Thursday 11 March 2021

P9_TA(2021)0076

Fisheries control ***I

Amendments adopted by the European Parliament on 11 March 2021 on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control (COM(2018)0368 — C8-0238/2018 — 2018/0193(COD)) ([1])

(Ordinary legislative procedure: first reading)

(2021/C 474/30)

Amendment 1

Proposal for a regulation

Citation 6

Text proposed by the Commission	*Amendment*
Having regard to the opinion of the Committee of the Regions ([27]),	***After consulting*** the Committee of the Regions,

([27]) ***OJ C , , p. .***

Amendment 2

Proposal for a regulation

Recital 1

Text proposed by the Commission	*Amendment*
(1) The common fisheries policy has been reformed by Regulation (EU) No 1380/2013 of the European Parliament and Council ([28]). The objectives of the common fisheries policy and the requirements for fisheries control and enforcement are set out in Articles 2 and 36 of that Regulation. Its successful implementation depends on ***the*** effective ***and up-to-date*** control ***and enforcement*** system.	(1) The common fisheries policy has been reformed by Regulation (EU) No 1380/2013 of the European Parliament and Council ([28]). The objectives of the common fisheries policy and the requirements for fisheries control and enforcement are set out in Articles 2 and 36 of that Regulation. Its successful implementation depends on ***a straightforward, simple, transparent and*** effective control system ***that ensures effective, uniform and up-to-date compliance in the Member States***.

([28]) Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

([1]) The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 59(4), fourth subparagraph (A9-0016/2021).

Amendment 3

Proposal for a regulation

Recital 3

Text proposed by the Commission	*Amendment*
(3) Regulation (EC) No 1224/2009 was, however, designed prior to the adoption of the new common fisheries policy. It should therefore be amended in order to better address the requirements for the control and enforcement of the common fisheries policy in accordance with Regulation (EU) No 1380/2013 ***and*** to take advantage of modern and more cost-effective control technologies.	(3) Regulation (EC) No 1224/2009 was, however, designed prior to the adoption of the new common fisheries policy. It should therefore be amended in order to better address the requirements for the control and enforcement of the common fisheries policy in accordance with Regulation (EU) No 1380/2013, to take advantage of modern and more cost-effective control technologies ***and take into account the latest scientific findings with respect to the environmental sustainability of fishing and aquaculture activities***.

Amendment 4

Proposal for a regulation

Recital 4 a (new)

Text proposed by the Commission	*Amendment*
	(4a) A coherent, clear, transparent, fair and robust enforcement of the common fisheries policy will not just help to foster a dynamic fishing industry and ensure a fair standard of living for fishing communities, but it will also contribute to the achievement of sustainability in the fisheries sector and the attainment of biodiversity objectives.

Amendment 5

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission	*Amendment*
	(9a) In order to ensure greater harmonisation of the Union regulatory framework, a new definition of 'sensitive species' should be added.

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Amendment 6

Proposal for a regulation

Recital 10

Text proposed by the Commission	*Amendment*
(10) A definition of 'fishing vessel' is provided in Regulation (EU) No 1380/2013 and includes vessels equipped for commercial exploitation of marine biological resources ***such as catching vessels, support vessels, fish processing vessels, vessels engaged in transhipment and carrier vessels equipped for the transportation of fisheries products, with the exception of container vessels***. The definition 'fishing vessel' in Regulation (EC) No 1224/2009 should therefore be deleted.	(10) A definition of 'fishing vessel' is provided in Regulation (EU) No 1380/2013 and includes vessels equipped for commercial exploitation of marine biological resources. The definition 'fishing vessel' in Regulation (EC) No 1224/2009 should therefore be deleted.

Amendment 7

Proposal for a regulation

Recital 10 a (new)

Text proposed by the Commission	*Amendment*
	(10a) In order to promote greater clarity and harmonisation of the Union regulatory framework and thus improve its application, a new definition of 'direct sale' should be added.

Amendment 8

Proposal for a regulation

Recital 12

Text proposed by the Commission	*Amendment*
(12) Small scale fisheries play an important role in the Union, from a biological, economic and social perspective. Considering the possible impacts of small scale fisheries on stocks, it is important to control that fishing activities and fishing efforts of smaller vessels are in compliance with the rules of the common fisheries policy. For this purpose it is necessary to obtain position data of those vessels. Therefore, Member States should be able to track all fishing vessels, including fishing vessels which are less than 12 metres' length. For vessels ***12 metres' length*** it is now possible to use mobile devices which are less expensive and easy to use.	(12) Small scale fisheries play an important role in the Union, from a biological, economic and social perspective. Considering the possible impacts of small scale fisheries on stocks, it is important to control that fishing activities and fishing efforts of smaller vessels are in compliance with the rules of the common fisheries policy. For this purpose, it is necessary to obtain position data of those vessels ***and it should be possible to receive those data at regular intervals, ideally close to real time without prejudice to other requirements included in international agreements***. Therefore, Member States should be able to track all fishing vessels, including fishing vessels which are less than 12 metres' length. For ***those*** vessels, it is now possible to use mobile devices, which are less expensive and easy to use. ***In any event, the implementation of those measures should be balanced and proportionate to the objectives pursued, should not entail an excessive burden for the fleet, especially the small-scale fleet, and should benefit from aid from the European Maritime Fisheries and Aquaculture Fund.***

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Amendment 9

Proposal for a regulation

Recital 14 a (new)

Text proposed by the Commission	*Amendment*
	(14a) It should be possible to equip fishing vessels with CCTV systems on a voluntary basis. In that case, such vessels should enjoy appropriate advantages, such as the deletion of points.

Amendment 10

Proposal for a regulation

Recital 15 a (new)

Text proposed by the Commission	*Amendment*
	(15a) While achieving the objectives of the common fisheries policy, full regard should be paid to animal welfare, in accordance with Article 13 of the Treaty on the Functioning of the European Union (TFEU), and, where relevant, food and feed safety and animal health.

Amendment 12

Proposal for a regulation

Recital 18

Text proposed by the Commission	*Amendment*
(18) ***For vessels of 12 metres' length or more***, it is important that the information in the logbook is made more accurate and includes data on the catches by ***haul*** or by operation***, as this will enhance the effectiveness of controls***. In the case of vessels less than 12 metres' length***, the obligations pertaining to the completion and submission of the logbook should be simplified and*** masters should only be required to submit the information contained in logbook once, before ***arrival at port***.	(18) ***With the aim of enhancing the effectiveness of controls***, it is important that the information in the logbook is made more accurate and includes data on the catches by ***fishing day*** or by operation***. In the case of small-scale coastal fleet and fishing without vessels, the electronic logbook and the transmission of that information should not entail a disproportionate burden on those vessels and their ability to fish. In order to ensure an adequate level of control over such vessels, Member States should monitor their activities by means of a simplified format for keeping an electronic logbook and for submitting logbook information. Thus,*** in the case of vessels less than 12 metres' length ***overall,*** masters should only be required to submit the information contained in logbook ***at least*** once, before ***landing operations begin***.

