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From: General Secretariat of the Council
To: Permanent Representatives Committee/Council
Subject: Proposal for a Regulation of the European Parliament and of the Council on a multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean repealing Regulation (EC) No 302/2009
- Outcome of the European Parliament's first reading
(Strasbourg, 18 to 21 January 2016)

I. INTRODUCTION

The Committee on Fisheries submitted 40 amendments to the proposal for a Regulation (amendments 1-40). In addition, the S&D political group submitted one amendment (amendment 41).

II. DEBATE

The Rapporteur, Mr Gabriel MATO ADROVER (EPP - ES), opened the debate, which took place on 18 January 2016, and:

- recalled the increase in bluefin tuna biomass in recent years and the consequent decision to increase the volume of fishing;

- noted that the purpose of transposing ICCAT recommendations is to ensure uniform application throughout the EU. This issue has already been decided and he did not wish to reopen the question; and
- noted that the Commission's proposal would transpose future amendments to the current recovery plan using delegated acts. The Committee on Fisheries is totally against this, because it thinks that the transposition of these recommendations should be a joint competence of the Parliament and the Council. It should therefore be done through codecision.

Commissioner VELLA took the floor and:

- welcomed the report of the Committee on Fisheries, because it contained some positive suggestions;
- welcomed the recovery of the stock of bluefin tuna, but warned against complacency. The ICCAT recovery plan contains crucial measures. Many of its provisions are directly applicable to all Member States, but transposition is needed to ensure the compliance of natural and legal persons. The EU must not only comply with its international obligations, but also maintain its credibility in sustainable fisheries management;
- expressed his confidence that it will be possible to resolve a divergence between the Parliament and the Commission regarding the interpretation of the competences of the institutions when transposing provisions from the Regional Fisheries Management Organisations;
- stated that the Commission strongly believes that it should be empowered to adopt delegate acts. This is due to the frequency of amendments to the recovery plan in ICCAT and the need to incorporate any future amendments into EU law swiftly. Codecision very often prevents the implementation of new measures in time to ensure that the EU complies with its international obligations. The delegated acts would amend only the non-essential elements of the legislative acts. This requires appropriate consultations, including consultations at expert level. It also requires the timely and appropriate transmission of relevant documents to the Parliament and the Council; and

- stated that the Commission also believes that it should be empowered to adopt implementing acts, because of the frequent need to establish how certain measures of the recovery plan should be implemented at the level of the EU. This is necessary in order to achieve a level playing field for the Member States and in order to ensure the effectiveness of these measures. This is particularly relevant for control measures introduced in ICCAT which could be interpreted differently by different Member States and which are direct linked to quotas and other international obligations.

Speaking on behalf of the EPP political group, Mr Jarosław WAŁĘSA (EPP - PL):

- stated that tuna stocks should be reconstituted through a gradual reduction in total allowable catch levels. It is also necessary to impose stricter limits on fishing within certain areas and time periods, and to introduce new minimum sizes;
- stressed the need to reinforce the ICCAT scheme of joint international inspection; and
- agreed that the rules should be applied uniformly in order to ensure a level playing field for all involved in tuna fishing. This includes non-EU operators, because EU fishermen should not be subject to stricter measures.

Speaking on behalf of the S&D political group, Mrs Renata BRIANO (S&D - IT) called for support for her political group's amendment, which criticises the current monopoly of the bluefin tuna quota by large enterprises and calls on Member States to review the allocation system with a view to distributing the quota more equally between large and small operators.

Speaking on behalf of the ECR political group, Mrs Ruža TOMAŠIĆ (ECR - HR) supported the Committee's report as well balanced.

Speaking on behalf of the ALDE political group, Mrs Izaskun BILBAO BARANDICA (ALDE - ES):

- called for equal treatment of EU and non-EU operators;
- stressed the need to support traditional and small-scale operators, for example in the Canaries; and
- called for the Parliament to be involved in the transposition of ICCAT recommendations. This will promote transparency, balance and legitimacy.

Speaking on behalf of the EUL/NGL political group, Mrs Anja HAZEKAMP (EUL/NGL - NL) welcomed the progress made to date in reconstituting bluefin tuna stocks, but stressed the fact that it still remains on the red list of endangered species. She therefore opposed the support of the Commission and the Rapporteur for increasing catch limits.

