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*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council amending certain Regulations in the field of fisheries and animal health by reason of the change of status of Mayotte with regard to the Union (COM(2013)0417 – C7-0175/2013 – 2013/0191(COD))

Committee on Fisheries

Rapporteur: João Ferreira

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council amending certain Regulations in the field of fisheries and animal health by reason of the change of status of Mayotte with regard to the Union (COM(2013)0417 – C7-0175/2013 – 2013/0191(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0417),
 - having regard to Article 294(2) and Articles 43(2) and 168(4) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0175/2013),
 - having regard to Article 349 and 355(1) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 18 September 2013¹,
 - having regard to Rules 55 and 37 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries and the opinion of the Committee on Regional Development (A7-0425/2013),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Not yet published in the Official Journal.

Amendment 1

Proposal for a regulation Citation 1

Text proposed by the Commission

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) **and** Article 168(4)(b) thereof,

Amendment

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2), Article 168(4)(b) **and Article 349** thereof,

Amendment 2

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) By Decision 2012/419/EU³, the European Council amended the status of Mayotte with regard to the Union with effect from 1 January 2014. Therefore, from that date Mayotte will cease to be an overseas territory **to** become an outermost region within the meaning of Articles 349 and 355(1) TFEU. Union law will apply to Mayotte from 1 January 2014. It is appropriate to provide for certain specific measures justified by the particular situation of Mayotte **in a number of areas**.

Amendment

(1) By Decision 2012/419/EU³, the European Council amended the status of Mayotte with regard to the Union with effect from 1 January 2014. Therefore, from that date Mayotte will cease to be an overseas territory **and** become an outermost region within the meaning of Articles 349 and 355(1) **of the Treaty on the Functioning of the European Union (TFEU). Following this change in Mayotte's legal status**, Union law will apply to Mayotte from 1 January 2014. It is appropriate to provide for certain specific measures justified by the particular **structural, social and economic** situation of Mayotte **which is compounded by its remoteness, insularity, small size, difficult topography and climate**.

³ OL L 201, 31.7.2012,p.131

³ OL L 204, 31.7.2012, p.131

Amendment 3

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) As regards Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organism⁴, the waters around Mayotte should be included within the scope of that Regulation and the use of purse-seines on tuna and tuna-like schools of fish inside the area within 24 miles from the baselines of the island should be prohibited in order to preserve the shoals of large migratory fish in the vicinity of the island of Mayotte.

⁴ OJ L 125, 27.04.1998, p.1.

Amendment

(3) As regards Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organism, the waters around Mayotte should be included within the scope of that Regulation and the use of purse-seines on tuna and tuna-like schools of fish inside the area within 24 **nautical** miles from the baselines of the island should be prohibited in order to preserve the shoals of large migratory fish in the vicinity of the island of Mayotte.

⁴ OJ L 125, 27.04.1998, p.1.

Amendment 4

Proposal for a regulation Recital 6

Text proposed by the Commission

(6) First, an important part of the fleet flying the flag of France and operating from the French Department of Mayotte is composed by vessels of less than **9** meters which are dispersed around the island, have no specific landing sites and still need to be identified, measured and equipped with minimum safety implements in order to be included in the register of Union fishing vessels; as a consequence, France will not be able to complete this register until 31 December **2016**. France should, however, install a provisional fleet register guaranteeing minimum identification of the

Amendment

(6) First, an important part of the fleet flying the flag of France and operating from the French Department of Mayotte is composed by vessels of less than **10** meters which are dispersed around the island, have no specific landing sites and still need to be identified, measured and equipped with minimum safety implements in order to be included in the register of Union fishing vessels; as a consequence, France will not be able to complete this register until 31 December **2020**. France should, however, install a provisional fleet register guaranteeing minimum identification of the

vessels of this segment in order to avoid proliferation of informal fishing vessels.

vessels of this segment in order to avoid proliferation of informal fishing vessels.

Amendment 5

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) Second, it is necessary for the protection of the sensitive biological situation of the waters around Mayotte and the preservation of the local economy of that island, having regard to its structural, social and economic situation, to limit certain fishing activities in those waters to vessels registered in the ports of that island.

Amendment

(7) Second, it is necessary for the protection of the sensitive ***ecological and*** biological situation of the waters around Mayotte and the preservation of the local economy of that island, having regard to its structural, social and economic situation, to limit certain fishing activities in those waters to vessels registered in the ports of that island.

Amendment 6

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) As regards Council Regulation (EC) No 639/2004 of 30 March 2004 on the management of fishing fleets registered in the Community outermost regions⁷, a particular feature of Mayotte is that no objective has been set for its fleet under Regulation (EC) No 2371/2002 which refers to the Multiannual Guidance Programme 1997-2002. From the point of view of conservation of fish resources, it is appropriate to freeze the fishing capacity of the fleets at current levels, especially for the segment of large vessels with a great fishing capacity. However, for smaller vessels, in view of the fact that France presented to the Indian Ocean Tuna

Amendment

(8) As regards Council Regulation (EC) No 639/2004 of 30 March 2004 on the management of fishing fleets registered in the Community outermost regions⁷, a particular feature of Mayotte is that no objective has been set for its fleet under Regulation (EC) No 2371/2002 which refers to the Multiannual Guidance Programme 1997-2002. From the point of view of conservation of fish resources, it is appropriate to freeze the fishing capacity of the fleets at current levels, especially for the segment of large vessels with a great fishing capacity. However, for smaller vessels, in view of the fact that France presented to the Indian Ocean Tuna

Commission (IOTC) a development plan indicating the expected evolution of the fleet based in Mayotte, to which no IOTC contracting party, including the Union, has objected, it is appropriate to use the objectives of that plan as reference levels for the capacity of the fleet registered in the ports of Mayotte and to allow France to increase its fleet up to the objectives of its development plan.

⁷ OJ L 102, 7.4. 2004, p.9.

