conferred on the Commission for an indeterminate period of time from (Publications office: please insert the exact date of the entry into force of the amending Regulation).

4. The delegation of power referred to in Article 1(2) and Article 3(2) 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 power 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.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 1(2) or Article 3(2) shall enter into force only if no objection has been expressed either by the European Parliament or by 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

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<sup>28</sup> OJ L 78, 28.3.1996, p. 27.

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 of the Council.'

(4) Article 7 is replaced by the following:

*'Article 7*

1. The Commission shall be assisted by the European Statistical System Committee established by Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics(\*). That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers(\*\*).

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

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(\*) OJ L 87, 31.3.2009, p. 164.

(\*\*) OJ L 55, 28.2.2011, p. 13.'

**2. Regulation (EC) No 138/2004 of the European Parliament and of the Council of 5 December 2003 on the economic accounts for agriculture in the Community<sup>29</sup>.**

Regulation (EC) No 138/2004 is amended as follows:

(1) In Article 2, paragraph 2 is replaced by the following:

'2. The Commission shall be empowered to adopt delegated acts in accordance with Article 4 in updating the EAA methodology.'

(2) In Article 3, paragraph 3 is replaced by the following:

'3. The Commission shall be empowered to adopt delegated acts in accordance with Article 4 in updating the list of variables and the time limits for the provision of data set out in Annex II.'

(3) Article 4 is replaced by the following:

*'Article 4*

**Exercise of delegated powers**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. When exercising the powers delegated in Article 2(2) and Article 3(3), the Commission shall ensure that the delegated acts do not impose a significant additional administrative burden on the Member States and on the respondents.

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<sup>29</sup> OJ L 33, 5.2.2004, p. 1.

3. The power to adopt delegated acts referred to in Article 2(2) and Article 3(3) shall be conferred on the Commission for an indeterminate period of time from (Publications office: please insert the exact date of the entry into force of the amending Regulation).

4. The delegation of power referred to in Article 2(2) and Article 3(3) 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 power 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.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 2(2) or Article 3(3) shall enter into force only if no objection has been expressed either by the European Parliament or by 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 of the Council.'

**3. Regulation (EC) No 1921/2006 of the European Parliament and of the Council of 18 December 2006 on the submission of statistical data on landings of fishery products in Member States and repealing Council Regulation (EEC) No 1382/91<sup>30</sup>.**

Regulation (EC) No 1921/2006 is amended as follows:

(1) In Article 6, paragraph 2 is replaced by the following:

'2. The Commission shall examine the reports and present its conclusions to Member States.'

(2) Article 9 is replaced by the following:

*'Article 9*  
**Updating of the Annexes**

The Commission shall be empowered to adopt delegated acts in accordance with Article 10a concerning technical adaptation of the Annexes.'

(3) The following Article 10a is inserted:

*'Article 10a*  
**Exercise of delegated powers**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

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<sup>30</sup> OJ L 403, 30.12.2006, p. 1.

2. When exercising the power delegated in Article 9, the Commission shall ensure that the delegated acts do not impose a significant additional administrative burden on the Member States and on the respondents.

3. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for an indeterminate period of time from (Publications office: please insert the exact date of the entry into force of the amending Regulation).

4. The delegation of power referred to in Article 9 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 power 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.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 9 shall enter into force only if no objection has been expressed either by the European Parliament or by 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 of the Council.'

(4) Article 11 is replaced by the following:

*'Article 11*  
**Committee**

1. The Commission shall be assisted by the European Statistical System Committee established by Regulation (EC) No 223/2009. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers(\*).

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

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(\* ) OJ L 55, 28.2.2011, p. 13.'

**4. Regulation (EC) No 762/2008 of the European Parliament and of the Council of 9 July 2008 on the submission by Member States of statistics on aquaculture and repealing Council Regulation (EC) No 788/96<sup>31</sup>.**

Regulation (EC) No 762/2008 is amended as follows:

(1) In Article 6, paragraph 3 is replaced by the following:

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<sup>31</sup> OJ L 218, 13.8.2008, p. 1.