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Amendment 13

Proposal for a regulation

Recital 20

Text proposed by the Commission	*Amendment*
(20) When a fishing vessel departs, it should immediately start an electronic logbook and a unique fishing trip identifier number is assigned for that trip. The logbook, transhipment declarations and landing declarations should include a reference to this unique fishing trip identifier number to allow enhanced controls and to improve the validation of the data by Member States and the traceability of fishery products in the supply chain. In order to improve and simplify the transmission of information on fishing gear ***losses*** to Member State competent authorities, the logbook format should include information on lost gears.	(20) When a fishing vessel departs, it should immediately start an electronic logbook and a unique fishing trip identifier number is assigned for that trip. The logbook, transhipment declarations and landing declarations should include a reference to this unique fishing trip identifier number to allow enhanced controls and to improve the validation of the data by Member States and the traceability of fishery products in the supply chain. In order to improve and simplify the transmission of information on fishing gear ***and loss of fishing gear*** to Member State competent authorities, the logbook format should include information on ***gears and*** lost gears. ***When approximate information is required, this should be seen as indicative.***

Amendment 14

Proposal for a regulation

Recital 24

Text proposed by the Commission	*Amendment*
(24) Rules on the submission of aggregated catch data and fishing efforts to the Commission should be simplified by providing for a single date for all submissions.	(24) Rules on the submission of aggregated catch data and fishing efforts to the Commission should be simplified by providing for a single date for all submissions. ***Those data should not be used for commercial purposes.***

Amendment 15

Proposal for a regulation

Recital 26

Text proposed by the Commission	*Amendment*
(26) Provisions on fishing capacity should be updated to refer to Regulation (EU) No 1380/2013.	(26) Provisions on fishing capacity should be updated to refer to Regulation (EU) No 1380/2013. ***The parameters Gross Tonnage (GT) and engine power (KW) used to measure fishing capacity should be revised and if necessary replaced according to accuracy, suitability, and relevance to the Union fishing fleet in order to allow the common fisheries policy to contribute to the improvement of safety and working conditions for fishing operators.***

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Amendment 16

Proposal for a regulation

Recital 30

Text proposed by the Commission	*Amendment*
(30) Recreational fisheries play an important role in the Union, both from a biological, economic and social perspective. Considering the significant impacts of the recreational fishing on certain stocks, it is necessary to provide for specific tools allowing ***an*** effective control of recreational fisheries by ***the*** Member States. A registration or licensing system should allow a precise census of physical and legal persons participating in recreational fisheries and the collection of reliable data on catches and practices. The collection of sufficient and reliable data on recreational fishing is necessary in order to evaluate the impact of ***such fishing*** practices ***on stocks*** and provide Member States and the Commission with the information necessary for an effective management and control of marine biological resources.	(30) Recreational fisheries play an important role in the Union, both from a biological, economic and social perspective. Considering the significant impacts of the recreational fishing on certain stocks, it is necessary to provide for specific tools allowing ***a uniform,*** effective ***and exhaustive*** control of recreational fisheries by ***all*** Member States***, with an appropriate system of sanctions in the event of non-compliance***. A registration or licensing system should allow a precise census of physical and legal persons participating in recreational fisheries and the collection of reliable data on catches and practices. The collection of sufficient and reliable data on recreational fishing is necessary in order to evaluate the ***environmental, economic and social*** impact of ***those*** practices***, especially in view of stock assessments,*** and provide Member States and the Commission with the information necessary for an effective management and control of marine biological resources.

Amendment 17

Proposal for a regulation

Recital 32

Text proposed by the Commission	*Amendment*
(32) Provisions on the controls in the supply chain should be clarified in order to allow Member States to perform controls and inspections at all stages of marketing of fishery and aquaculture products, from the first sale to the retail sale, including transport.	(32) Provisions on the controls in the supply chain should be clarified in order to allow Member States to perform controls and inspections at all stages of marketing of fishery and aquaculture products, from the first sale to the retail sale, including transport. ***In that respect, 'retail' is to be understood in the meaning as defined in Regulation (EU) No 1379/2013, and includes the making available of fishery and aquaculture products in hotels, restaurants, catering operations and any similar food service operations('HORECA sector').***

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Amendment 18

Proposal for a regulation

Recital 32 a (new)

Text proposed by the Commission	*Amendment*
	(32a) Within six months of the date of entry into force of this Regulation, the Commission and Member States should prepare and launch a communication campaign targeted at fishermen and other operators in the recreational fisheries sector to properly communicate the new provisions set out in this Regulation.

Amendment 19

Proposal for a regulation

Recital 33

Text proposed by the Commission	*Amendment*
(33) The rules applicable to the placing of fishery and aquaculture products into lots should be clarified. It should be ***clarified that lots should be composed of*** fishery and aquaculture products ***of a single species, except where they consist of very small quantities***.	(33) The rules applicable to the placing of fishery and aquaculture products into lots should be clarified. It should be ***possible to merge lots in order to create a new batch, as long as the traceability requirements are fulfilled and it is possible to identify the origin and species of those*** fishery and aquaculture products ***throughout the whole food chain***.

Amendment 20

Proposal for a regulation

Recital 34

Text proposed by the Commission	*Amendment*
(34) In line with the traceability requirements set out in Article 18 of Regulation (EC) No 178/2002 of the European Parliament and Council ([32]), Commission Implementing Regulation (EU) No 931/2011 ([33]) lays down certain traceability rules for the specific sector of food of animal origin, namely a specific set of information must be kept on record by operators, be made available to competent authorities upon request, and transferred to the operator to which the fishery product is supplied. In the fisheries sector, traceability is important not only for food safety purposes but also to allow controls ***and*** ensure the protection of consumers' interests.	(34) In line with the traceability requirements set out in Article 18 of Regulation (EC) No 178/2002 of the European Parliament and Council ([32]), Commission Implementing Regulation (EU) No 931/2011 ([33]) lays down certain traceability rules for the specific sector of food of animal origin, namely a specific set of information must be kept on record by operators, be made available to competent authorities upon request, and transferred to the operator to which the fishery product is supplied. In the fisheries sector, traceability is important not only for food safety purposes but also to allow controls, ensure the protection of consumers' interests***, combat IUU fishing and protect law-abiding fishermen from unfair competition***.

([32]) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

([33]) Commission Implementing Regulation (EU) No 931/2011 of 19 September 2011 on the traceability requirements set by Regulation (EC) No 178/2002 of the European Parliament and of the Council for food of animal origin (OJ L 242, 20.9.2011, p. 2).

Amendment 21

Proposal for a regulation

Recital 37

Text proposed by the Commission	*Amendment*
(37) The same rules should apply to fishery and aquaculture products imported from third countries. In the case of imported products, the mandatory traceability information should include a reference to the catch certificate provided for by Regulation (EC) No 1005/2008 ([34]).	(37) The same rules should apply to fishery and aquaculture products imported from third countries ***with the aim of maintaining high food safety standards and promoting sustainable fishing practices in those third countries***. In the case of imported products, the mandatory traceability information should include a reference to the catch certificate provided for by Regulation (EC) No 1005/2008 ([34]).

([34]) Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1).

Amendment 22

Proposal for a regulation

Recital 40

Text proposed by the Commission	*Amendment*
(40) In order to achieve the objectives of the common fisheries policy, the reliability and comprehensive collection of data on catches is of the utmost importance. In particular recording of catches at the time of landing should be carried out in the most reliable way possible. For that purpose, it is necessary to ***strengthen*** the procedures concerning the weighing of fishery products upon landing.	(40) In order to achieve the objectives of the common fisheries policy, the reliability and comprehensive collection of data on catches is of the utmost importance. In particular recording of catches at the time of landing should be carried out in the most reliable way possible***, but without obstructing the business activities of operators***. For that purpose, it is necessary to ***simplify*** the procedures concerning the weighing of fishery products upon landing.