Commission (IOTC) a development plan indicating the expected evolution of the fleet based in Mayotte, to which no IOTC contracting party, including the Union, has objected, it is appropriate, *due to the current specific social and economic circumstances of Mayotte*, to use the objectives of that plan as reference levels for the capacity of the fleet registered in the ports of Mayotte and to allow France to increase its fleet up to the objectives of its development plan.

⁷ OJ L 102, 7.4. 2004, p.9.

Amendment 7

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) As regards Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006⁹, it appears that France will not be in a position to comply with all Union control obligations for the segment "Mayotte. Pelagic and demersal species. Length < **9m**" of the fleet of Mayotte by the date on which Mayotte becomes an outermost region. The vessels of that segment, dispersed around the

Amendment

(10) As regards Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006⁹, it appears that France will not be in a position to comply with all Union control obligations for the segment "Mayotte. Pelagic and demersal species. Length < **10m**" of the fleet of Mayotte by the date on which Mayotte becomes an outermost region. The vessels of that segment, dispersed around the island, have

island, have no specific landing sites and still need to be identified. In addition, it is necessary to train fishermen and controllers and to set up the appropriate administrative and physical infrastructure. It is therefore necessary to provide for a temporary derogation from certain rules concerning the control of fishing vessels and their characteristics, their activities at sea, their gear and their catches at all stages from the vessel to the market in respect of that segment of the fleet. However, in order to attain at least some of the most important objectives of Regulation (EC) No 1224/2009, France should establish a national control system allowing it to control and monitor the activities of that segment of the fleet and to comply with the international reporting obligations of the Union.

⁹ OJ L 343, 22.12.09, p.1.

no specific landing sites and still need to be identified. In addition, it is necessary to train fishermen and controllers and to set up the appropriate administrative and physical infrastructure. It is therefore necessary to provide for a temporary derogation from certain rules concerning the control of fishing vessels and their characteristics, their activities at sea, their gear and their catches at all stages from the vessel to the market in respect of that segment of the fleet. However, in order to attain at least some of the most important objectives of Regulation (EC) No 1224/2009, France should establish a national control system allowing it to control and monitor the activities of that segment of the fleet and to comply with the international reporting obligations of the Union.

⁹ OJ L 343, 22.12.2009, p. 1.

Amendment 8

Proposal for a regulation

Article 1 – paragraph 1 – point 1 a (new)

Regulation (EC) No 850/98

Article 2 – paragraph 3 a

Text proposed by the Commission

Amendment

(1a) In Article 2, the following paragraph is inserted:

“(3a) , The ‘Marine Natural Park of Mayotte’ shall mean the entire exclusive economic zone (EEZ) of Mayotte (68 381 km²). The land area of the park shall extend to the upper foreshore, which marks the boundary of the maritime public domain.”.

Amendment 9

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EC) No 850/98

Article 34a

Text proposed by the Commission

Vessels shall be prohibited from using any purse-seine on tuna and tuna-like schools of fish inside the areas within 24 miles of the coasts of the island of Mayotte, measured from the baselines from which territorial waters are measured.

Amendment

Vessels shall be prohibited from using any purse-seine on tuna and tuna-like schools of fish inside the areas within **24 nautical** miles of the coasts of the island of Mayotte, measured from the baselines from which territorial waters are measured.

Amendment 10

Proposal for a regulation

Article 1

Regulation (EC) No 850/98

Article 34a

Text proposed by the Commission

"Article 34a

Restrictions on fishing activities in the ~~24-mile zone around the island of~~ Mayotte

Vessels shall be prohibited from using any purse-seine on tuna and tuna-like schools of fish *inside the areas within 24 miles of the coasts of the island of Mayotte, measured from the baselines from which territorial waters are measured.*"

Amendment

"Article 34a

Fishing under drifting fish aggregating devices (FADs) and under large marine mammals and whale sharks (natural FADs) shall be prohibited in the whole of the Mayotte Marine Natural Park.

Amendment 11

Proposal for a regulation

Article 2 – paragraph 1
Regulation (EC) No 104/2000
Article 4 – paragraph 3a

Text proposed by the Commission

Until **16** December **2016**, paragraphs 1, 2 and 3 shall not apply to products offered for retail sale to the final consumer in Mayotte.

Amendment

Until **31** December **2021**, paragraphs 1, 2 and 3 shall not apply to products offered for retail sale to the final consumer in Mayotte.

Justification

The requirements concerning traceability and consumer information cannot be met given the current state of infrastructure in Mayotte. The deadline for implementing European legislation should be generous enough to give Mayotte time to comply.

Amendment 12

Proposal for a regulation
Article 3 – paragraph 1 – point 1
Regulation (EC) No 2371/2002
Article 15 – paragraph 5

Text proposed by the Commission

5. By way of derogation from paragraph 1, France shall be exempted until 31 December **2016** from the obligation to include in its register of Union fishing vessels those vessels which are less than **9** meters in overall length and operate from Mayotte.

Amendment

5. By way of derogation from paragraph 1, France shall be exempted until 31 December **2021** from the obligation to include in its register of Union fishing vessels those vessels which are less than **10** meters in overall length and operate from Mayotte.

Justification

Many small vessels in Mayotte are between 9 and 10 metres in length. The number in the recital corresponding to the length of these small vessels should therefore be increased so as not to exclude an entire section of the fleet from these provisions. The deadline for implementing European legislation should be generous enough to give France time to carry out the work needed to include the vessels in its register.

Amendment 13

Proposal for a regulation

Article 3 – paragraph 1 – point 1

Regulation (EC) No 2371/2002

Article 15 – paragraph 6

Text proposed by the Commission

6. Until 31 December **2016**, France shall keep a provisional register of fishing vessels which are less than **9** meters in overall length and operate from Mayotte. That register shall contain, for each vessel, at least its name, its overall length and an identification code.

Amendment

6. Until 31 December **2021**, France shall keep a provisional register of fishing vessels which are less than **10** meters in overall length and operate from Mayotte. That register shall contain, for each vessel, at least its name, its overall length and an identification code.