Speaking on behalf of the EFDD political group, Mr Marco AFFRONTI (EFDD - IT) stressed the social justice dimension and therefore supported the S&D political group's amendment 41.

Mrs Ulrike RODUST (S&D - DE):

- called for transparent and objective criteria to be applied when allocating quotas;
- stressed the need for equipment to be energy-efficient and more selective; and
- emphasised the special needs of small operators.

Mrs Paloma LÓPEZ BERMEJO (EUL/NGL - ES) called for due allowance to be made for the 'almadraba' fish trap. This equipment is environmentally friendly, selective and employment-intensive.

Mr Peter van DALEN (ECR - NL) called on the Commission to draft a conservation plan for Mediterranean hake.

Commissioner VELLA once more took the floor and:

- acknowledged the important role of artisanal fisheries. The Commission largely shares the Parliament's interest in preserving traditional fishing methods;
- stated that the wording of the Committee on Fisheries' draft report is not always appropriate and can be misleading;
- argued that tuna traps are not the only sustainable method of fishing bluefin tuna or of providing important employment opportunities. This is not reflected in the Committee's proposed amendments;
- agreed that quota allocation between gears should be reassessed in the light of each Member State's individual circumstances;

- noted the comments regarding the almadraba and referred to his comments on artisanal fishing. He stressed the importance of aiming for environmentally-friendly and sustainable fishing methods;
- recognised the socio-economic dimension. Correct management is the only way forward to protect sustainability, including the sustainability of socio-economic elements;
- agreed with Mrs Rodust that quotas should be transparent. All Member States should aim for this, along with high selectivity and low-energy consumption. Small-scale artisanal fishing can play a part in all of this;
- noted Mr van Dalen's call for a conservation plan for hake. This is something that can be discussed; and
- reiterated the Commission's point that flexibility and swift transposition require delegated acts rather than codecision.

The Rapporteur once more took the floor and:

- called for quota allocation to give a fairer share to small-scale operators; and
- rejected the Commission's justification for delegated acts. Codecision is the correct procedure to be used.

III. VOTE

When it voted in plenary on 19 January 2016, the Parliament adopted all 41 of the submitted amendments.

The vote on the legislative resolution was then postponed so that the proposal could be referred back for reconsideration to the Committee on Fisheries.

The text of the adopted amendments is annexed to this note.

Multiannual recovery plan for bluefin tuna in the eastern Atlantic and the Mediterranean ***I

Amendments adopted by the European Parliament on 19 January 2016 on the proposal for a regulation of the European Parliament and of the Council on a multiannual recovery plan for Bluefin tuna in the eastern Atlantic and the Mediterranean repealing Regulation (EC) No 302/2009 (COM(2015)0180 – C8-0118/2015 – 2015/0096(COD))¹

(Ordinary legislative procedure: first reading)

Amendment 1

Proposal for a regulation Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) The Recovery plan takes into account the specificities of the different types of gears. When implementing the recovery plan, the Union and Member States should pay particular attention to non-industrial fishing activities and to the most artisanal and sustainable gear types, such as traditional traps ("almadrabas", "tonnare"), which contribute very positively to the rebuilding of tuna stocks, due to their high level of selectivity and low environmental impact in marine ecosystems, and which are valuable in scientific terms.

Amendment 2

Proposal for a regulation Recital 14

Text proposed by the Commission

Amendment

(14) All the amendments to the Recovery plan adopted by ICCAT in 2012, 2013 and 2014, which have not been subject to transposition yet, should be *integrated* into Union law. As this transposition concerns a plan whose objectives and measures were

(14) All the amendments to the Recovery plan adopted by ICCAT in **2006**, 2012, 2013 and 2014, which have not been subject to transposition yet, should be *transposed* into Union law. As this transposition concerns a plan whose

¹ The matter was referred back to the committee responsible for reconsideration pursuant to Rule 61(2), second subparagraph (A8-0367/2015).

defined by ICCAT, this Regulation does not cover all the content of multiannual plans as set out under Articles 9 and 10 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council¹.