Amendment 23

Proposal for a regulation

Recital 41

Text proposed by the Commission	*Amendment*
(41) The weighing should be performed on systems approved by the competent authorities and by operators registered by Member States to carry out that task. All products should be weighed per species ***upon landing*** as this will guarantee a more accurate reporting of the catches. Furthermore, weighing records should be recorded electronically and kept for three years.	(41) The weighing should be performed on systems approved by the competent authorities and by operators registered by Member States to carry out that task. All products should be weighed per species***, unless the Member State has adopted a sampling plan approved by the Commission,*** as this will guarantee a more accurate reporting of the catches. ***Operators should make every effort to ensure that the weighing does not lead to any delay in the marketing of fresh products.*** Furthermore, weighing records should be recorded electronically and kept for three years. ***Those systems should comply with minimum requirements agreed between Member States with a view to standardising them throughout the Union.***

Amendment 24

Proposal for a regulation

Recital 43

Text proposed by the Commission	*Amendment*
(43) In order to improve controls and allow the rapid validation of catch registration data and the rapid exchange of information between Member States, it is necessary that all operators record data in a digital way and submit that data electronically within 24 hours to Member States. This concerns, in particular, landing declarations***, sales notes*** and take-over notes.	(43) In order to improve controls and allow the rapid validation of catch registration data and the rapid exchange of information between Member States, it is necessary that all operators record data in a digital way and submit that data electronically within 24 hours to Member States***, except in the event of force majeure***. This concerns, in particular, landing declarations and take-over notes.

Amendment 25

Proposal for a regulation

Recital 47 a (new)

Text proposed by the Commission	*Amendment*
	(47a) In order to ensure the effectiveness of the provisions in Regulation (EC) No 1005/2008 relating to non-cooperating third countries, there should be a possibility to introduce safeguard measures. Where a third country has been notified of the possibility of it being identified as non-cooperating third country, the Commission should be able to temporarily suspend preferential tariffs for fishery and aquaculture products in relation to that third country. The Commission should endeavour to ensure that provisions to that effect are introduced in any international agreements concluded between the Union and third parties.

Amendment 26

Proposal for a regulation

Recital 48 a (new)

Text proposed by the Commission	*Amendment*
	(48a) A European register of infringements should be set up in order to record individual Member States' data concerning the infringements identified, with the aim of improving transparency and monitoring the points system more effectively.

Amendment 27

Proposal for a regulation

Recital 49

Text proposed by the Commission	*Amendment*
(49) In order to ensure a level playing field in the Member States as regards the judicial treatment of all offenders of the rules of the common fisheries policy, provisions concerning determination of behaviours that constitute serious infringements of such rules should be clarified and reinforced.	(49) In order to ensure a level playing field in the Member States as regards the judicial treatment of all offenders of the rules of the common fisheries policy, provisions concerning determination of behaviours that constitute serious infringements of such rules should be clarified and reinforced ***to ensure their full and consistent application in all Member States***.

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Amendment 28

Proposal for a regulation

Recital 52

Text proposed by the Commission	*Amendment*
(52) National entities in charge of fisheries control activities as well as any relevant judicial bodies should have access to the national register of infringements. A fully transparent exchange of information contained in national registers between Member States will also improve effectiveness and ensure a level playing field for control activities.	(52) National entities in charge of fisheries control activities as well as any relevant judicial bodies should have access to the national ***and European*** register of infringements. A fully transparent exchange of information contained in national registers between Member States will also improve effectiveness and ensure a level playing field for control activities.

Amendment 29

Proposal for a regulation

Recital 55

Text proposed by the Commission	*Amendment*
(55) The data collected by Member States is also of great value for scientific purposes. It should be clarified that scientific bodies of Member States and Union scientific bodies may be provided access to the data collected in accordance with Regulation (EC) No 1224/2009, in particular to vessel position data and fishing activity data. Finally, the fishing activity data collected by Member States is also of value for the statistical office of the European Union (Eurostat) who can use it to provide statistics on fisheries.	(55) The data collected by Member States is also of great value for scientific purposes. It should be clarified that scientific bodies of Member States and Union scientific bodies may be provided access to the data collected***, properly anonymised,*** in accordance with Regulation (EC) No 1224/2009, in particular to vessel position data and fishing activity data***, if those data no longer contain the reference to the vessel identification numbers and do not allow for the identification of natural persons***. Finally, the fishing activity data collected by Member States is also of value for the statistical office of the European Union (Eurostat) who can use it to provide statistics on fisheries. ***In any event, those data should be in an anonymised format, so as not to permit the identification of individual vessels or natural persons.***

Amendment 30

Proposal for a regulation

Recital 55 a (new)

Text proposed by the Commission	*Amendment*
	(55a) The data collected by the European Fisheries Control Agency should be accessible to the European Environment Agency and the European Maritime Safety Agency, in order to increase the common use of knowledge on the marine environment. Closer cooperation between the agencies would enhance the understanding of issues relating to maritime policy in general and, at the same time, improve the way the European maritime space is managed. The Commission should be given the task of drawing up a partnership protocol between the agencies as the framework for their cooperation.

Amendment 31

Proposal for a regulation

Recital 58

Text proposed by the Commission	*Amendment*
(58) Processing of personal data is necessary for the fisheries control and enforcement. In particular, for the purpose of monitoring of fishing opportunities, including quota consumption, the Commission should be able to process data from logbooks, landing declarations, sales notes and other fishing activity data in order to carry out validation of the aggregated data submitted by Member States. To carry out verifications, audits and to monitor the control activities of Member States, the Commission should have access and process information such as inspection and control observers' reports and the database of infringements. In the context of preparation of and compliance with the international agreements and conservation measures, the Commission should process, when necessary, data on the fishing activities of Union fishing vessels outside Union waters, including the vessel identification numbers, name of the owner of the vessel and the master of the vessel.	(58) Processing of personal data is necessary for the fisheries control and enforcement. In particular, for the purpose of monitoring of fishing opportunities, including quota consumption, the Commission should be able to process data from logbooks, landing declarations, sales notes and other fishing activity data in order to carry out validation of the aggregated data submitted by Member States. To carry out verifications, audits and to monitor the control activities of Member States, the Commission should have access and process information such as inspection and control observers' reports and the database of infringements. In the context of preparation of and compliance with the international agreements and conservation measures, the Commission should process, when necessary, data on the fishing activities of Union fishing vessels outside Union waters, including the vessel identification numbers, name of the owner of the vessel and the master of the vessel. ***Stored data should be made available to the competent authorities if public health and/or food safety is at risk.***

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Amendment 32

Proposal for a regulation

Recital 58 a (new)

Text proposed by the Commission	*Amendment*
	(58a) All personal data collected, transferred and stored must comply with Regulation (EU) 2016/679 of the European Parliament and the Council [1a].
	[1a] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

Amendment 33

Proposal for a regulation

Recital 64 — indent 7

Text proposed by the Commission	*Amendment*
— technical requirements and characteristics of electronic monitoring devices systems including CCTV;	***deleted***

Amendment 34

Proposal for a regulation

Recital 75 a (new)

Text proposed by the Commission	*Amendment*
	(75a) With a view to guaranteeing consistency between the Union's trade and fisheries policies, trade agreements concluded by the Union with third countries should incorporate a safeguard clause providing for the temporary suspension of tariff preferences for fishery and aquaculture products for such time as the third country is pre-identified or identified as a non-cooperating country in the fight against IUU fishing.