Amendment 14

Proposal for a regulation

Article 3

Regulation (EC) No 2371/2002

Article 18a

Text proposed by the Commission

By way of derogation from Article 17, in the waters up to 100 nautical miles from the baselines of Mayotte, France may restrict fishing to fishing vessels registered in the ports of Mayotte, either in the register of Union vessels or in the provisional register referred to in Article 15(6), except for Union vessels that, within the two years preceding 1 January 2014, fished in those waters for at least 40 days insofar as they do not exceed the fishing effort traditionally exerted."

Amendment

By way of derogation from Article 17, in the waters up to 100 nautical miles from the baselines of Mayotte ***and in the whole of the Mayotte Marine Natural Park,*** France may ***adopt the conservation measures considered necessary for the preservation of the natural resources protected by the legislation establishing that park,*** including measures to restrict fishing to fishing vessels registered in the ports of Mayotte, either in the register of Union vessels or in the provisional register referred to in Article 15(6), except for Union vessels that, within the two years preceding 1 January 2014, fished in those waters for at least 40 days insofar as they do not exceed the fishing effort traditionally exerted."

Amendment 15

Proposal for a regulation

Article 4 – paragraph 1

Regulation (EC) No 639/2004

Article 1a – paragraph 1

Text proposed by the Commission

1. However, for fishing vessels which are between 8 and 12 meters in overall length and use longlines and fishing vessels which are less than **9** meters in overall length, the reference level shall be the capacity foreseen in the development plan presented by France to the Indian Ocean Tuna Commission on 7 January 2011.

Amendment

However, for fishing vessels which are between 8 and 12 meters in overall length and use longlines and fishing vessels which are less than **10** meters in overall length, the reference level shall be the capacity foreseen in the development plan presented by France to the Indian Ocean Tuna Commission on 7 January 2011.

Amendment 16

Proposal for a regulation

Article 4 – paragraph 1

Regulation (EC) No 639/2004

Article 1a – paragraph 2

Text proposed by the Commission

2. By way of derogation from Article 13 of Regulation (EC) No 2371/2002, France shall be authorised to introduce new capacity in the fleet segments defined for fishing vessels which are between 8 and 12 meters in overall length and use longlines and fishing vessels which are less than **9** meters in overall length without the withdrawal of an equivalent capacity.”

Amendment

2. By way of derogation from Article 13 of Regulation (EC) No 2371/2002, France shall be authorised to introduce new capacity in the fleet segments defined for fishing vessels which are between 8 and 12 meters in overall length and use longlines and fishing vessels which are less than **10** meters in overall length without the withdrawal of an equivalent capacity.”

Amendment 17

Proposal for a regulation

Article 5 – paragraph 1

Regulation (EC) No 1069/2009

Article 56

Text proposed by the Commission

However, Article 4 shall apply to Mayotte from 1 January **2019**. Animal by-products and derived products generated in Mayotte before 1 January **2019** shall be disposed of in accordance with Article 19(1)(b).

Amendment

However, Article 4 shall apply to Mayotte from 1 January **2021**. Animal by-products and derived products generated in Mayotte before 1 January **2021** shall be disposed of in accordance with Article 19(1)(b).

Justification

Mayotte needs to be given enough time to apply the health rules governing animal by-products and derived products not intended for human consumption.

Amendment 18

Proposal for a regulation

Article 6 – paragraph 1

Regulation (EC) No 1224/2009

Article 2a – title

Text proposed by the Commission

Application of the Community control system to certain segments of the fleet of **the French overseas department** of Mayotte

Amendment

Application of the Community control system to certain segments of the fleet of **the outermost region** of Mayotte

Amendment 19

Proposal for a regulation

Article 6 – paragraph 1

Regulation (EC) No 1224/2009

Article 2a – paragraph 1

Text proposed by the Commission

1. Until 31 December **2016**, Article 5(3) and Articles 6, 8, 41, 56, 58 to 62, 66, 68 and 109 shall not apply to France in respect of fishing vessels which are less than **9** meters in overall length and operate from

Amendment

1. Until 31 December **2021**, Article 5(3) and Articles 6, 8, 41, 56, 58 to 62, 66, 68 and 109 shall not apply to France in respect of fishing vessels which are less than **10** meters in overall length and operate from

Mayotte, their activities and their catch.

Mayotte, their activities and their catch.

Amendment 20

Proposal for a regulation

Article 6 – paragraph 1

Regulation (EC) No 1224/2009

Article 2a – paragraph 2

Text proposed by the Commission

2. By 1 January **2014**, France shall establish a national scheme of control applicable to fishing vessels which are less than **9** meters in overall length and operate from Mayotte. That scheme shall comply with the following requirements:

Amendment

2. By 1 January **2015**, France shall establish a national scheme of control applicable to fishing vessels which are less than **10** meters in overall length and operate from Mayotte. That scheme shall comply with the following requirements:

Justification

A derogation from Regulation (EC) No 1224/2009 is needed to give Mayotte time to comply with the control requirements provided for in this regulation.

Amendment 21

Proposal for a regulation

Article 6 – paragraph 1

Regulation (EC) No 1224/2009

Article 2a – paragraph 3

Text proposed by the Commission

(3) By 30 September **2014** France shall present to the Commission an action plan setting out the measures to be taken in order to ensure the full implementation of Regulation (EC) No 1224/2009 from 1 January **2017** concerning fishing vessels which are less than **9** meters in overall length and operate from the **French**

Amendment

(3) By 30 September **2015** France shall present to the Commission an action plan setting out the measures to be taken in order to ensure the full implementation of Regulation (EC) No 1224/2009 from 1 January **2018** concerning fishing vessels which are less than **10** meters in overall length and operate from the **outermost**

department of Mayotte. The action plan shall be the subject of a dialogue between France and the Commission. France shall take all necessary measures to implement that action plan.

region of Mayotte. The action plan shall be the subject of a dialogue between France and the Commission. France shall take all necessary measures to implement that action plan.

Justification A derogation from Regulation (EC) No 1224/2009 is needed to give Mayotte time to comply with the control requirements provided for in this regulation.