¹Regulation (EU) No 1380/2013 of the European Parliament and 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. 1).

objectives and measures were defined by ICCAT, this Regulation does not cover all the content of multiannual plans as set out under Articles 9 and 10 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council¹.

¹Regulation (EU) No 1380/2013 of the European Parliament and 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).

Amendment 3

Proposal for a regulation Recital 15

Text proposed by the Commission

(15) It is necessary to transpose into Union law future binding amendments of the Recovery plan. In order to swiftly incorporate into Union law such amendments, 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 European Commission (the "Commission"). It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

Amendment

deleted

Amendment 4

Proposal for a regulation Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) Regulation (EU) No 1380/2013 establishes the concept of minimum conservation reference sizes. In order to ensure consistency, the ICCAT concept of minimum sizes should be transposed into Union law as minimum conservation reference sizes. Consequently, the references in Commission Delegated Regulation (EU) 2015/98^{1a} to minimum sizes of bluefin tuna should be read as references to minimum conservation reference sizes in this Regulation.

^{1a} Commission Delegated Regulation (EU) 2015/98 of 18 November 2014 on the implementation of the Union's international obligations, as referred to in Article 15(2) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council, under the International Convention for the Conservation of Atlantic Tunas and the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (OJ L 16, 23.01.2015, p. 23).

Amendment 5

Proposal for a regulation Recital 17

Text proposed by the Commission

Amendment

(17) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to transfer operations, caging operations and recording and reporting of trap and vessel activities, imperative grounds of urgency so require.

deleted

Amendment 6

Proposal for a regulation Recital 24

Text proposed by the Commission

(24) *Article 15(1) of Regulation (EU) No 1380/2013 introduced a landing obligation which applies as of 1 January 2015 to Bluefin tuna. However, under Article 15(2) of that Regulation, the landing obligation is without prejudice to the Union's international obligations, such as those resulting from ICCAT Recommendations. Under that same provision the Commission is empowered to adopt delegated acts, for the purpose of implementing such international obligations into Union law, including, in particular, derogations from the landing obligation. Accordingly, the discard of bluefin tuna will be allowed in some situations laid down in Commission Delegated Regulation (EU) No 2015/98 of 18 November 2014. This Regulation does therefore not need to cover such discard obligations,*

Amendment

(24) Delegated Regulation (EU) 2015/98 provides for derogations from the landing obligation of bluefin tuna set out in Article 15 of Regulation (EU) No 1380/2013 for the purpose of Union compliance with its international obligations under the Convention. It implements certain provisions of ICCAT Recommendation 13-07 that establish a discard and release obligation for vessels and traps catching bluefin tuna in the Eastern Atlantic and the Mediterranean in certain situations. This Regulation therefore does not need to cover such discard and release obligations and will consequently be without prejudice to the corresponding provisions laid down in Delegated Regulation (EU) 2015/98,

Amendment 7

Proposal for a regulation Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation lays down the general rules for the application by the Union of the Recovery plan as defined in Article 3(1).

Amendment

1. This Regulation lays down the general rules for the application by the Union of the Recovery plan as defined in Article 3(1), *taking into account the specific features of the various types of fishing gear and paying particular attention to traditional, more sustainable and artisanal gear, such as traps.*

Amendment 8

Proposal for a regulation Article 3 – point 16

Text proposed by the Commission

(16) "farming capacity" means the capacity of a farm to hold fish for fattening and farming purposes in tonnes";

Amendment

deleted

Amendment 9

Proposal for a regulation Article 5 – paragraph 1

Text proposed by the Commission

1. Each Member State shall take the necessary measures to ensure that the fishing *activities* of its catching vessels and its traps are commensurate with the fishing opportunities on Bluefin tuna available to that Member State in the eastern Atlantic and Mediterranean.

Amendment

1. Each Member State shall take the necessary measures to ensure that the fishing *effort* of its catching vessels and its traps are commensurate with the fishing opportunities on Bluefin tuna available to that Member State in the eastern Atlantic and Mediterranean, *and to safeguard the socio-economic viability of its traps.*

Amendment 10

Proposal for a regulation Article 7 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The annual fishing plan submitted by each Member State shall provide for an even breakdown of quotas among the gear groups in order to help ensure compliance with individual quotas and by-catch allowances.