Amendment 35

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point b a (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 3

Present text	*Amendment*
	(ba) point 3 is replaced by the following:
3. 'control' means monitoring and surveillance;	'3. "control" means monitoring and surveillance ***of all activities covered by this Regulation, including distribution and marketing activities throughout the market chain***;'

Amendment 36

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point b b (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 4

Present text	*Amendment*
	(bb) point 4 is replaced by the following:
4. 'inspection' means any check which is carried out by officials regarding compliance with the rules of the common fisheries policy and which is noted in an inspection report;	'4. "inspection" means any ***on site*** check which is carried out by officials regarding compliance with the rules of the common fisheries policy and which is noted in an inspection report;'

Amendment 37

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point b c (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 5

Present text	*Amendment*
	(bc) point 5 is replaced by the following:
5. 'surveillance' means the observation of fishing activities on the basis of sightings by inspection vessels ***or*** official aircrafts and technical detection and identification methods;	'5. "surveillance" means the observation ***by officials*** of fishing activities on the basis of sightings by inspection vessels, official aircrafts and ***vehicles or other means, including*** technical detection and identification methods;'

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Amendment 38

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point b d (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 6

Present text	*Amendment*
	(bd) point 6 is replaced by the following:
6. 'official' means a person authorised by a national authority, the Commission or the ***Community*** Fisheries Control Agency to carry out an inspection;	'6. "official" means a person authorised by a national ***fisheries control*** authority, the Commission or the ***European*** Fisheries Control Agency to carry out an inspection;'
	(This amendment from 'Community Fisheries Control Agency' to 'European Fisheries Control Agency' applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Amendment 39

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point b e (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 7

Present text	*Amendment*
	(be) point 7 is replaced by the following:
7. 'Union inspectors' means officials of a Member State ***or*** of the Commission or ***the body designated by it***, whose names are contained in the list established in accordance with Article 79;	'7. "Union inspectors" means officials of a Member State, of the Commission or ***of the European Fisheries Control Agency***, whose names are contained in the list established in accordance with Article 79;'

Amendment 40

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point e

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 14

Text proposed by the Commission	*Amendment*
'14. "fishing restricted area" means any marine area where fishing activities are temporarily or permanently restricted or prohibited;'	'14. "fishing restricted area" means any marine area where fishing activities are temporarily or permanently restricted or prohibited ***by either regional, national, Union or international legislation***;'.

Amendment 41

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point e a (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 15

Present text	*Amendment*
	(ea) point 15 is replaced by the following:
15. 'fisheries monitoring centre' means an operational centre established by a flag Member State and equipped with computer hardware and software enabling automatic data reception, processing and electronic data transmission;	'15. "fisheries monitoring centre" means an operational centre established by a flag Member State and equipped with computer hardware and software enabling automatic data reception, processing***, analysis, control, monitoring*** and electronic data transmission;'

Amendment 42

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point e b (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 16

Present text	*Amendment*
	(eb) point 16 is replaced by the following:
16. 'transhipment' means the unloading of all or any fisheries or aquaculture products on board a vessel to another vessel;	'16. "transhipment" means the unloading of all or any fisheries or aquaculture products on board a vessel to another vessel ***in port or at sea***;'

Amendment 43

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point f

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 20

Text proposed by the Commission	*Amendment*
20. 'lot' means a ***batch of units*** of fishery or aquaculture products;	20. 'lot' means a ***specific quantity*** of fishery or aquaculture products ***of a given species which have a common origin***;"

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Amendment 44

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point f a (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 20 a (new)

Text proposed by the Commission	*Amendment*
	(fa) the following point is inserted:
	'20a. "batch" means a specific quantity of fishery or aquaculture products;'

Amendment 45

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point f b (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 21

Present text	*Amendment*
	(fb) point 21 is replaced by the following:
21. 'processing' means the process by which the ***presentation was*** prepared. It includes filleting, packing, canning, freezing, smoking, salting, cooking, pickling, drying or preparing ***fish*** for market in any other manner;	'21. "processing" means the process by which the ***fishery or aquaculture products are*** prepared. It includes ***any kind of cutting,*** filleting, packing, canning, freezing, smoking, salting, cooking, pickling, drying or preparing ***fisheries or aquaculture products*** for market in any other manner;'

Amendment 46

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point f c (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 22

Present text	*Amendment*
	(fc) point 22 is replaced by the following:
22. 'landing' means the ***initial*** unloading ***of*** any quantity of fisheries products from on board a fishing vessel to land;	'22. "landing" means the ***period of time required for the whole process of*** unloading any quantity of fisheries products from on board a fishing vessel to land;'

Amendment 47

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point h

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 23

Text proposed by the Commission	*Amendment*
(h) point 23 is deleted.	***deleted***

Amendment 48

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point i a (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 28 a (new)

Text proposed by the Commission	*Amendment*
	(ia) the following point is inserted:
	'28a. "recreational fishing charter vessel" means a skippered boat or vessel taking passengers to sea to carry out recreational fishing activities;'

Amendment 49

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point i b (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 28 b (new)

Text proposed by the Commission	*Amendment*
	(ib) the following point is inserted:
	'28b. "pesca-tourism" means recreational fishing activities organised by fishers, taking passengers to sea to carry out recreational fishing activities, as a sideline supplementing their core activity;'

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Amendment 50

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point k a (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 34 a (new)

Text proposed by the Commission	*Amendment*
	(ka) the following point is added:
	'(34a) "direct sale" means the sale of fishery and aquaculture products, whether fresh or processed, by the producer or its delegated natural person, to the final consumer at any location, including in an itinerant manner, without intermediaries.'

Amendment 51

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point k b (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 34 b (new)

Text proposed by the Commission	*Amendment*
	(kb) the following point is added:
	'34b. "sensitive species" means a sensitive species as defined in Article 6 of Regulation (EU) 2019/1241 of the European Parliament and of the Council (*);'
	(*) Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.7.2019, p. 105).

Amendment 52

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point k c (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 34 c (new)

Text proposed by the Commission	*Amendment*
	(kc) the following point is added:
	'34c. "traceability" means the ability to systematically trace and follow all or part of the information concerning a food through all stages of its production, processing and distribution, in terms of registered identifications;'

Amendment 53

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point k d (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 34 d (new)

Text proposed by the Commission	*Amendment*
	(kd) the following point is added:
	'34d. "fishing without vessels" means engaging in a fishing activity without using a fishing vessel, such as shellfishing, fishing on foot or ice fishing.'

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Amendment 54

Proposal for a regulation

Article 1 — paragraph 1 — point 1 — point k e (new)

Regulation (EC) No 1224/2009

Article 4 — paragraph 1 — point 34 e (new)

Text proposed by the Commission	*Amendment*
	(ke) the following point is added:
	'34e. "sensitive habitat" means a sensitive habitat as defined in Article 6 of Regulation (EU) 2019/1241;'

Amendment 55

Proposal for a regulation

Article 1 — paragraph 1 — point 3

Regulation (EC) No 1224/2009

Article 6 — paragraph 3

Text proposed by the Commission	*Amendment*
3. The flag Member State shall suspend temporarily the fishing licence of ***a*** vessel which is subject to temporary immobilisation ***decided*** by that Member State or which has had its fishing authorisation suspended in accordance with Article 91b.	3. The flag Member State shall suspend temporarily the fishing licence of ***an owner, operator or*** vessel which is subject to temporary immobilisation ***imposed*** by that Member State or which has had its fishing authorisation suspended in accordance with Article 91b ***and notify the European Fisheries Control Agency immediately. During the period of suspension, neither the vessel nor the licence may be sold, rented or transferred.***

Amendment 56

Proposal for a regulation

Article 1 — paragraph 1 — point 5 — point b

Regulation (EC) No 1224/2009

Article 8 — paragraph 2 — point f a (new)

Text proposed by the Commission	*Amendment*
	(fa) procedures for the notification of the end of use fishing gears in line with Directives (EU) 2019/883 (*) and (EU) 2019/904 (**) of the European Parliament and of the Council.
	(*) Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (OJ L 151, 7.6.2019, p. 116).
	(**) Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment (OJ L 155, 12.6.2019, p. 1).