Amendment 22

Proposal for a regulation Article 7 – paragraph 1

Text proposed by the Commission

Amendment

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

This Regulation shall enter into force on ***1 January 2014.***

Justification

It is important to avoid a legal vacuum once the status of Mayotte changes from that of an overseas country and territory to an outermost region.

EXPLANATORY STATEMENT

BACKGROUND of Commission proposal:

By Decision 2012/419/EU, **the European Council amended the status of Mayotte with regard to the Union with effect from 1 January 2014**. Therefore, from that date Mayotte will cease to be an overseas territory to become an **outermost region** within the meaning of Articles 349 and 355(1) TFEU.

This proposal follows the examination of requests made by the French authorities to have the Union *acquis* amended through specific measures applicable to Mayotte in different areas, such as fisheries and animal health. The examination of the situation regarding Mayotte has revealed that it is necessary to protect the sensitive biological situation of its waters. In certain respects, France needs additional time to comply with the Union *acquis* with regard to Mayotte.

In view of the specific situation in Mayotte, the Commission is proposing **amendments to certain Regulations in the fields of fisheries and animal health**.

In the area of **fisheries**, the proposed amendments aim to:

include the waters around Mayotte and to prohibit the use of purse-seines on tuna and tuna-like schools of fish inside the area within 24 miles from the baselines of the island in order to preserve the shoals of large migratory fish in the vicinity of the island of Mayotte;

grant **additional time** to France to comply with the Union *acquis* with regard to Mayotte, in particular in regard to the registering and control obligations in the area of fisheries, to the extent it concerns certain vessels dispersed around the island and not associated to a specific landing site.

In the area of **animal health**, it is proposed to amend Regulation (EC) No 1069/2009 of the European Parliament and of the Council in order to grant France **a transitional period of five years** in regard to Mayotte, which would enable it to create the infrastructure necessary for the identification, handling, transport, treatment and disposal of animal by-products.

The proposal has no budgetary implications.

Fisheries sector in Mayotte

The exclusive economic zone (ZEE) of Mayotte is since January, 2010 a marine natural reserve (PNM) endowed with a management committee.

The Marine Natural Parc of Mayotte is one of the most beautiful in the world, with a lagoon of 1100km² (four times the size of the emerged land of Mayotte), with 195 km of reef on 210km of coast, with 250 coral species listed, with 7,3 km² of Mangroves and as many of herbariums, with 2300 marine species including 760 species of fish, with about 20 mammal marine species (that is to say 1/4 of the world biodiversity), with the permanent presence of 2

species of turtle (hawksbill sea turtles that are critical endangered sea turtles, and green sea turtles) and of many egg-laying sites.

With an exclusive economic zone (ZEE) of 68 000 km², Mayotte has an important potential for the small scale fishery sector. The small-scale fishery mainly dedicated to a food-producing fishing is mainly auto consumption oriented, and need more investment from the EU in the 2014-2020 CFP in order to modernise the small and medium ships as well as the conditions of and the equipment for the landing of the fishing products.

The tuna industrial fishing operated by seine vessels negatively impacts both the Marine Natural Park of Mayotte and the small-scale fisheries of Mayotte. Seine vessels come, catch all the fish they can without taking care of what they will leave for small fishers and go. If no precise and in-depth statistical data concerning the production and the stock status of the various fisheries existing in Mayotte are available, the testimonies of fishermen and the simple long-term observation of the Marine Natural Park give evidence that the lagoon is over-exploited and that it is necessary to implement protective measures in the Marine Natural Park of Mayotte.

Aquaculture products constitute the first export of the island in volume. Because of the exceptional natural conditions and of an accent put on the quality of the product, Mayotte has a good growth potential, in a context of rarefaction of the halieutic resources. Nevertheless, this sector still needs support to develop.

The marketing of the fish remains few structured and more investment under the 2014-2020 CFP is needed in order to modernise boats, infrastructures and transportation facilities of the fishing products.

Rapporteur's point of view on the Commission proposal

Regarding the legal base, Article 349 of the TFEU, since Mayotte is an Outermost Region, is adequately applicable to this proposal and should be added.

As regards Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organism, the rapporteur proposes to prohibit the use of purse-seines within the full Marine Natural Park of Mayotte. In order to protect local sustainable small-scale fisheries this prohibition should be restricted to vessels of more than 12 meters.

It is important to increase the resources for small-scale fishery, to promote their profitability and assure the necessary conditions of safety.

Bigger tuna seine vessels target mainly the bonito (*Katsuwonus pelamis*) and the yellow fin tuna (*Thunnus albacares*). The mahorais fishermen noticed a reduction of the size and the free number of benches in waters of Mayotte, even if the evaluations of the CTOI do not describe these stocks as over-exploited on the scale of the Indian Ocean, it results from it a tension on the resource, a negative environmental impact on the Marine Natural Park of Mayotte, and a negative impact on small-scale fishery.

Local ecosystems undergo diverse pressures due to the human activities (pollution, erosion, fishing, etc.). Fishermen thus have a role to play to protect fragile natural resources. To adapt the fishing pressure to the available resources, it means not taking more than the capacities of renewal of the resources. It implies a regular monitoring of fisheries, fishing effort and captures, as well on coral reef ecosystems situated within the Park. The adjustment of the fishing capacity to the resource has to be a major goal of the Park.

As regards Council Regulation (EC) No 104/2000 of 17 December 1999 the rapporteur highlights that a lot has still to be made. In Mayotte, the fishing industry is weakly organized. It needs support and accompaniment. It's important to better structure the network of marketing. The sector has to improve sanitary aspects of the sale and the processing and to assure an higher regularity of the supplies.

The mahoraise aquaculture sector is young and in phase of structuring. The increase of the production volume rests essentially on the commercial success on export markets, today strongly penalized by the cost of the air transport.

As regards Council Regulation (EC) No 2371/2002 of 20 December 2002, the rapporteur reminds that Mayotte has the status of department only since 2011. The registration of the mahorais fishing vessels in the national register fleet is in progress, as well as the standardisation of the fishing vessels.

