

# GENERAL ASSEMBLY OF THE MARKET ADVISORY COUNCIL

8 June 2016

Rue Montoyer 24, 1000, Brussels, Belgium

09:30-13:00

## MINUTES

### Participants (Annex I – List of attendance)

#### **1. Welcome to founding members.**

The provisional chair, Ms Aurora Vicente (AIPCE), welcomed the founding members of the MAC as well as the observers (Annex I – List of attendance). She explained this first General Assembly is only comprised by the 18 founding members, since they are the only ones endorsed by the European Commission and Member States as members of the MAC so far.

#### **2. Adoption of the agenda.**

The agenda was adopted.

#### **3. Election of Chairman of the MAC, following article 17 of the Statutes of the MAC.**

A call for candidatures was launched a few weeks ago in which Mr Guus Pastoor, AIPCE was proposed. By consensus the GA elected Mr. Guus Pastoor as Chairman of the Mac.

#### **4. Election of the Executive Committee, following article 8 and 9 of the Statutes of the MAC.**

The Chairman gave the following key points:

- It was stated that the organisations that are members of the GA of the MAC can put forward their respective candidates to the ExCom so that it can formally be created. This was the case for all the founding members.
- The ExCom has not yet reached the maximum allowed members as there are thus far 18 founding members that signed the original application form.
- The Executive Committee can go up to 25 members.

The composition of the ExCom was approved by consensus. The ExCom is composed of 16 organisations present in the GA founding members of the MAC (Annex II- Composition of the Executive Committee June 2016).

Observers (VisNed, Seafish) requested a seat at the ExCom given that they have already expressed interest.

The Chairman outlined that founding members are the official first members of the MAC and once the MAC is up and running other organizations can apply for membership as well as membership in the ExCom;

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a second GA is planned to take place in September, as not all interested organisations are present today and haven't had the opportunity to put forward members for the ExCom.

Regarding the rule *one organization, one seat*, Commission informed members that this point is currently under discussion.

European Commission outlined that new members must be endorsed by Member States, which can take time.

European Commission also pointed out that the long list of additional committed organizations (51) needs to be completed and sent to them so that Commission can send it to Member States for endorsement.<sup>1</sup>

Upon request from EuroCommerce, the Chairman explained the process of constituting the MAC as an ASBL:

- In order for the MAC to exist a legal body had to be created and it was decided at the previous meeting to set it up as an ASBL.
- The MAC also has a list of organizations that have shown an interest and commitment to become members.
- No new organisations can be added at the moment to the ExCom as they need to first become official members of the MAC (meaning members of the GA). Once their membership has gone through the necessary procedures they can join the GA and put forward their respective candidates for the ExCom.
- These procedures are connected to the Belgian law and the creation of the ASBL as well as the formalities of the Commission.
- These measures were necessary in order to be recognised as an official body and eligible to apply for a grant from the Commission abiding the legal rules that are laid down for official advisories.

The document distributed by the Secretariat regarding the composition of the ExCom (Annex III – Note on MAC Executive Committee) was adopted by consensus.

## **5. Update on the establishment of the MAC as an ASBL.**

Commission informed members once more of the process to receive the financial contribution for Advisory Councils:

- In order to apply for a grant the MAC must officially exist, which it does as it has been created as an ASBL.
- Once this information is published in the Official Journal of Belgium, the MAC can apply for the grant from the Commission, with all the necessary documents.
- In order to receive the grant, the MAC must cover 10% of the total eligible costs, meaning that MAC must provide 10% of the total of the grant requested from its own sources.

The Interim Secretariat clarified the process of constituting the MAC as an official body upon request from EuroCommerce:

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<sup>1</sup> After the AG, the Commission clarified that the Commission does not liaise with Member States regarding new membership applications and does not approve them. It is up to the MAC Secretariat to contact the Member States concerned directly giving them a reasonable deadline for their reply.

- On the 15 March it was decided that the MAC would be constituted as an ASBL.
- In order to create an ASBL the law called for the Statutes to be translated into French as well as the original signatories of the founding members.
- The attendance sheet from the meeting held on the 15 March was used so as to provide the original signatures, which is why, according to the French version of the statutes, 12 founding members are legally recognized for the MAC, as not all founding members were present in the meeting of the 15 March (only 12 of them).
- The MAC however recognizes that there are in fact as regards the MAC (not the ASBL) 18 founding members.