Amendment 57

Proposal for a regulation

Article 1 — paragraph 1 — point 6

Regulation (EC) No 1224/2009

Article 9 — paragraph 1

Text proposed by the Commission	*Amendment*
1. Member States shall operate vessel monitoring systems for effective monitoring of position and movement of the fishing vessels flying their flag wherever those vessels may be, ***and of*** fishing vessels in ***the Member States'*** waters through the collection and analysis of vessel position data. Each flag Member State shall ***ensure the*** continuous and systematic ***monitoring and control of the accuracy of the vessel position data***.	1. Member States shall operate vessel monitoring systems for effective monitoring of position and movement of the fishing vessels flying their flag wherever those vessels may be, ***as well as*** fishing vessels in ***their*** waters through the collection and analysis of vessel position data. Each flag Member State shall ***collect vessel position data and monitor and control its accuracy on a*** continuous and systematic ***basis***.

Amendment 58

Proposal for a regulation

Article 1 — paragraph 1 — point 6

Regulation (EC) No 1224/2009

Article 9 — paragraph 2 — subparagraph 1

Text proposed by the Commission	*Amendment*
Union fishing vessels shall have installed on board a fully functioning device which allows that vessel to be automatically located and identified by a vessel monitoring system through transmitting vessel position data at regular intervals.	Union fishing vessels shall have installed on board a fully functioning device which allows that vessel to be automatically located and identified by a vessel monitoring system through transmitting ***automatically*** vessel position data at regular intervals.

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Amendment 59

Proposal for a regulation

Article 1 — paragraph 1 — point 6

Regulation (EC) No 1224/2009

Article 9 — paragraph 2 — subparagraph 2

Text proposed by the Commission	*Amendment*
The vessel monitoring systems shall also allow the fisheries monitoring centre referred to in Article 9a of the flag Member State to poll the fishing vessel at all times. The transmission of vessel position data and the polling shall either pass through a satellite connection, or may use a land-based mobile network when in reach of such network.	The vessel monitoring systems shall also allow the fisheries monitoring centre referred to in Article 9a of the flag Member State to poll the fishing vessel at all times. The transmission of vessel position data and the polling shall either pass through a satellite connection, or may use a land-based mobile network when in reach of such network ***or other technology that ensures data security and that is available for data transmission and communication***.

Amendment 60

Proposal for a regulation

Article 1 — paragraph 1 — point 6

Regulation (EC) No 1224/2009

Article 9 — paragraph 3

Text proposed by the Commission	*Amendment*
3. By way of derogation from paragraph 2, masters of Union fishing vessels below 12 metres' length overall may carry on board a mobile device which allows the vessel to be automatically located and identified by a vessel monitoring system through recording and transmitting vessel position data at regular intervals. In case the device is not within reach of a ***mobile*** network, the vessel position data shall be recorded during that period of time and shall be transmitted as soon as the vessel is in reach of such network and at the latest before ***entering port***.	3. By way of derogation from paragraph 2, masters of Union fishing vessels below 12 metres' length overall may carry on board a ***fully functioning*** mobile device which allows the vessel to be automatically located and identified by a vessel monitoring system through recording and transmitting vessel position data at regular intervals. In case the device is not within reach of a ***communications*** network, the vessel position data shall be recorded during that period of time and shall be transmitted as soon as the vessel is in reach of such network and at the latest before ***the landing operations begin***.

Amendment 61

Proposal for a regulation

Article 1 — paragraph 1 — point 6

Regulation (EC) No 1224/2009

Article 9 — paragraph 4

Text proposed by the Commission	*Amendment*
4. When a Union fishing vessel is in the waters of another Member State, the flag Member State shall make available the vessel position data of that vessel by automatic transmission to the fisheries monitoring centre of the coastal Member States. The vessel position data shall also be made available to the Member State in whose ports a fishing vessel is likely to land its catches or in the waters of which the fishing vessel is likely to continue its fishing activities.	4. When a Union fishing vessel is in the waters of another Member State, the flag Member State shall make available the vessel position data of that vessel by automatic transmission to the fisheries monitoring centre of the coastal Member States. The vessel position data ***of the fishing trips concerned*** shall also be made available ***automatically*** to the Member State in whose ports a fishing vessel is likely to land its catches or in the waters of which the fishing vessel is likely to continue its fishing activities.

Amendment 62

Proposal for a regulation

Article 1 — paragraph 1 — point 6

Regulation (EC) No 1224/2009

Article 9 — paragraph 5

Text proposed by the Commission	*Amendment*
5. If a Union fishing vessel ***operates*** in the waters of a third country or in waters where the fishing resources are managed by a regional fisheries management organisation as referred to in Article 3(1), and if the agreement with that third country or the applicable rules of that organisation so provide, vessel position data shall also be made available to that country or organisation.	5. If a Union fishing vessel ***engages in fishing activities or operations*** in the waters of a third country or in waters where the fishing resources are managed by a regional fisheries management organisation as referred to in Article 3(1), and if the agreement with that third country or the applicable rules of that organisation so provide, vessel position data ***of the fishing trips concerned*** shall also be made available ***automatically*** to that country or organisation.

Amendment 63

Proposal for a regulation

Article 1 — paragraph 1 — point 6

Regulation (EC) No 1224/2009

Article 9 — paragraph 6 a (new)

Text proposed by the Commission	*Amendment*
	6a. This Article shall also apply to support vessels, fish processing vessels, vessels engaged in transhipment and carrier vessels equipped for the transportation of fishery products, flying the flag of a Member State.

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Amendment 64

Proposal for a regulation

Article 1 — paragraph 1 — point 6

Regulation (EC) No 1224/2009

Article 9 — paragraph 7

Text proposed by the Commission	*Amendment*
7. The Commission is empowered to adopt delegated acts in accordance with Article 119a establishing detailed rules on monitoring of fishing activities and fishing effort by the fishing monitoring centres, in particular as regards the responsibilities of the masters concerning the vessel monitoring devices.	7. The Commission is empowered to adopt delegated acts in accordance with Article 119a establishing detailed rules on monitoring of fishing activities and fishing effort by the fishing monitoring centres, in particular as regards the responsibilities of the masters concerning the vessel monitoring devices ***and on the frequency of transmission of the data concerning the position and movement of fishing vessels including in fishing restricted areas***.