It is necessary to allow the modernization of mahoraise fleet in order to allow fishing outside the lagoon where resources are less fragile that in the lagoon, as well as to improve security and working conditions.

As regards management of fishing fleets registered in the Community outermost regions, the rapporteur underlines the fragile and artisanal nature of mahoraise fleet (boats under 7 meters and only few boats of more than 9 meters) and the lack of sufficient harbour facilities for fishing activities. Captures are directly landed on beaches. The rapporteur underlines the necessity to help the development of these infrastructures.

OPINION OF THE COMMITTEE ON LEGAL AFFAIRS ON THE LEGAL BASIS

Mr Gabriel Mato Adrover
Chair
Committee on Fisheries
BRUSSELS

Subject: Opinion on the legal basis of the proposal for a Regulation of the European Parliament and of the Council amending certain Regulations in the field of fisheries and animal health by reason of the change of status of Mayotte with regard to the Union [COM(2013)0417]

Dear Chair,

At the meeting on 14 October 2013, JURI adopted an opinion to the Committee on the Environment, Public Health and Food Safety on the legal basis on the proposal for a Directive of the European Parliament and the Council amending certain Directives in the fields of environment, agriculture, social policy and public health by reason of the change of status of Mayotte with regard to the Union [COM(2013)0418].

The conclusion of that opinion was that the Council had chosen an incorrect legal basis and JURI therefore decided to recommend to the President to initiate a case in the Court of Justice in order to ensure that the correct legal basis would be used for the proposal. In its recommendation JURI also reserved the right to follow this up with recommendations concerning related legislative acts concerning the status of Mayotte.

At its meeting 5 November 2013, JURI therefore adopted opinions on its own initiative in accordance with Rule 37(3) of the Rules of Procedure concerning the legal bases of three additional legislative proposals concerning Mayotte which are being treated in different committees, including the above proposal in the Committee on Fisheries.

I - Background

Following a referendum in 2009, the then French overseas community Mayotte, located north of Madagascar in the Indian Ocean, became an overseas department of France as from 31 March 2011, and by letter of 26 October 2011¹, the President of France therefore asked the President of the European Council to initiate the procedure in accordance with Article 355(6) TFEU to adopt a decision amending the status of Mayotte under the EU Treaties from an overseas country or territory to an outermost region. The letter also referred to Declaration No

¹ See Council document EUCO 114/11 of 15 November 2011.

43 on Article 355(6) TFEU, which has the following wording:

The High Contracting Parties agree that the European Council, pursuant to Article 355(6), will take a decision leading to the modification of the status of Mayotte with regard to the Union in order to make this territory an outermost region within the meaning of Article 355(1) and Article 349, when the French authorities notify the European Council and the Commission that the evolution currently under way in the internal status of the island so allows.

After consulting the Commission¹ in accordance with Article 355(6) TFEU, the European Council therefore on 12 July 2012 unanimously adopted the above-mentioned Decision.

Article 1 of the Decision states that Mayotte, with effect from 2014, shall cease to be an overseas country or territory, to which the provisions of Part Four of the TFEU apply, and shall become an outermost region of the Union within the meaning of Article 349 TFEU. Article 2 has the following wording:

Article 2

The TFEU shall be amended as follows:

- (1) in the first paragraph of Article 349, the word 'Mayotte' shall be inserted after the word 'Martinique';*
- (2) in Article 355(1), the word 'Mayotte' shall be inserted after the word 'Martinique';*
- (3) in Annex II, the sixth indent shall be deleted.*

This Decision has the same structure and was adopted using the same procedure as a European Council Decision adopted in 2010 on the change of status of the French Caribbean island of Saint-Barthélemy from outermost region to overseas country or territory.²

It should however be noted that neither of the amendments of the wording of the TFEU in accordance with these two European Council Decisions are reflected in the last consolidated version of the TFEU, which was published on 26 October 2012³. They are however included in the Council's own consolidated version of the text⁴.

On 14 October 2013, JURI adopted the above-mentioned opinion to the Committee on the Environment, Public Health and Food Safety which included the conclusion that the Council had chosen an incorrect legal basis.⁵ JURI therefore decided to recommend to the President to

¹ C(2012) 3506 final, available in Council document 11006/12.

² European Council Decision 2010/718/EU of 29 October 2010 on amending the status with regard to the European Union of the island of Saint-Barthélemy (OJ L 325, 9.12.2010, p. 4).

³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:326:FULL:EN:PDF>.

⁴ <http://register.consilium.europa.eu/pdf/en/08/st06/st06655-re07.en08.pdf>.

⁵ See the letter of 16 October 2013 from Mr Lehne to Mr Groote.

initiate a case in the Court of Justice in order to ensure that the correct legal basis would be used for the proposal, and to recommend that Parliament should not take any action concerning European Council Decision 2012/419/EU amending the Treaty. In its recommendation JURI also reserved the right to follow this up with recommendations concerning related legislative acts concerning the status of Mayotte.

At its meeting on 5 November 2013, JURI therefore verified the legal basis of three additional legislative proposals, including the proposal below for which the Committee on Fisheries is the lead committee.

II - The legal basis of the proposal to amend certain Regulations in the field of fisheries and animal health by reason of the change of status of Mayotte with regard to the Union

The proposal

The objective of the Regulation proposed by the Commission is to grant France a transitional period in order to facilitate the full application of provisions in secondary legislation in the field of the Common Fisheries Policy (CFP) and animal health as regards Mayotte. When the Commission presented the proposal in PECH on 17 October 2013, it was highlighted that these measures were proposed against the background of the fragile natural environment and the economic underdevelopment of Mayotte.

The proposed legal bases

The Commission is basing its proposal on Articles 43(2) and 168(4) TFEU on measures for the pursuit of the objectives of the CFP and measures in order to meet common public health safety concerns, respectively. The procedure to be followed under both these articles is the ordinary legislative procedure. The Council is however again proposing to change the legal basis to Article 349 TFEU on specific measures for outermost regions.