The Interim Secretariat will distribute all documents needed to clarify once again the process followed.

Regarding the constitution of the MAC as an ASBL, three people were appointed during the meeting of the 15 March to fulfill the roles of President, Secretary General and Treasurer as follows:

- Ms Beatrice Gorez, from CFFA, Secretary General.
- Ms Aurora Vicente, from AIPCE, President.
- Ms Kathryn Stack, from Europeche, Treasurer.

The General Assembly discharged these appointees.

## 6. *Update and next steps on the preparation of the budget.*

The Chairman and Interim Secretariat gave an overview of the status of the budget:

- The MAC needs to reach a threshold of 30.000 EUR from its own sources in order to apply for the total grant, 300.000 EUR.
- The current budget is based on certain assumptions but not on the definitive stage with the total amount of members.
- With the current number of members, the budget does not reach the threshold needed (10%) to receive the maximum contribution from the Commission.
- The decision that needs to be taken is whether the MAC should apply for the maximum grant or take a pragmatic approach and start slower.

It was approved by consensus that the MAC will apply for the maximum grant, therefore the budget will be based on an estimation of 33 members participating in Working Groups so as to reach, with their contributions, the threshold of 30.000 needed.

3. Other resources				
Membership fees:	nr.	Amount		
General Assembly	51	200		10200
Executive Committee	25	400		10000
Working Group members	33	300		9900
		<b>Sub-total 2:</b>		30100

Commission clarified the following:

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- The Commission asks that the MAC showcases that 50% of the committed contributions are in the bank account when the application for the grant agreement is made, to safely assume from the start that the MAC will function and can provide the 10% needed to receive a grant.
- The period of the grant entails 12 months with the starting date indicated in the grant agreement.
- It should however be taken into account that the end and the beginning of the new year entails various holidays which often delays the starting date.
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- The budget has been viewed by the Commission on a first glance at an unofficial level and looks to be on the right track.
- Once the budget is officially submitted and approved by Commission, if it needs to be altered, an amendment or transfer with certain limitations can be issued during the 11 months of the financial year any request for amendment having to be submitted at the very latest one month before the end of the financial period.

Members of the MAC highlighted that during the MAC meeting on the 15 March the Commission outlined that the next step for the MAC was to gather commitment letters from those who had expressed interest.

Commission stated that most organizations are members of other advisory councils and are already recognized by the Commission providing a low risk of them not being endorsed.

The General Assembly agreed members should pay upfront for liquidity reasons. The budget in its last version will be circulated. All members were asked to pay as soon as possible and to reconvene in September so as to see how new memberships would affect the budget.

With regards to the Executive Committee, fees will only be collected from the 18 members.

It was understood that when the MAC proves to have the 10% of the total grant from own sources with 30.000 EUR, the MAC may request from the Commission a grant of maximum 300.000 euro.

### ***7. Adoption of Rules of procedure and Working Programme.***

The Chairman stated that these Rules of Procedure have already been agreed upon but they need to be officially adopted as well as the provisional Work Programme.

EMPA requested a clarification regarding attendees and members of the Working Groups.

In order to participate in the MAC the organization must be a member of the GA of the MAC. The same person does not have to participate at all times: other representatives may participate depending on the agendas in order to ensure that the people with the necessary/ appropriate knowledge are present. It should be taken into account that experts who are not members of the MAC may be invited to brief the Working Group. It will be up to the Working Groups to invite such experts.

COPA-COGECA suggested the term “*sea to table*” should be understood as “*producer to consumer* on the Working Programme. The General Assembly agreed.

### ***8. Any other business***

## ***Discharge of President, Secretary General and Treasurer of the ASBL***

Commission pointed out that a treasurer is not needed for the MAC but MAC's secretariat needs a person with accountancy knowledge and the final accounts have to be approved by an official auditor.

The former office-bearers (Ms Beatrice Gorez, Ms Aurora Vicente, Ms Kathryn Stack) were appointed only for setting up the ASBL and therefore need to be replaced as soon as possible. These former office bearers were discharged by General Assembly.

By consensus it was decided that the newly elected Chair (Mr Pastoor) together with the soon-to-be elected Vice-chairs will fulfil these roles.