Amendment 65

Proposal for a regulation

Article 1 — paragraph 1 — point 6

Regulation (EC) No 1224/2009

Article 9 — paragraph 8 — point c

Text proposed by the Commission	*Amendment*
(c) the frequency of transmission of the data concerning the position and movement of fishing vessels including in fishing restricted areas;	***deleted***

Amendment 66

Proposal for a regulation

Article 1 — paragraph 1 — point 7

Regulation (EC) No 1224/2009

Article 9a — paragraph 1

Text proposed by the Commission	*Amendment*
1. Member States shall establish and operate fisheries monitoring centres which shall monitor fishing activities and fishing effort. The fisheries monitoring centre of a particular Member State shall monitor the fishing vessels flying its flag, whatever the waters in which they are operating or the port they are in, as well as Union fishing vessels flying the flag of other Member States and fishing vessels of third countries to which vessel monitoring system provisions applies operating in the waters under the sovereignty or the jurisdiction of that particular Member State.	1. Member States shall establish and operate fisheries monitoring centres which shall monitor fishing activities and fishing effort. The fisheries monitoring centre of a particular Member State shall monitor the fishing vessels flying its flag, whatever the waters in which they are operating or the port they are in, as well as Union fishing vessels flying the flag of other Member States and fishing vessels of third countries to which vessel monitoring system provisions applies operating in the waters under the sovereignty or the jurisdiction of that particular Member State ***and fishing vessels flying the flag of a third country concerning which rules and/or recommendations exist that have been issued by a regional international body. Fisheries monitoring centres shall also report on the number of abandoned, lost or otherwise discarded fishing gear and actions to prevent and mitigate the presence of such gear.***

Amendment 67

Proposal for a regulation

Article 1 — paragraph 1 — point 7

Regulation (EC) No 1224/2009

Article 9a — paragraph 2

Text proposed by the Commission	*Amendment*
2. Each flag Member State shall appoint the competent authorities responsible for the fisheries monitoring centre and shall take the appropriate measures to ensure that its fisheries monitoring centre has the proper staffing resources and is equipped with computer hardware and software enabling automatic data processing and electronic data transmission. Member States shall provide for back-up and recovery procedures in case of system failure. Member States may operate a joint fisheries monitoring centre.	2. Each flag Member State shall appoint***, from among*** the ***national or regional*** competent authorities, ***a lead competent authority*** responsible for the fisheries monitoring centre and shall take the appropriate measures to ensure that its fisheries monitoring centre has the proper staffing resources and is equipped with computer hardware and software enabling automatic data processing***, analysis, control, monitoring*** and electronic data transmission. Member States shall provide for back-up and recovery procedures in case of system failure. Member States may operate a joint fisheries monitoring centre.

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Amendment 68

Proposal for a regulation

Article 1 — paragraph 1 — point 7

Regulation (EC) No 1224/2009

Article 9a — paragraph 3

Text proposed by the Commission	*Amendment*
3. Flag Member States shall ensure that fisheries monitoring centres have access to all relevant data and in particular as listed in Articles 109 and 110 ***and operate*** 7 days a week and 24 hours a day.	3. Flag Member States shall ensure that fisheries monitoring centres have access to all relevant data and in particular as listed in Articles 109 and 110***, thus ensuring monitoring*** 7 days a week and 24 hours a day.

Amendment 69

Proposal for a regulation

Article 1 — paragraph 1 — point 7

Regulation (EC) No 1224/2009

Article 9a — paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. Fisheries monitoring centres shall support real-time monitoring of vessels so as to enable immediate enforcement action.

Amendment 70

Proposal for a regulation

Article 1 — paragraph 1 — point 8

Regulation (EC) No 1224/2009

Article 10 — paragraph 1

Text proposed by the Commission	*Amendment*
In accordance with Directive 2002/59/EC, a fishing vessel exceeding 15 metres' length overall shall be fitted with and maintain in operation ***an*** automatic identification system which meets the performance standards drawn up by the International Maritime Organisation.	In accordance with Directive 2002/59/EC, a fishing vessel exceeding 15 metres' length overall shall be fitted with and maintain in ***continuous*** operation ***a fully functioning*** automatic identification system which meets the performance standards drawn up by the International Maritime Organisation.

Amendment 71

Proposal for a regulation

Article 1 — paragraph 1 — point 8

Regulation (EC) No 1224/2009

Article 10 — paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	1a. By way of derogation from paragraph 1, if the master of a Union fishing vessel believes that the continuous operation of the automatic identification system might compromise safety or where security incidents are imminent, the automatic identification system may be switched off.
	Where the automatic identification system is switched off in accordance with the first subparagraph, the master of a Union fishing vessel shall report that action and the reason for doing so to the competent authorities of its flag Member State and, when relevant, to the competent authorities of the coastal State. The master shall restart the automatic identification system as soon as the source of danger has disappeared.

Amendment 72

Proposal for a regulation

Article 1 — paragraph 1 — point 8

Regulation (EC) No 1224/2009

Article 10 — paragraph 1 b (new)

Text proposed by the Commission	*Amendment*
	1b. Member States shall ensure that data from the automatic identification system is made available to their national fisheries control authorities for control purposes, including cross-checks of automatic identification system data with other available data, in accordance with Articles 109 and 110.

Amendment 73

Proposal for a regulation

Article 1 — paragraph 1 — point 11

Regulation (EC) No 1224/2009

Article 14 — paragraph 1 — subparagraph 1 a (new)

Text proposed by the Commission	*Amendment*
	Masters of Union fishing vessels of less than 12 metres' length overall, as well as natural persons engaging in fishing without vessels, shall keep an electronic logbook in a simplified format.

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Amendment 74

Proposal for a regulation

Article 1 — paragraph 1 — point 11

Regulation (EC) No 1224/2009

Article 14 — paragraph 2 — introductory part

Text proposed by the Commission	*Amendment*
2. The fishing logbook referred to in paragraph 1 shall contain in particular the following information:	2. The fishing logbook referred to in paragraph 1 ***shall be of uniform format throughout the Union and*** shall contain in particular the following information:

Amendment 75

Proposal for a regulation

Article 1 — paragraph 1 — point 11

Regulation (EC) No 1224/2009

Article 14 — paragraph 2 — point d

Text proposed by the Commission	*Amendment*
(d) the date ***and, where appropriate, time*** of catches;	(d) the date of catches;

Amendment 76

Proposal for a regulation

Article 1 — paragraph 1 — point 11

Regulation (EC) No 1224/2009

Article 14 — paragraph 2 — point f

Text proposed by the Commission	*Amendment*
(f) the type of gear***, technical specifications*** and dimensions;	(f) the type of gear and ***approximate*** dimensions;

Amendment 77

Proposal for a regulation

Article 1 — paragraph 1 — point 11

Regulation (EC) No 1224/2009

Article 14 — paragraph 2 — point g

Text proposed by the Commission	*Amendment*
(g) the estimated quantities of each species in kilograms live weight or, where appropriate, the number of individuals, including the quantities or individuals below the applicable minimum conservation reference size, as a separate entry; for Union fishing vessels of 12 metres' length overall or more, this information shall be provided ***per haul or per*** fishing ***operation***;	(g) the estimated quantities of each species in kilograms live weight or, where appropriate, the number of individuals, including the quantities or individuals below the applicable minimum conservation reference size, as a separate entry; for Union fishing vessels of 12 metres' length overall or more, this information shall be provided ***at the end of the*** fishing ***day***;

Amendment 78

Proposal for a regulation

Article 1 — paragraph 1 — point 11

Regulation (EC) No 1224/2009

Article 14 — paragraph 2 — point h

Text proposed by the Commission	*Amendment*
(h) estimated discards ***of live-weight equivalent in volume*** for any species not subject to the landing obligation;	(h) estimated discards for any species not subject to the landing obligation;

Amendment 79

Proposal for a regulation

Article 1 — paragraph 1 — point 11

Regulation (EC) No 1224/2009

Article 14 — paragraph 3 — point a

Text proposed by the Commission	*Amendment*
(a) the type of lost gear;	(a) the type ***and approximate dimensions*** of lost gear;

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Amendment 80

Proposal for a regulation

Article 1 — paragraph 1 — point 11

Regulation (EC) No 1224/2009

Article 14 — paragraph 3 — point b

Text proposed by the Commission	*Amendment*
(b) the date and time when the gear was lost;	(b) the date and ***approximate*** time when the gear was lost;

Amendment 338

Proposal for a regulation

Article 1 — paragraph 1 — point 11

Regulation (EC) No 1224/2009

Article 14 — paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3 a. In the case of the capture of sensitive species, the logbook shall also contain:
	(a) the species captured;
	(b) the number of individuals captured;
	(c) the date and geographic position of the capture;
	(d) the number of individuals killed;
	(e) the number of individuals released;
	(f) the number of individuals injured and released.