Analysis

While there are proposed provisions in the proposed Regulation which could be considered as specific measures in derogation of the otherwise applicable EU law in Mayotte (the Legal Service mentions Article 4 on the management of fishing fleets as an example), and as such qualify for having Article 349 TFEU as its legal basis, those provisions must however be considered as merely incidental in relation to the other proposed measures, which are not proposed due to any outermost region characteristics.¹ The proposal therefore aims at measures in pursuit of the objectives of the CFP and at meeting common public health safety concerns. The legal basis proposed by the Commission is therefore correct.

III - Conclusion and recommendation

The correct legal basis for the proposal for a Regulation of the European Parliament and of the Council amending certain Regulations in the field of fisheries and animal health by reason of the change of status of Mayotte with regard to the Union is Articles 43(2) and 168(4)

¹ See Case C-411/06 *Commission v. Parliament and Council* (8 September 2009) ([OJ C 267 of 07.11.2009, p.8](#)), paras. 46-47.

TFEU.

At its meeting of 5 November 2013 the Committee on Legal Affairs accordingly decided, unanimously¹, to take the position that the legal basis proposed by the Council, Article 349 TFEU, is incorrect, and that the legal basis proposed by the Commission is correct.

On this basis, the Committee on Legal Affairs therefore also decided to recommend to the President of the Parliament, in accordance with Rule 128 of the Rules of Procedure, to bring a case to the Court of Justice, once the decision of the Council to request Parliament's opinion has been published in the Official Journal, in order to safeguard Parliament's prerogatives in accordance with Article 13(2) TEU.

Yours sincerely,

Klaus-Heiner Lehne

¹ The following were present for the final vote: Baldassarre (Vice-Chair), Luigi Berlinguer, Sebastian Valentin Bodu (Vice-Chair), Françoise Castex (Vice-Chair), Christian Engström, Marielle Gallo, Giuseppe Gargani, Lidia Joanna Geringer de Oedenberg, Sajjad Karim, Klaus-Heiner Lehne (Chair), Eva Lichtenberger, Antonio Masip Hidalgo, Alajos Mészáros, Bernhard Rapkay, Evelyn Regner (Vice-Chair), József Szájer, Rebecca Taylor, Alexandra Thein, Cecilia Wikström, Zbigniew Ziobro, Tadeusz Zwiefka.

OPINION OF THE COMMITTEE ON REGIONAL DEVELOPMENT

16.10.2013

for the Committee on Fisheries

on the proposal for a regulation of the European Parliament and of the Council amending certain Regulations in the field of fisheries and animal health by reason of the change of status of Mayotte with regard to the Union
(COM(2013)0417 – C7-0175/2013 – 2013/0191(COD))

Rapporteur: Patrice Tirolien

SHORT JUSTIFICATION

By Decision 2012/419/EU, the European Council amended the status of Mayotte with regard to the Union with effect from 1 January 2014. Therefore, from that date Mayotte will cease to be an overseas territory, becoming an outermost region within the meaning of Articles 349 and 355(1) TFEU, and Union law will, in principle, apply in full.

However, in recognition of what this change of status will entail for Mayotte, the Commission has submitted to Parliament and the Council proposals for a number of legislative derogations that will enable the EU *acquis* to be phased in over an appropriate period of time.

The proposal before us sets out a number of derogations relating to the organisation, funding and control of Mayotte's fisheries. It was drawn up in close cooperation with the French Government with a view to ensuring that the *acquis* is phased in as swiftly as the specific conditions in Mayotte – in particular the economic and social constraints obtaining in outermost regions, as referred to in Article 349 of the TFEU – allow.

Your rapporteur accordingly deplores the failure to include Article 349 TFEU among the legal bases for this proposal, given that the measures put forward and the justifications given for them are fully in keeping with that article's aims. Its inclusion is essential in order to secure the proposed measures' status as derogations.

A number of adjustments also need to be made to take better account of Mayotte's specific requirements as regards increasing fishing effort. The ceilings set by the Indian Ocean Tuna Commission (IOTC), of which the EU is a contracting party, must remain a key means of controlling fishing capacity.

Lastly, your rapporteur considers that any disparities between the Commission proposal and the amended regulations, which are themselves in the process of being finalised in interinstitutional negotiations, need to be addressed. Although it is not possible to update the references at this stage in the procedure, your rapporteur is proposing that a number of provisions should be harmonised.

AMENDMENTS

The Committee on Regional Development calls on the Committee on Fisheries, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation

Citation 1

Text proposed by the Commission

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) and Article 168(4)(b) thereof,

Amendment

Having regard to the Treaty on the Functioning of the European Union, and in particular **Article 349**, Article 43(2) and Article 168(4)(b) thereof,

Justification

Given that Article 349 of the TFEU provides for the possibility of adopting specific measures for outermost regions, it should be included among the legal bases for this regulation.

Amendment 2

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) By Decision 2012/419/EU³, the European Council amended the status of Mayotte with regard to the Union with effect from 1 January 2014. Therefore,

Amendment

(1) By Decision 2012/419/EU³, the European Council amended the status of Mayotte with regard to the Union with effect from 1 January 2014. Therefore,

from that date Mayotte will cease to be an overseas territory to become an outermost region within the meaning of Articles 349 and 355(1) *TFEU*. Union law will apply to Mayotte from 1 January 2014. It is appropriate to provide for certain specific measures justified by the particular *situation* of Mayotte in a number of areas.

³ OJ L 204, 31.7.2012, p. 131.

from that date Mayotte will cease to be an overseas *country or* territory *within the meaning of Article 198 of the Treaty on the Functioning of the European Union* and become an outermost region within the meaning of Articles 349 and 355(1) of *that Treaty*. Union law will apply to Mayotte from 1 January 2014. It is appropriate to provide for certain specific measures, justified by the particular *social and economic constraints obtaining in the outermost region* of Mayotte *and its new status as an outermost region*, in a number of areas.

