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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1380/2013 on the Common Fisheries Policy - Outcome of the European Parliament's first reading (Strasbourg, 23 to 26 October 2017)

I. INTRODUCTION

The rapporteur, Mr Alain CADEC (EPP, FR) presented a report, on behalf of the Committee on Fisheries, aiming at taking over the Commission proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1380/2013 on the Common Fisheries Policy.

II. VOTE

The Parliament adopted its first-reading position on 24 October 2017 by taking over the Commission proposal. This position is contained in its legislative resolution as set out in the Annex hereto.

On 22 September 2017, the Permanent Representatives Committee had approved the Commission's proposal without amendments. The Council should therefore be in a position to approve the Parliament's position. The legislative act would then be adopted in the wording which corresponds to the Parliament's position.

P8_TA(2017)0394

Common Fisheries Policy: implementation of the landing obligation *I**

European Parliament legislative resolution of 24 October 2017 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 1380/2013 on the Common Fisheries Policy (COM(2017)0424 – C8-0239/2017 – 2017/0190(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2017)0424),
 - having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0239/2017),
 - 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 18 October 2017,
 - having regard to the undertaking given by the Council representative by letter of 20 September 2017 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries (A8-0285/2017),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Position of the European Parliament adopted at first reading on 24 October 2017 with a view to the adoption of Regulation (EU) 2017/... of the European Parliament and of the Council amending Regulation (EU) No 1380/2013 on the Common Fisheries Policy

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 43(2) thereof,

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Economic and Social Committee¹,

Acting in accordance with the ordinary legislative procedure²,

¹ Opinion of 18 October 2017 (not yet published in the Official Journal).

² Position of the European Parliament of 24 October 2017.

Whereas:

- (1) Article 15(1) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council³ establishes the obligation to land all catches of species which are subject to catch limits and, in the Mediterranean, also catches of species which are subject to minimum sizes ('the landing obligation').
- (2) Multiannual plans referred to in Article 9 of Regulation (EU) No 1380/2013 and management plans referred to in Article 18 of Council Regulation (EC) No 1967/2006⁴ are to lay down detailed provisions intended to facilitate the implementation of the landing obligation ('discard plans').
- (3) Article 15(6) of Regulation (EU) No 1380/2013 provides that, in the absence of multiannual plans or management plans, the Commission may adopt discard plans on a temporary basis and for a period of no more than three years.
- (4) Experience has demonstrated that the preparation and adoption of multiannual plans or management plans that include discard plans takes longer than was envisaged at the time of the adoption of Regulation (EU) No 1380/2013.

³ 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 L 354, 28.12.2013, p. 22).

⁴ Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 (OJ L 409, 30.12.2006, p. 11).

- (5) It is therefore appropriate to set the period for which the Commission may adopt discard plans in the absence of multiannual plans or management plans.
- (6) Regulation (EU) No 1380/2013 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

In Article 15 of Regulation (EU) No 1380/2013, paragraph 6 is replaced by the following:

- "6. Where no multiannual plan, or no management plan in accordance with Article 18 of Regulation (EC) No 1967/2006, is adopted for the fishery in question, the Commission shall be empowered to adopt, in accordance with Article 18 of this Regulation, delegated acts in accordance with Article 46 of this Regulation, laying down on a temporary basis specific discard plans containing the specifications referred to in points (a) to (e) of paragraph 5 of this Article for an initial period of no more than three years that may be renewed for a further total period of three years. Member States may cooperate, in accordance with Article 18 of this Regulation, in the drawing up of such a plan with a view to the Commission adopting such acts or submitting a proposal in accordance with the ordinary legislative procedure."

Article 2

This Regulation shall enter into force on the third 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 ...,

For the European Parliament
The President

For the Council
The President