Amendment 81

Proposal for a regulation

Article 1 — paragraph 1 — point 11

Regulation (EC) No 1224/2009

Article 14 — paragraph 4 — subparagraph 1

Text proposed by the Commission	*Amendment*
When compared with the quantities landed or the result of an inspection, the permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board shall be 10 % per species. For species retained on board that do not exceed ***50kg*** live weight equivalent, the permitted margin of tolerance shall be 20 % per species.	When compared with the quantities landed or the result of an inspection, the permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board shall be 10 % per species. For ***mixed fisheries, small pelagic purse-seine vessels or*** species retained on board that do not exceed ***100kg*** live weight equivalent, the permitted margin of tolerance shall be 20 % per species. ***For tuna species, it shall be 25 %.***

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Amendment 328

Proposal for a regulation

Article 1 — paragraph 1 — point 11

Regulation (EC) No 1224/2009

Article 14 — paragraph 4 — subparagraph 2

Text proposed by the Commission	*Amendment*
By derogation ***to*** the first subparagraph for fisheries ***referred to in the first and third indents of Article 15(1)(a) of Regulation (EU) No 1380/2013*** which are landed unsorted, the ***tolerance limitations set out in this paragraph shall not apply to catches of species which meet both of the*** following ***conditions***:	By ***way of*** derogation ***from*** the first subparagraph for ***small pelagic*** fisheries ***(mackerel, herring, horse mackerel, blue whiting, boarfish, anchovy, Argentinian silverside, sardine and sprat) and industrial fisheries (inter alia capelin, sand eel and Norway pout)*** which are landed unsorted, the following ***exceptions shall be made***:
(a) they represent less than 1 % in weight of all species landed; ***and***	(a) ***the tolerance limitations set out in this paragraph shall not apply to catches of species which meet one of the following conditions:***
	(i) they represent less than 1 % in weight of all species landed; ***or***
	(ii) their total weight is less than 100kg;
(b) their total weight is less than 100 kg.	***(b) for Member States which have adopted a risk-based sampling plan, approved by the Commission, for weighing unsorted landings, the following tolerance limitations shall apply:***
	(i) for small pelagics, and industrial fisheries, the permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board shall be 10 % of the total volume of all species recorded in the logbook for each species;
	(ii) for other non-target species, the permitted margin of tolerance in estimates, whether recorded in the logbook or not, of the quantities in kilograms of fish retained on board shall be 200 kg or 1 % of the total volume of all species recorded in the logbook for each species; and
	(iii) for the total quantity of all species, the permitted margin of tolerance in estimates recorded in the logbook of the total quantity in kilograms of fish retained on board shall be 10 % of the total volume of all species recorded in the logbook.
	By way of derogation from the first paragraph, for the tropical tuna purse seine fishery, for species covered by a risk-based sampling plan approved by the Commission, the tolerance allowed in the estimate recorded in the fishing logbook of the total quantities in kilograms of fish kept on board, all species combined, shall be 10 % of the total quantities landed of all species combined.

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Amendment 83

Proposal for a regulation

Article 1 — paragraph 1 — point 11

Regulation (EC) No 1224/2009

Article 14 — paragraph 7

Text proposed by the Commission	*Amendment*
7. Masters of third country catching vessels operating in Union waters shall record the information referred to in this Article in the same way as masters of Union fishing vessels.	7. Masters of third country catching vessels operating in Union waters ***or in international waters with shared fish stocks*** shall record the information referred to in this Article in the same way as masters of Union fishing vessels.

Amendment 84

Proposal for a regulation

Article 1 — paragraph 1 — point 12

Regulation (EC) No 1224/2009

Article 15 — paragraph 1 — point a

Text proposed by the Commission	*Amendment*
(a) at least once ***a day, and where applicable, after each haul***; and	(a) at least once ***at the end of the fishing day***; and

Amendment 85

Proposal for a regulation

Article 1 — paragraph 1 — point 12

Regulation (EC) No 1224/2009

Article 15 — paragraph 1 — point b

Text proposed by the Commission	*Amendment*
(b) after the last fishing operation has been completed and before ***entering port***.	(b) after the last fishing operation has been completed and before ***landing operations begin***.

Amendment 86

Proposal for a regulation

Article 1 — paragraph 1 — point 12

Regulation (EC) No 1224/2009

Article 15 — paragraph 2

Text proposed by the Commission	*Amendment*
2. Masters of Union catching vessels of less than 12 metres' length overall shall submit by electronic means the information referred to in Article 14, to the competent authority of their flag Member State after the last fishing operation has been completed and before ***entering port***.	2. Masters of Union catching vessels of less than 12 metres' length overall shall submit by electronic means***, using a harmonised, simplified format,*** the information referred to in Article 14, to the competent authority of their flag Member State after the last fishing operation has been completed and before ***landing operations begin***.

Amendment 87

Proposal for a regulation

Article 1 — paragraph 1 — point 12

Regulation (EC) No 1224/2009

Article 15 — paragraph 4

Text proposed by the Commission	*Amendment*
4. The competent authorities of a coastal Member State shall accept electronic reports received from the flag Member State containing the data from fishing vessels referred to in paragraphs 1, 2 and 3.	4. ***The competent authorities of the flag Member State shall send electronic reports containing the data from fishing vessels obtained pursuant to paragraphs 1, 2 and 3 to the competent authorities of a coastal Member State.*** The competent authorities of a coastal Member State shall accept electronic reports received from the flag Member State containing the data from fishing vessels referred to in paragraphs 1, 2 and 3.

Amendment 88

Proposal for a regulation

Article 1 — paragraph 1 — point 12

Regulation (EC) No 1224/2009

Article 15 — paragraph 5

Text proposed by the Commission	*Amendment*
5. Masters of third country catching vessels operating in Union waters shall submit by electronic means the information referred to in Article 14 to the competent authority of the coastal Member State."	5. Masters of third country catching vessels operating in Union waters shall submit by electronic means the information referred to in Article 14 ***under the same conditions as those which apply to masters of Union fishing vessels*** to the competent authority of the coastal Member State."