⁴ OJ L 204, 31.7.2012, p. 131.

Justification

To clarify Mayotte's previous status and highlight the fact that its new status as an outermost region makes it eligible for derogations from EU policies under Article 349 of the TFEU.

Amendment 3

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) First, an important part of the fleet flying the flag of France and operating from the French Department of Mayotte is composed by vessels of less than **9** meters which are dispersed around the island, have no specific landing sites and still need to be identified, measured and equipped with minimum safety implements in order to be included in the register of Union fishing vessels; as a consequence, France will not be able to complete this register until 31 December **2016**. France should, however, install a provisional fleet register guaranteeing minimum identification of the vessels of this segment in order to avoid proliferation of informal fishing vessels.

Amendment

(6) First, an important part of the fleet flying the flag of France and operating from the French Department of Mayotte is composed by vessels of less than **10** meters which are dispersed around the island, have no specific landing sites and still need to be identified, measured and equipped with minimum safety implements in order to be included in the register of Union fishing vessels; as a consequence, France will not be able to complete this register until 31 December **2021**. France should, however, install a provisional fleet register guaranteeing minimum identification of the vessels of this segment in order to avoid proliferation of informal fishing vessels.

Amendment 4

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) As regards Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006⁹, it appears that France will not be in a position to comply with all Union control obligations for the segment "Mayotte. Pelagic and demersal species. Length < **9m**" of the fleet of Mayotte by the date on which Mayotte becomes an outermost region. The vessels of that segment, dispersed around the island, have no specific landing sites and still need to be identified. In addition, it is necessary to train fishermen and controllers and to set up the appropriate administrative and physical infrastructure. It is therefore necessary to provide for a temporary derogation from certain rules concerning the control of fishing vessels and their characteristics, their activities at sea, their gear and their catches at all stages from the vessel to the market in respect of that segment of the fleet. However, in order to attain at least some of the most important objectives of Regulation (EC) No 1224/2009, France should establish a national control system allowing it to control and monitor the activities of that segment of the fleet and to comply with the international reporting obligations of the Union.

Amendment

(10) As regards Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006⁹, it appears that France will not be in a position to comply with all Union control obligations for the segment "Mayotte. Pelagic and demersal species. Length < **10m**" of the fleet of Mayotte by the date on which Mayotte becomes an outermost region. The vessels of that segment, dispersed around the island, have no specific landing sites and still need to be identified. In addition, it is necessary to train fishermen and controllers and to set up the appropriate administrative and physical infrastructure. It is therefore necessary to provide for a temporary derogation from certain rules concerning the control of fishing vessels and their characteristics, their activities at sea, their gear and their catches at all stages from the vessel to the market in respect of that segment of the fleet. However, in order to attain at least some of the most important objectives of Regulation (EC) No 1224/2009, France should establish a national control system allowing it to control and monitor the activities of that segment of the fleet and to comply with the international reporting obligations of the Union.

⁹ OJ L 343, 22.12.2009, p. 1.

⁹ OJ L 343, 22.12.2009, p. 1.

Amendment 5

Proposal for a regulation

Article 2 – paragraph 1

Regulation (EC) No 104/2000

Article 4 – paragraph 3 a

Text proposed by the Commission

3a. Until **16** December **2016**, paragraphs 1, 2 and 3 shall not apply to products offered for retail sale to the final consumer in Mayotte.

Amendment

3a. Until **31** December **2021**, paragraphs 1, 2 and 3 shall not apply to products offered for retail sale to the final consumer in Mayotte.

Amendment 6

Proposal for a regulation

Article 3 – paragraph 1 – point 1

Regulation (EC) No 2371/2002

Article 15 – paragraph 5

Text proposed by the Commission

5. By way of derogation from paragraph 1, France shall be exempted until 31 December **2016** from the obligation to include in its register of Union fishing vessels those vessels which are less than **9** meters in overall length and operate from Mayotte.

Amendment

5. By way of derogation from paragraph 1, France shall be exempted until 31 December **2021** from the obligation to include in its register of Union fishing vessels those vessels which are less than **10** meters in overall length and operate from Mayotte.

Amendment 7

Proposal for a regulation

Article 3 – paragraph 1 – point 1

Regulation (EC) No 2371/2002

Article 15 – paragraph 6

Text proposed by the Commission

6. Until 31 December **2016**, France shall

Amendment

6. Until 31 December **2021**, France shall

keep a provisional register of fishing vessels which are less than **9** meters in overall length and operate from Mayotte. That register shall contain, for each vessel, at least its name, its overall length and an identification code.

keep a provisional register of fishing vessels which are less than **10** meters in overall length and operate from Mayotte. That register shall contain, for each vessel, at least its name, its overall length and an identification code.

Amendment 8

Proposal for a regulation

Article 4

Regulation (EC) No 639/2004

Article 1 a – paragraph 1 – second subparagraph

Text proposed by the Commission

However, for fishing vessels which are between 8 and 12 meters in overall length and use longlines and fishing vessels which are less than **9** meters in overall length, the reference level shall be the capacity foreseen in the development plan presented by France to the Indian Ocean Tuna Commission on 7 January 2011.

Amendment

However, for fishing vessels which are between 8 and 12 meters in overall length and use longlines and fishing vessels which are less than **10** meters in overall length, the reference level shall be the capacity foreseen in the development plan presented by France to the Indian Ocean Tuna Commission on 7 January 2011.

Amendment 9

Proposal for a regulation

Article 4

Regulation (EC) No 639/2004

Article 1 a – paragraph 2

Text proposed by the Commission

2. By way of derogation from Article 13 of Regulation (EC) No 2371/2002, France shall be authorised to introduce new capacity ***in the fleet segments defined for fishing vessels which are between 8 and 12 meters in overall length and use longlines and fishing vessels which are less than 9 meters in overall length*** without the withdrawal of an equivalent capacity.