'3. The Commission shall examine the reports and present its conclusions to Member States.'

(2) In Article 9, paragraph 1 is replaced by the following:

'1. The Commission shall be empowered to adopt delegated acts in accordance with Article 9a concerning technical changes to the Annexes.'

(3) The following Article 9a is inserted:

*'Article 9a*  
**Exercise of delegated powers**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. When exercising the power delegated in Article 9(1), the Commission shall ensure that the delegated acts do not impose a significant additional administrative burden on the Member States and on the respondents.

3. The power to adopt delegated acts referred to in Article 9 shall be conferred on the Commission for an indeterminate period of time from (Publications office: please insert the exact date of the entry into force of the amending Regulation).

4. The delegation of power referred to in Article 9(1) 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 power 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.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 9(1) shall enter into force only if no objection has been expressed either by the European Parliament or by 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 of the Council.'

(4) Article 10 is replaced by the following:

*'Article 10*  
**Committee**

1. The Commission shall be assisted by the European Statistical System Committee established by Regulation (EC) No 223/2009. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers(\*).

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

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(\* ) OJ L 55, 28.2.2011, p. 13.'

**5. Regulation (EC) No 1165/2008 of the European Parliament and of the Council of 19 November 2008 concerning livestock and meat statistics and repealing Council Directives 93/23/EEC, 93/24/EEC and 93/25/EEC<sup>32</sup>.**

Regulation (EC) No 1165/2008 is amended as follows:

(1) Article 18 is replaced by the following:

*'Article 18*  
**Updating of the Annexes**

The Commission shall be empowered to adopt delegated acts in accordance with Article 19 concerning modifications of Annexes I, II, IV and V.'

(2) Article 19 is replaced by the following:

*'Article 19*  
**Exercise of delegated powers**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. When exercising the power delegated in Article 18, the Commission shall ensure that the delegated acts do not impose a significant additional administrative burden on the Member States and on the respondents.

3. The power to adopt delegated acts referred to in Article 18 shall be conferred on the Commission for an indeterminate period of time from (Publications office: please insert the exact date of the entry into force of the amending Regulation).

4. The delegation of power referred to in Article 18 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 power 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.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 18 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a

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<sup>32</sup> OJ L 321, 1.12.2008, p. 1.

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 of the Council.'

**6. Regulation (EC) No 216/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic<sup>33</sup>.**

Regulation (EC) No 216/2009 is amended as follows:

(1) In Article 2, paragraph 5 is replaced by the following:

'5. The Commission shall be empowered to adopt delegated acts in accordance with Article 5 when amending the lists of statistical fishing areas, or subdivisions thereof, and species.'

(2) Article 5 is replaced by the following:

*'Article 5*

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. When exercising the power delegated in Article 2(5), the Commission shall ensure that the delegated acts do not impose a significant additional administrative burden on the Member States and on the respondents.

3. The power to adopt delegated acts referred to in Article 2(5) shall be conferred on the Commission for an indeterminate period of time from (Publications office: please insert the exact date of the entry into force of the amending Regulation).

4. The delegation of power referred to in Article 2(5) 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 power 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.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 2(5) shall enter into force only if no objection has been expressed either by the European Parliament or by 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 of the Council.'

(3) Article 6 is replaced by follows:

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<sup>33</sup> OJ L 87, 31.3.2009, p. 1.



*'Article 6*

1. By 14 November 1996 Member States shall submit a detailed report to the Commission describing how the data on catches are derived and specifying the degree of representativeness and reliability of those data. The Commission shall draw up a summary of those reports for discussion with Member States
2. Member States shall inform the Commission of any modifications to the information provided under paragraph 1 within three months of their introduction.
3. Methodological reports, data availability and data reliability and other relevant issues connected with the application of this Regulation shall be examined once a year with Member States.'

