



Council of the  
European Union

007992/EU XXVI. GP  
Eingelangt am 16/01/18

Brussels, 15 January 2018  
(OR. en)

5314/18

PECHE 4

#### COVER NOTE

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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	12 January 2018
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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No. Cion doc.:	COM(2018) 9 final
Subject:	REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the exercise of the power to adopt delegated acts conferred on the Commission under Regulation (EC) No 762/2008 concerning European statistics on aquaculture

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Delegations will find attached document COM(2018) 9 final.

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Encl.: COM(2018) 9 final



EUROPEAN  
COMMISSION

Brussels, 12.1.2018  
COM(2018) 9 final

[...]

**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND  
THE COUNCIL**

**on the exercise of the power to adopt delegated acts conferred on the Commission  
under Regulation (EC) No 762/2008 concerning European statistics on aquaculture**

## **1. BACKGROUND**

Regulation (EC) No 762/2008 of 9 July 2008 on the submission by Member States of statistics on aquaculture<sup>1</sup> was modified by Regulation (EU) No 1350/2013 of the European Parliament and of the Council of 11 December 2013 amending certain legislative acts in the field of agricultural and fishery statistics<sup>2</sup> to align implementing powers with the Treaty on the Functioning of the European Union.

Article 9 of Regulation (EC) No 762/2008 confers on the Commission the power to adopt delegated acts. This power can be used to take account of economic and technical developments. The delegated acts may amend Annex I to adapt its definitions to changes in international definitions, and Annexes II to VI.

Under Article 9a(2), the power to adopt delegated acts is conferred for a period of five years from 10 January 2014. This power is to be tacitly extended for periods of five years unless the European Parliament or the Council oppose such extension.

The Commission is obliged to draw up a report on the delegation of power not later than nine months before the end of the five-year period. This report fulfils this obligation.

## **2. COMMISSION EXERCISE OF DELEGATED POWERS UNDER REGULATION (EC) No 762/2008**

The Commission has not yet exercised the power to adopt delegated acts conferred on it by Regulation (EU) No 762/2008.

Until the time of delivering this report, the collection of data under Regulation (EC) No 762/2008 was stable and international definitions did not change. The Commission has therefore not yet deemed it necessary to exercise the delegated powers.

## **3. CONCLUSIONS**

The Commission has not yet exercised the power to adopt delegated acts conferred on it by Regulation (EU) No 762/2008.

The Commission considers that it should continue to have these delegated powers as in the future it may need to adopt a delegated act to modify Annexes I to IV of the above-mentioned Regulation to meet the needs of data users in the context of the future common fisheries policy, or to adapt to changes in international definitions.

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

<sup>2</sup> OJ L 351, 21.12.2013.