Amendment

2. By way of derogation from Article 13 of Regulation (EC) No 2371/2002, France shall be authorised to introduce new capacity without the withdrawal of an equivalent capacity ***until 31 December 2025.***

Amendment 10

Proposal for a regulation

Article 5

Regulation (EC) No 1069/2009

Article 56 – third subparagraph

Text proposed by the Commission

However, Article 4 shall apply to Mayotte from 1 January **2019**. Animal by-products and derived products generated in Mayotte before 1 January **2019** shall be disposed of in accordance with Article 19(1)(b).

Amendment

However, Article 4 shall apply to Mayotte from 1 January **2021**. Animal by-products and derived products generated in Mayotte before 1 January **2021** shall be disposed of in accordance with Article 19(1)(b).

Amendment 11

Proposal for a regulation

Article 6

Regulation (EC) No 1224/2009

Article 2 a – paragraph 1

Text proposed by the Commission

1. Until 31 December **2016**, Article 5(3) and Articles 6, 8, 41, 56, 58 to 62, 66, 68 and 109 shall not apply to France in respect of fishing vessels which are less than 9 meters in overall length and operate from Mayotte, their activities and their catch.

Amendment

1. Until 31 December **2021**, Article 5(3) and Articles 6, 8, 41, 56, 58 to 62, 66, 68 and 109 shall not apply to France in respect of fishing vessels which are less than 9 meters in overall length and operate from Mayotte, their activities and their catch.

Amendment 12

Proposal for a regulation

Article 6

Regulation (EC) No 1224/2009

Article 2 a – paragraph 2 – introductory sentence

Text proposed by the Commission

2. By 1 January **2014**, France shall establish a national scheme of control applicable to fishing vessels which are less than 9 meters in overall length and operate from Mayotte. That scheme shall comply with the following requirements:

Amendment

2. By 1 January **2015**, France shall establish a national scheme of control applicable to fishing vessels which are less than 9 meters in overall length and operate from Mayotte. That scheme shall comply with the following requirements:

Amendment 13

Proposal for a regulation

Article 6

Regulation (EC) No 1224/2009

Article 2 a – paragraph 3

Text proposed by the Commission

3. By 30 September 2014 France shall present to the Commission an action plan setting out the measures to be taken in order to ensure the full implementation of Regulation (EC) No 1224/2009 from 1 January 2017 concerning fishing vessels which are less than **9** meters in overall length and operate from the French department of Mayotte. The action plan shall be the subject of a dialogue between France and the Commission. France shall take all necessary measures to implement that action plan.

Amendment

3. By 30 September 2014 France shall present to the Commission an action plan setting out the measures to be taken in order to ensure the full implementation of Regulation (EC) No 1224/2009 from 1 January 2017 concerning fishing vessels which are less than **10** meters in overall length and operate from the French department of Mayotte. The action plan shall be the subject of a dialogue between France and the Commission. France shall take all necessary measures to implement that action plan.

PROCEDURE

Title	Amending Regulations in the field of fisheries and animal health by reason of the change of status of Mayotte with regard to the Union
References	COM(2013)0417 – C7-0175/2013 – 2013/0191(COD)
Committee responsible Date announced in plenary	PECH 1.7.2013
Opinion by Date announced in plenary	REGI 1.7.2013
Rapporteur Date appointed	Patrice Tirolien 11.7.2013
Date adopted	14.10.2013
Result of final vote	+: 27 –: 0 0: 4
Members present for the final vote	Luís Paulo Alves, Francesca Barracciu, Victor Boștinaru, Nikos Chrysogelos, Rosa Estaràs Ferragut, Brice Hortefeux, Danuta Maria Hübner, María Irigoyen Pérez, Mojca Kleva Kekuš, Constanze Angela Krehl, Petru Constantin Luhan, Iosif Matula, Jan Olbrycht, Wojciech Michał Olejniczak, Georgios Stavrakakis, Nuno Teixeira, Lambert van Nistelrooij, Oldřich Vlasák, Kerstin Westphal, Hermann Winkler, Joachim Zeller
Substitute(s) present for the final vote	Cornelia Ernst, Catherine Grèze, Karin Kadenbach, Maurice Ponga, Elisabeth Schroedter, Richard Seeber, Patrice Tirolien, Giommara Uggias, Derek Vaughan
Substitute(s) under Rule 187(2) present for the final vote	Edvard Kožušník

PROCEDURE

Title	Amending Regulations in the field of fisheries and animal health by reason of the change of status of Mayotte with regard to the Union	
References	COM(2013)0417 – C7-0175/2013 – 2013/0191(COD)	
Date submitted to Parliament	13.6.2013	
Committee responsible Date announced in plenary	PECH 1.7.2013	
Committee(s) asked for opinion(s) Date announced in plenary	ENVI 1.7.2013	REGI 1.7.2013
Not delivering opinions Date of decision	ENVI 11.7.2013	
Rapporteur(s) Date appointed	João Ferreira 10.7.2013	
Legal basis disputed Date of JURI opinion	JURI 5.11.2013	
Discussed in committee	17.10.2013	4.11.2013
Date adopted	27.11.2013	
Result of final vote	+ : 19 - : 3 0 : 1	
Members present for the final vote	John Stuart Agnew, Carmen Fraga Estévez, Pat the Cope Gallagher, Dolores García-Hierro Caraballo, Ian Hudghton, Werner Kuhn, Isabella Lövin, Gabriel Mato Adrover, Maria do Céu Patrão Neves, Crescenzo Rivellini, Ulrike Rodust, Raül Romeva i Rueda, Struan Stevenson, Isabelle Thomas, Nils Torvalds, Jarosław Leszek Wałęsa	
Substitute(s) present for the final vote	Luis Manuel Capoulas Santos, Jean Louis Cottigny, Jim Higgins, Jens Nilsson	
Substitute(s) under Rule 187(2) present for the final vote	María Auxiliadora Correa Zamora, Salvador Garriga Polledo, Francisco José Millán Mon, Younous Omarjee, Ivo Vajgl, Luis Yáñez-Barnuevo García	
Date tabled	2.12.2013	