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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
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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

Delegations will find attached document COM(2023) 167 final.

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**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 aquaculture¹ 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 statistics² 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 5 years from 10 January 2014. This power was tacitly renewed until 10 January 2024 in 2019³.

The power is to be tacitly extended for periods of 5 years unless the European Parliament or the Council oppose such an extension.

The Commission is obliged to draw up a report on the delegation of power no later than 9 months before the end of the 5-year period. This report fulfils that 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 (EC) No 762/2008.

The Commission evaluated the European fisheries statistics⁴ in 2019⁵ and carried out an impact assessment in 2021. In light of the impact assessment, the results of the consultation activities, and discussions with stakeholders, the preferred option is a new streamlined legal framework for European fishery statistics covering catches, landings, fishing fleet and aquaculture statistics.

3. CONCLUSIONS

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

The Commission considers that it should continue to have these delegated powers, as it may need to adopt a delegated act to modify Annexes I, II and VI to the above-mentioned Regulation to meet the needs of data users in light of the future common fisheries policy.

¹ OJ L 218, 13.8.2008, p.1

² OJ L 351, 21.12.2013, p.1

³ [COM/2018/09 final](#)

⁴ European Fisheries statistics cover catch, landing and aquaculture statistics.

⁵ [SWD\(2019\) 425 final](#)