



Draft Commission Delegated Act amending Delegated Regulation 2015/242

laying down detailed rules on the functioning of the Advisory
Councils under the Common Fisheries Policy

MARE D3 – Inter-AC 15 July 2021

Objectives of the amendment

- Improve the balance between sector organisations and other interest groups (OIGs) in chairing positions
- Strengthen requirements for appropriate representation of OIGs
- Detail working methods to ensure compliance with CFP objectives, transparency and respect of all opinions
- Introduce a requirement for external and independent performance reviews
- Precise the criteria for the classification of the members into the two categories of stakeholders (sector organisations and other interest groups)

Improve the balance between sector organisations and OIGs in chairing positions

Article 4: Structure and organisation of the Advisory Councils

Inserted paragraph 2

The Advisory Council shall designate, by consensus, a chairperson and at least one vice-chairperson. The chairperson may originate from outside the membership of the Advisory Council. In case the chairperson is designated amongst representatives of member organisations, at least one of the vice-chairpersons shall be designated amongst members of the category of sector organisations and other interest groups referred to in Article 2 to which the chairperson does not belong. This principle shall also apply, where possible, to working groups' chairpersons.

Strengthen requirements for appropriate representation of OIGs

Article 4: Structure and organisation of the Advisory Councils

Amended paragraph 7 (former paragraph 6)

The general assembly and the executive committee shall ensure a balanced and wide representation of all stakeholders, with emphasis on **other interest groups and, where appropriate**, small-scale fleets, ~~where appropriate~~. The number of representatives of small-scale fleets should reflect the share of small scale fleets within the fishing sector of the Member States concerned.

Detail working methods to ensure compliance with CFP objectives, transparency and respect of all opinions

Article 5: Working methods

Inserted paragraph 1

The Advisory Council shall ensure that the recommendations and suggestions issued:

- a. comply with the rules and objectives of the Common Fisheries Policy as set out in Article 2 of Regulation (EU) 1380/2013;
- b. are developed along strict principles of transparency, balanced representation and respect of all opinions expressed;
- c. are adopted, where possible, by consensus. If not consensus can be reached, dissenting opinions expressed by members shall be recorded in the recommendations adopted by the majority of members present and voting.

Introduce a requirement for external and independent performance reviews

New Article 7a: Performance reviews

The Advisory Council shall subject itself at least once in every 5 years to an independent performance review. This review shall aim to identify best practices and shortcomings, list recommendations aiming at improving the functioning of the Advisory Council and assess its overall contribution to the objectives of the Common Fisheries Policy as set out in Regulation (EU) 1380/2013. The results of these reviews shall be made public and, when concluding to shortcomings in the functioning of the Advisory Council, accompanied by an action plan setting out concrete actions and a clear timeframe for their implementation.

Precise the criteria for the classification of the members into the two categories of stakeholders

Article 4: Structure and organisation of the Advisory Councils

Amended paragraph 3

The general assembly of an Advisory Council shall:

- a. adopt the rules of procedure of the Advisory Council;
- b. meet at least once a year to approve the annual report, the annual strategic plan and the annual budget of the Advisory Council;
- c. decide on the classification of the members of the Advisory Council under the categories 'sector organisations' or 'other interest groups' **using the criteria laid down in Annex I and** ~~That decision shall be based on objective and verifiable criteria information~~, such as the provisions of the statutes, the list of the members and the nature of the activities of the organisation concerned.

Criteria for sector organisations

Annex I – Paragraph 1

An organisation shall be classified ‘sector organisation’ when at least one of the following criteria is met:

- a. the organisation represents or has direct or indirect economic interests in the sectors of commercial fishing, aquaculture, processing, marketing, distribution or retail of seafood;
- b. a majority of the members of the organisation, either natural or legal persons, represent or have direct or indirect economic interests in the sectors of commercial fishing, aquaculture, processing, marketing, distribution or retail of seafood;
- c. the organisation represents employees in the sectors related to commercial fishing, aquaculture, processing, marketing, distribution or retail of seafood;
- d. at least 50% of the organisation’s funding originates from undertakings active in the field of commercial fishing, aquaculture, processing, marketing, distribution or retail of seafood.
- e. provided that one of the criteria listed in point 1(a) to 1(d) is met, the organisation is active in the field of environment, consumers and human rights, health, promotion of equality or animal welfare.

Criteria for other interest groups

Annex I – Paragraph 2

An organisation shall be classified ‘other interest group’ when it is independent from economic interests linked to the sectors of commercial fishing, aquaculture, processing, marketing, distribution or retail of seafood and:

- a. the organisation is primarily active in the field of environment, consumers and human rights, health, promotion of equality, animal welfare or recreational or sport fishing; or
- b. the organisation represents or has direct or indirect economic interests linked to the use of the marine environment or maritime space other than commercial fishing, aquaculture or the processing, marketing, distribution and retail of seafood.

Next steps

- 16 July: Presentation of the draft act to the Member States during the Fisheries and Aquaculture Expert Group meeting
- Public feedback until 10 September 2021
- Autumn 2021: scrutiny by the European Parliament and the Council
- Foreseen adoption late 2021, early 2022

Thank you

Q&A



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