Amendment 11

Proposal for a regulation Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States shall use transparent

and objective criteria, including those of an environmental, social and economic nature, for the national allocation of the quotas, giving special consideration to the preservation and prosperity of small-scale, artisanal and traditional fishermen using traps and other selective fishing methods, and to the encouragement of such methods.

Amendment 12

Proposal for a regulation Article 8 – paragraph 3

Text proposed by the Commission

3. The maximum number of fishing vessels flying the flag of a Member State engaged in the eastern Atlantic and Mediterranean Bluefin tuna fishery shall be limited to the number, and the total corresponding gross tonnage, of fishing vessels flying the flag of that Member State that fished for, retained on board, transhipped, transported or landed Bluefin tuna during the period from 1 January 2007 to 1 July 2008. That limit shall apply by gear type for catching vessels.

Amendment

3. The maximum number *and the corresponding gross tonnage* of fishing vessels flying the flag of a Member State engaged in the eastern Atlantic and Mediterranean Bluefin tuna fishery shall be limited to the number, and the total corresponding gross tonnage, of fishing vessels flying the flag of that Member State that fished for, retained on board, transhipped, transported or landed Bluefin tuna during the period from 1 January 2007 to 1 July 2008. That limit shall apply by gear type for catching vessels.

Amendment 41

Proposal for a regulation Article 8 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. By way of derogation from paragraphs 2, 3, and 5, Member States shall review the Bluefin tuna fishing quota system, which penalises small-scale fishermen, for the purpose of removing the monopoly currently exercised by large vessel owners and encouraging more sustainable fishing systems such as those used for small-scale fishing.

Amendment 13

Proposal for a regulation Article 8 – paragraph 7

Text proposed by the Commission

7. **By way of derogation from paragraph 3 and 6**, for the years 2015, 2016, and 2017, each Member State shall limit the numbers of its purse seiners **not authorised to fish for Bluefin tuna under the derogation referred to in Article 13(2)b** to the numbers of purse seiners it authorised in 2013 or 2014.

Amendment

7. For the years 2015, 2016, and 2017, each Member State shall limit the numbers of its purse seiners to the numbers of purse seiners it authorised in 2013 or 2014. **This shall not apply to purse seiners operating under the derogation provided for in point (b) of Article 13(2).**

Amendment 14

Proposal for a regulation Article 10 – paragraph 5

Text proposed by the Commission

5. Fishing for Bluefin tuna by gears other than those referred to in paragraphs 1 to 4 and Article 11, including traps shall be permitted throughout the year.

Amendment

5. Fishing for Bluefin tuna by gears other than those referred to in paragraphs 1 to 4 and Article 11, including traps, shall be permitted throughout the year **in accordance with ICCAT conservation and management measures.**

Amendment 15

Proposal for a regulation Chapter III – Section 2 – title

Text proposed by the Commission

MINIMUM SIZE, INCIDENTAL
CATCH, BY-CATCH

Amendment

MINIMUM **CONSERVATION**
REFERENCE SIZE, INCIDENTAL
CATCH, BY-CATCH

Amendment 16

Proposal for a regulation Article 12

Text proposed by the Commission

The provisions of this Section shall be without prejudice to Article 15 of

Amendment

The provisions of this Section shall be without prejudice to Article 15 of

Regulation (EU) No 1380/2013, including any *derogation in line with Article 15(2) of that Regulation*.

Regulation (EU) No 1380/2013, including any *applicable derogations therefrom*.

Amendment 17

Proposal for a regulation Article 13 – title

Text proposed by the Commission

Minimum size

Amendment

Minimum conservation reference size

Amendment 18

Proposal for a regulation Article 13 – paragraph 1

Text proposed by the Commission

1. The minimum size for Bluefin tuna caught in the eastern Atlantic and in the Mediterranean shall be 30 kg or 115 cm fork length.

Amendment

1. The minimum *conservation reference* size for Bluefin tuna caught in the eastern Atlantic and in the Mediterranean shall be 30 kg or 115 cm fork length.