## ***9. Closing of the General Assembly***

The Executive Committee invited observer organizations to attend their meeting.

## ANNEX I

### LIST OF ATTENDANCE GA

ORGANISATION	REPRESENTATIVE
EAPO	Emiel Brouckaert, Sean O'Donoghue, Pim Visser
EUROPECHE	Javier Garat, Kathryn Stack, Daniel Voces
COPA-COGECA	Marina Predic, Bernhard Feneis, Cecilia Dardes
FEAP	Courtney Hough
EMPA	Bruno Guillaumie
AIPCE	Guus Pastoor, Aurora Vicente
CEP	Andrew Kuyk
EUFISHMEAL	Soren Anker Pedersen
FRUCOM	Anna Boulova
EUROCOMMERCE	Marina Valverde, Christian Verschugron
ETF	Livia Spera, Sammy Deburggraeve
CFFA (Coalition for fair fisheries agreements)	Beatrice Gorez, Christine Absil
EBCD	Despina Symons, Sandra Sanmartín, Lynn Sundelius
OCEANA	Vanya Vulperhorst, Agnes Lisik
WWF	Eszter Hidas, Samantha Burgess
Danish Society for a Living Sea	Erik Bjorn Olsen
EUROPEAN COMMISSION	Barbara Focquet, Martine Aussems
OBSERVERS ORGANISATION	REPRESENTATIVE
Seafish	Cristina Fernandez
Conxemar	Marta Llopis Lopez
Seas at Risk	Bjorn Stockhausen

## Annex II

### Composition of the Executive Committee June 2016

ORGANISATION	REPRESENTATIVE
EAPO	Emiel Brouckaert
EUROPECHE	Javier Garat
COPA-COGECA	Bernhard Feneis
FEAP	Courtney Hough
EMPA	Bruno Guillaumie
AIPCE	Pierre Commere
CEP	Andrew Kuyk
EUFISHMEAL	Anne Mette Baek Jespersen
FRUCOM	Anna Boulova
EUROCOMMERCE	Christian Verschugron
ETF	Livia Spera
<b>CFFA (Coalition for fair fisheries agreements)</b>	Christine Absil
<b>EBCD*</b>	Despina Symons*
<b>OCEANA</b>	Agnes Lisik
<b>WWF</b>	Samantha Burgess
<b>Danish Society for a Living Sea</b>	Erik Bjorn Olsen

\*Currently operating the Interim Secretariat, EBCD temporary refrains from their active membership of the MAC.

# Annex III

## Note on the MAC Executive Committee

### MAC Executive Committee

*(discussion/decision at the MAC GA on 8<sup>th</sup> June 2016)*

In order to facilitate the decision-making at the MAC founding General Assembly to be held on 8<sup>th</sup> June, the following principles are proposed as pillars to the discussion referring to point 4 on the agenda (*Election of the Executive Committee following article 8 and 9 of MAC statutes*):

- The aim will be to reach the maximum of 25 seats established in Article 4 point 3 of [Commission Delegated Regulation 2015/242](#).
- The principle of a balance 60/40 enshrined in Annex III point 2 of [CFP Regulation 1380/2013](#) needs to be respected at all instances, adapting the number of seats accordingly.
- To ensure a balanced and wide representation of all stakeholders and to reflect the reality of the main sectors of the whole seafood chain, it is widely accepted by representatives of the 60% and 40% to divide the seats of the Executive Committee in the following way:

<b><u>Number of seats of the MAC Executive Committee per sector</u></b>	
Sector	Number
<b>Representatives of Value Supply Chain (60%)</b>	
Primary producers catching	5
Primary producers (aquaculture)	2
Processors, traders, supplies and retailers	7
Workers (trade unions)	1
<b>Other interest group (40%)</b>	
Environmental or development non-governmental organisations (NGOs)	10
Consumer organisations	
<b>TOTAL number of seats</b>	<b>25</b>

- As Commission has pointed out, a way to ensure widespread representativeness of the EU seafood sector would be that the Executive Committee could be mostly comprised of EU wide umbrella organizations.
- The chair of each Working Group will have a role of rapporteur in the Executive Committee, with no allocated seat for the virtue of being chair (no voting rights).

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