**7. Regulation (EC) No 217/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of catch and activity statistics by Member States fishing in the north-west Atlantic<sup>34</sup>.**

Regulation (EC) No 217/2009 is amended as follows:

- (1) In Article 2, paragraph 4 is replaced by the following:

'4. The Commission shall be empowered to adopt delegated acts in accordance with Article 6 when amending the lists of species and statistical fishing regions and the descriptions of those regions, as well as the measures, codes and definitions applied to fishing activity, fishing gear, vessel sizes and methods of fishing.'

- (2) Article 6 is replaced by the following:

*'Article 6*

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. When exercising the power delegated in Article 2(4), the Commission shall ensure that the delegated acts do not impose a significant additional administrative burden on the Member States and on the respondents.
3. The power to adopt delegated acts referred to in Article 2(4) shall be conferred on the Commission for an indeterminate period of time from (Publications office: please insert the exact date of the entry into force of the amending Regulation).
4. The delegation of power referred to in Article 2(4) 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 power 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.

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<sup>34</sup> OJ L 87, 31.3.2009, p. 42.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 2(4) shall enter into force only if no objection has been expressed either by the European Parliament or by 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 of the Council.'

(3) In Article 7, paragraph 3 is replaced by the following:

'3. Methodological reports, data availability and data reliability and other relevant issues connected with the application of this Regulation shall be examined once a year with Member States.'

**8. Regulation (EC) No 218/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic<sup>35</sup>.**

Regulation (EC) No 218/2009 is amended as follows:

(1) In Article 2, paragraph 3 is replaced by the following:

'3. The Commission shall be empowered to adopt delegated acts in accordance with Article 5 when amending the lists of species and statistical fishing regions, the descriptions of those fishing regions and the permitted degree of aggregation of data.'

(2) Article 5 is replaced by the following:

*Article 5*

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. When exercising the power delegated in Article 2(3), the Commission shall ensure that the delegated acts do not impose a significant additional administrative burden on the Member States and on the respondents.

3. The power to adopt delegated acts referred to in Article 2(3) shall be conferred on the Commission for an indeterminate period of time from (Publications office: please insert the exact date of the entry into force of the amending Regulation).

4. The delegation of power referred to in Article 2(3) 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 power 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.

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<sup>35</sup> OJ L 87, 31.3.2009, p. 70.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 2(3) shall enter into force only if no objection has been expressed either by the European Parliament or by 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 of the Council.'

(3) In Article 6, paragraph 3 is replaced by the following:

'3. Methodological reports, data availability and data reliability and other relevant issues connected with the application of this Regulation shall be examined once a year with Member States.'

**9. Regulation (EC) No 543/2009 of the European Parliament and of the Council of 18 June 2009 concerning crop statistics and repealing Council Regulations (EEC) No 837/90 and (EEC) No 959/93<sup>36</sup>.**

Regulation (EC) No 543/2009 is amended as follows:

(1) In Article 6, paragraph 2 is replaced by the following:

'2. The Commission shall be empowered to adopt delegated acts in accordance with Article 8a when adapting the transmission tables as set out in the Annex.'

(2) The following Article 8a is inserted:

*'Article 8a*  
**Exercise of delegated powers**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. When exercising the power delegated in Article 6(2), the Commission shall ensure that the delegated acts do not impose a significant additional administrative burden on the Member States and on the respondents.

3. The power to adopt delegated acts referred to in Article 6(2) shall be conferred on the Commission for an indeterminate period of time from (Publications office: please insert the exact date of the entry into force of the amending Regulation).

4. The delegation of power referred to in Article 6(2) 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 power 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.

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<sup>36</sup> OJ L 167, 29.6.2009, p. 1.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or by 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 of the Council.'

(3) Article 9 is replaced by the following:

*'Article 9*

**Committee procedure**

1. The Commission shall be assisted by the European Statistical System Committee established by Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics(\*). That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers(\*\*).

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

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(\*) OJ L 87, 31.3.2009, p. 164.

(\*\*) OJ L 55, 28.2.2011, p. 13.'