Amendment 19

Proposal for a regulation Article 13 – paragraph 2 – introductory part

Text proposed by the Commission

By way of derogation from paragraph 1, a minimum size for Bluefin tuna of 8 kg or 75cm fork length shall apply to the following fisheries:

Amendment

By way of derogation from paragraph 1, a minimum *conservation reference* size for Bluefin tuna of 8 kg or 75cm fork length shall apply to the following fisheries:

Amendment 20

Proposal for a regulation Article 15 – paragraph 4

Text proposed by the Commission

4. If the quota allocated to the Member State of the fishing vessel or trap concerned has already been consumed, the catching of any Bluefin tuna shall be avoided. Dead Bluefin tuna must be landed and shall be subject to confiscation and the

Amendment

4. If the quota allocated to the Member State of the fishing vessel or trap concerned has already been consumed, the catching of any Bluefin tuna shall be avoided. Dead Bluefin tuna must be landed *whole and unprocessed* and shall be

appropriate follow-up action. In accordance with Article 27, each Member State shall report information on such quantities on an annual basis to the Commission who shall forward it to the ICCAT Secretariat.

subject to confiscation and the appropriate follow-up action. In accordance with Article 27, each Member State shall report information on such quantities on an annual basis to the Commission who shall forward it to the ICCAT Secretariat.

Amendment 21

Proposal for a regulation Chapter III – Section 3 – title

Text proposed by the Commission

USE OF AIRCRAFTS

Amendment

USE OF AERIAL MEANS

Amendment 22

Proposal for a regulation Article 18 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Any Bluefin tuna landed shall be whole, gilled and gutted. Each Member State shall take the necessary measures to ensure, to the greatest extent possible, the release of Bluefin tuna caught alive, especially juveniles, in the framework of recreational and sport fishing.

Amendment 23

Proposal for a regulation Article 19 – paragraph 1 – point a

Text proposed by the Commission

(a) a list of all catching vessels flying its flag authorised to fish actively for Bluefin tuna in the eastern Atlantic and Mediterranean by issue of a *special* fishing authorisation;

Amendment

(a) a list of all catching vessels flying its flag authorised to fish actively for Bluefin tuna in the eastern Atlantic and Mediterranean by issue of a fishing authorisation;

Amendment 24

Proposal for a regulation Article 19 a (new)

Text proposed by the Commission

Amendment

Article 19a

Relationship with Regulation (EC) No 1224/2009

The control measures provided for in this Chapter shall apply in addition to those provided for in Regulation (EC) No 1224/2009, except where otherwise provided for in this Chapter.

Amendment 25

Proposal for a regulation Article 20 – paragraph 2

Text proposed by the Commission

Amendment

2. The flag Member State shall withdraw the fishing authorisation for Bluefin tuna and *shall* require the vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted.

2. The flag Member State shall withdraw the fishing authorisation for Bluefin tuna and *may* require the vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted.

Amendment 26

Proposal for a regulation Article 21 – paragraph 1

Text proposed by the Commission

Amendment

1. By 15 February each year, each Member State shall send to the Commission electronically a list of its traps authorised, by issue of a *special* fishing authorisation to fish for Bluefin tuna in the eastern Atlantic and Mediterranean. The list shall include the name of the traps and the register number and shall be set up in accordance with the format set in the Guidelines by ICCAT for submitting data and information required.

1. By 15 February each year, each Member State shall send to the Commission electronically a list of its traps authorised, by issue of a fishing authorisation to fish for Bluefin tuna in the eastern Atlantic and Mediterranean. The list shall include the name of the traps and the register number and shall be set up in accordance with the format set in the Guidelines by ICCAT for submitting data and information required.

Amendment 27

Proposal for a regulation

Article 24 – paragraph 5 – subparagraph 2

Text proposed by the Commission

On duly justified imperative grounds of urgency, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 59 (3).

Amendment

deleted

Amendment 28

Proposal for a regulation

Article 29 – paragraph 3

Text proposed by the Commission

3. Where Member States apply Article 80(3) of Regulation (EU) No 404/2011 to the notification under paragraphs 1 and 2, the estimated quantities of Bluefin tuna retained on board may be notified at the agreed time of notification prior to arrival.

