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To:	Delegations
Subject:	Proposal for a Regulation of the European Parliament and of the Council on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area (recast) - COM(2021) 434 final - 2021/0248 (COD) - Consultative Working Party Opinion

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**REDACTED DOCUMENT ACCESSIBLE TO THE PUBLIC (13.06.2025). ONLY MARGINAL PERSONAL DATA HAVE BEEN REDACTED.**

Delegations will find attached the Opinion of the Consultative Working Party of the three Legal Services concerning the Proposal on the Regulation of the European Parliament and of the Council on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area (recast) COM(2021) 434 final - 2021/0248 (COD).



GROUPE CONSULTATIF  
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Brussels,

04 FEV. 2022

## OPINION

FOR THE ATTENTION OF THE EUROPEAN PARLIAMENT  
THE COUNCIL  
THE COMMISSION

**Proposal for a Regulation of the European Parliament and of the Council on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area (recast)  
COM(2021) 434 of 30.7.2021 - 2021/0248 (COD)**

Having regard to the Inter-institutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts, and in particular to point 9 thereof, the Consultative Working Party consisting of the respective legal services of the European Parliament, the Council and the Commission met on 27 September and 6 and 14 October 2021 for the purpose of examining, among others, the aforementioned proposal submitted by the Commission.

At those meetings<sup>1</sup>, an examination of the proposal for a Regulation of the European Parliament and of the Council recasting Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area resulted in the Consultative Working Party's establishing, by common accord, as follows.

1. The following should have been marked with the grey-shaded type generally used for identifying substantive amendments:

- in Article 42, the replacement of the word '*fishermen*' with the words '*authorised vessels or fishers*';
- in Article 49(4), the adding of the final words '*referred to in Annex VIII*';
- the deletion of the words '*by the contracting party*' contained in point (b) of Article 22a(3) of Regulation (EU) No 1343/2011;
- the deletion of the words '*or other equipment for vessel geo-localisation*' contained in point (i) of Article 22a(3) of Regulation (EU) No 1343/2011;

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<sup>1</sup> The Consultative Working Party worked on the basis of the English language version of the proposal, being the master-copy language version of the text under discussion.

- in Article 63(4), the deletion of the words ‘*and the GFCM Secretariat not later than 31 August*’ and the adding of the words ‘*by 31 July*’ and ‘*and the Commission shall transmit to the GFCM Secretariat not later than 31 August each year*’;
  - in Article 76(1), first sentence, the deletion of the words ‘*as communicated to the GFCM Secretariat in accordance with paragraph 22 of Recommendation GFCM/37/2013/1*’;
  - in Article 76(3), the replacement of the words ‘*for small pelagic stocks referred to in paragraph 1*’ with the words ‘*as provided for in Table B of Annex XII*’;
  - in Article 101(2), the replacement of the words ‘*Shark and ray*’ with the word ‘*Elasmobranch*’;
  - in Article 101(3), the replacement of the words ‘*sharks and rays of the*’ with the word ‘*Elasmobranch*’;
  - in Article 104, the deletion of the words ‘*and to Council Regulation (EC) No 1185/2003*’;
  - in Article 120(5), the adding of the final words ‘*provided for in Annex VIII*’;
  - the deletion of the words ‘*in the Fisheries Restricted Area*’ contained in point (j) of Article 9d(5) of Regulation (EU) No 1343/2011;
  - the deletion of the entire wordings of points (l) and (m) of Article 9d(5) of Regulation (EU) No 1343/2011;
  - in Article 120(6), the deletion of the words ‘*GFCM Secretariat and*’ and the replacement of the words ‘*30 April each year*’ with the words ‘*31 March*’;
  - the deletion of Article 16 of Regulation (EU) No 1343/2011;
  - in Article 144, the deletion of the words ‘*As far as is necessary, in order to implement in Union law amendments that become obligatory for the Union to existing GFCM measures that have already been implemented in Union law*’ and the adding of the words ‘*amending or supplementing this Regulation, in accordance with Article 145, concerning measures adopted by the GFCM*’;
  - in point (1) of Article 144, the replacement of the reference to ‘*Article 15(4)*’ currently contained in point (a) of Article 26 of Regulation (EU) No 1343/2011 with a reference to ‘*Article 124(4)*’;
  - in point (2) of Article 144, the adding of references to ‘*Article 10, Article 17, Article 26, Article 36, Article 63(3), Article 72, Article 81(2) and Article 89*’;
  - in point (6) of Article 144, the replacement of Article number 24 currently appearing in point (d) of Article 26 of Regulation (EU) No 1343/2011 with Article number 136;
  - in Article 145(2), the replacement of the words ‘*28 November 2015*’ with the words ‘*the date of entry into force of this Regulation*’;
  - in the introductory wording of Annex VIII, the adding of new references to Articles 17, 18, 36 and 72;
  - in point 1 of Annex VIII, the adding of the indication ‘*(authorised vessel or authorised vessel used for harvesting)*’;
  - in point 2 of Annex VIII, the replacement of the acronym ‘*CPCs*’ currently contained in the second indent of Annex VIII of Regulation (EU) No 1343/2011 with the term ‘*Member States*’;
  - the entire wordings of points 11, 12, 16 and 17 of Annex VIII;
  - in point 15 of Annex VIII, the adding of the indication ‘*(if applicable)*’.
2. The reference box preceding point 2 of Article 3 should not have contained the indication ‘*1343/2011 (adapted)*’, but should have contained the indication ‘*2019/982 Art. 1.2(b)*’.

3. The reference box preceding Article 42 should not have contained the indication '1343/2011 (adapted)', but should have contained the indication '2015/2102 Art. 1.2 (adapted)'.

4. In the reference box preceding Article 46, the indication '982/2019 Art. 1.6 (adapted)', should have read '2019/982 Art. 1.8 (adapted)'.

5. In Article 66(3), the reference to 'Annex VI' currently contained in Article 22n(3) of Regulation (EU) No 1343/2011 should be reinstated.


In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal does not comprise any substantive amendments other than those identified as such. The Working Party also concluded, as regards the codification of the unchanged provisions of the earlier act with those substantive amendments, that the proposal contains a straightforward codification of the existing legal text, without any change in its substance.



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