Amendment

3. Where Member States apply Article 80(3) of **Implementing** Regulation (EU) No 404/2011 to the notification under paragraphs 1 and 2, the estimated quantities of Bluefin tuna retained on board may be notified at the agreed time of notification prior to arrival. ***If the fishing grounds are less than four hours from the port, the estimated quantities of Bluefin tuna retained on board may be modified at any time prior to arrival.***

Amendment 29

Proposal for a regulation

Article 37 – paragraph 2

Text proposed by the Commission

On duly justified imperative grounds of urgency, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 59(3).

Amendment

deleted

Amendment 30

Proposal for a regulation Article 46 – paragraph 2

Text proposed by the Commission

On duly justified imperative grounds of urgency, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 59(3).

Amendment

deleted

Amendment 31

Proposal for a regulation Article 47 – paragraph 4

Text proposed by the Commission

4. Member States shall *ensure that their Fisheries Monitoring Centres forward to the Commission and a body designated by it, in real time and using the format ‘https data feed’, the VMS messages received from the fishing vessels flying their flag.* The Commission shall send electronically those messages to the ICCAT Secretariat.

Amendment

4. Member States shall *transmit the data provided for in this Article in accordance with Article 28 of Implementing Regulation (EU) No 404/2011.* The Commission shall send electronically those messages to the ICCAT Secretariat.

Amendment 32

Proposal for a regulation Article 49 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) during all transfers from one farm to another;

Amendment 33

Proposal for a regulation Article 49 – paragraph 5 – point a a (new)

Text proposed by the Commission

Amendment

(aa) observe and monitor fishing and farming operations in compliance with the relevant ICCAT conservation and management measures;

Amendment 34

Proposal for a regulation Article 57

Text proposed by the Commission

Amendment

Article 57

deleted

Procedure for amendments

1. As far as is necessary, in order to incorporate into Union law amendments to the existing provisions of the Bluefin tuna recovery plan which become binding to the Union, the Commission may amend non-essential provisions of this Regulation by means of delegated acts in accordance with Article 58.

Amendment 35

Proposal for a regulation Article 58

Text proposed by the Commission

Amendment

Article 58

deleted

Exercise of the delegation for amendments

- 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.*
- 2. The delegation of power referred to in Article 57 shall be conferred on the Commission for an indeterminate period of time.*
- 3. The delegation of power referred to in Article 57 may be revoked at any time by the European Parliament or by the Council. A decision of revocation 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.*

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

5. A delegated act adopted pursuant to Article 57 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 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 2 months at the initiative of the European Parliament or the Council.

Amendment 36

Proposal for a regulation Article 59 – paragraph 3

Text proposed by the Commission

Amendment

3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.

deleted

Amendment 37

Proposal for a regulation Article 61 – paragraph 1

Text proposed by the Commission

Amendment

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

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

Amendment 38

Proposal for a regulation Annex I – paragraph 2

Text proposed by the Commission

Amendment

2. In addition to the provisions set out in

2. In addition to the provisions set out in

Article 8(3), the maximum number of catching vessels authorised to fish for Bluefin tuna in the Adriatic sea for farming purposes under the specific conditions applying to the derogation referred to in Article 13(2)(b) is set at the number of Union catching vessels participating in the directed fishery for Bluefin tuna in 2008.

Article 8(3), the maximum number of catching vessels authorised to fish for Bluefin tuna in the Adriatic sea for farming purposes under the specific conditions applying to the derogation referred to in Article 13(2)(b) is set at the number of Union catching vessels participating in the directed fishery for Bluefin tuna in 2008.
For that purpose, the number of Croatian catching vessels participating in the directed fishery for Bluefin tuna in 2008 shall be taken into account.

Amendment 39

Proposal for a regulation Annex IV – point 2 – line 2

Text proposed by the Commission

Number of individuals:

Species:

Amendment

Number of individuals:

Species:

Weight:

Amendment 40

Proposal for a regulation Annex VII – point 7 – point a

Text proposed by the Commission

(a) allowed access to the vessel ***and*** farm personnel and to the gear, cages and equipment

Amendment

(a) allowed access to the vessel, farm ***and trap*** personnel and to the gear, cages and equipment