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Amendment 89

Proposal for a regulation

Article 1 — paragraph 1 — point 13

Regulation (EC) No 1224/2009

Article 15a — paragraph 2 — point g

Text proposed by the Commission	*Amendment*
(g) the frequency of logbook data transmissions.	***deleted***

Amendment 90

Proposal for a regulation

Article 1 — paragraph 1 — point 15 — point a

Regulation (EC) No 1224/2009

Article 17 — paragraph 1 — introductory part

Text proposed by the Commission	*Amendment*
1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 12 metres' length overall or more shall notify by electronic means the competent authorities of their flag Member State at least four hours before the estimated time of arrival at port of the following information:	1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 12 metres' length overall or more ***performing fishing trips longer than 24 hours,*** shall notify by electronic means the competent authorities of their flag Member State at least four hours before the estimated time of arrival at port of the following information:

Amendment 91

Proposal for a regulation

Article 1 — paragraph 1 — point 15 — point b

Regulation (EC) No 1224/2009

Article 17 — paragraph 1a

Text proposed by the Commission	*Amendment*
1a. The coastal Member State may ***set a shorter*** period of prior notification for vessels flying its flag which operate ***exclusively*** within its territorial waters provided that it does not impair the ability of Member States to carry out inspections.	1a. The coastal Member State may ***adapt the*** period of prior notification for vessels flying its flag which operate within its territorial waters, provided that it does not impair the ability of Member States to carry out inspections.

Amendment 92

Proposal for a regulation

Article 1 — paragraph 1 — point 15 — point b a (new)

Regulation (EC) No 1224/2009

Article 17 — paragraph 1 b (new)

Text proposed by the Commission	*Amendment*
	(ba) The following paragraph is inserted:
	'1b. Where catches are made between the time of notice being issued and arrival at port, those catches shall be notified additionally after they have been retained on board, before entering port.'

Amendment 93

Proposal for a regulation

Article 1 — paragraph 1 — point 15 — point c

Regulation (EC) No 1224/2009

Article 17 — paragraph 6 — point a

Text proposed by the Commission	*Amendment*
(a) the exemption of certain categories of fishing vessels from the obligation set out in paragraph 1, taking into account the quantities and type of fisheries products to be landed;	(a) the exemption of certain categories of fishing vessels from the obligation set out in paragraph 1, taking into account the quantities and type of fisheries products to be landed ***and the risk of non-compliance with common fisheries policy rules***;

Amendment 94

Proposal for a regulation

Article 1 — paragraph 1 — point 17

Regulation (EC) No 1224/2009

Article 19

Text proposed by the Commission	*Amendment*
(17) ***in Article 19, the words 'in Articles 17 and 18' are replaced by the words 'in Article 17'.***	(17) ***Article 19 is replaced by the following:***
	'Article 19
	Authorisation to enter port
	The competent authorities of the coastal Member State may deny access to port to fishing vessels if the information referred to in Article 17 is not complete, except in cases of force majeure, including extremely bad weather conditions and situations where the safety of the crew is at risk.';

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Amendment 95

Proposal for a regulation

Article 1 — paragraph 1 — point 18

Regulation (EC) No 1224/2009

Article 19a — paragraph 1

Text proposed by the Commission	*Amendment*
1. Union fishing vessels shall only be authorised to land in ports outside Union waters if they have notified by electronic means the competent authorities of their flag Member State at least ***3 days*** before the estimated time of arrival at port of the information listed in paragraph 3 and the flag Member State has not denied the authorisation to land within this period of time.	1. Union fishing vessels shall only be authorised to land in ports outside Union waters if they have notified by electronic means the competent authorities of their flag Member State at least ***24 hours*** before the estimated time of arrival at port of the information listed in paragraph 3 and the flag Member State has not denied the authorisation to land within this period of time.

Amendment 96

Proposal for a regulation

Article 1 — paragraph 1 — point 18

Regulation (EC) No 1224/2009

Article 19a — paragraph 2

Text proposed by the Commission	*Amendment*
2. The flag Member State may set a shorter period, of not less than ***four*** hours, for the prior notification referred to in paragraph 1 for fishing vessels flying their flag carrying out fishing activities in third country waters, taking into account the type of fishery products ***and*** the distance between the fishing grounds and port.	2. The flag Member State may set a shorter period, of not less than ***two*** hours, for the prior notification referred to in paragraph 1 for fishing vessels flying their flag carrying out fishing activities in third country waters, taking into account the type of fishery products, the distance between the fishing grounds and port***, as well as the risk of non-compliance with the rules of the common fisheries policy, or with the applicable rules in the waters of the third country where the vessels are operating. In determining the level of that risk, Member States shall take account of serious infringements committed by the vessels concerned.***

Amendment 97

Proposal for a regulation

Article 1 — paragraph 1 — point 18

Regulation (EC) No 1224/2009

Article 19a — paragraph 3 — point h

Text proposed by the Commission	*Amendment*
(h) the quantities of each species to be landed.	(h) the quantities of each species to be landed***, including, as a separate entry, the quantities or individuals below the applicable minimum conservation reference size.***

Amendment 98

Proposal for a regulation

Article 1 — paragraph 1 — point 18

Regulation (EC) No 1224/2009

Article 19a — paragraph 4

Text proposed by the Commission	*Amendment*
4. Where, on the basis of the analysis of the information submitted and other information available, there are reasonable grounds to believe that the fishing vessel is not complying with the rules of the common fisheries policy, the competent authorities of the flag Member State shall request the cooperation of the third country where the vessel intends to land in view of a possible inspection. For this purpose the flag Member State may require the fishing vessel to land in a different port, or delay the time of arrival at port or of landing.	4. Where, on the basis of the analysis of the information submitted and other information available, there are reasonable grounds to believe that the fishing vessel is not complying with the rules of the common fisheries policy***, with the rules applicable in the waters of the third country or in the high seas where the vessel is operating***, the competent authorities of the flag Member State shall request the cooperation of the third country where the vessel intends to land in view of a possible inspection. For this purpose the flag Member State may require the fishing vessel to land in a different port, or delay the time of arrival at port or of landing.

Amendment 99

Proposal for a regulation

Article 1 — paragraph 1 — point 19

Regulation (EC) No 1224/2009

Article 20 — paragraph 2a

Text proposed by the Commission	*Amendment*
2a. Without prejudice to Article 4(4) of Council Regulation (EC) No 1005/2008 and Article 43(3) of this Regulation, Union donor vessels and Union receiving vessels shall only be authorised to tranship at sea outside Union waters or in ports of third countries subject to an authorisation received from their flag Member State(s).	2a. Without prejudice to Article 4(4) of Council Regulation (EC) No 1005/2008 and Article 43(3) of this Regulation, Union donor vessels and Union receiving vessels shall only be authorised to tranship at sea outside Union waters or in ports of third countries subject to an authorisation received from their flag Member State(s). ***However, transhipment at sea in Union waters shall be permitted in some pelagic fisheries where vessels are many miles from land and their catches are so small that it would be inefficient for those vessels to return to port in order to sell their catch.***

Amendment 100

Proposal for a regulation

Article 1 — paragraph 1 — point 19

Regulation (EC) No 1224/2009

Article 20 — paragraph 2b

Text proposed by the Commission	*Amendment*
2b. In order to apply for an authorisation to tranship under paragraph 2a, the masters of Union vessels shall submit electronically to their flag Member State, at least ***3 days*** before the planned transhipment operation, the following information:	2b. In order to apply for an authorisation to tranship under paragraph 2a, the masters of Union vessels shall submit electronically to their flag Member State, at least ***24 hours*** before the planned transhipment operation, the following information:

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Amendment 101

Proposal for a regulation

Article 1 — paragraph 1 — point 19

Regulation (EC) No 1224/2009

Article 20 — paragraph 2b — point c

Text proposed by the Commission	*Amendment*
(c) the FAO alpha-3 code of each species and its relevant geographical area in which the catches were taken;	(c) the FAO alpha-3 code of each ***transhipped*** species and its relevant geographical area in which the catches were taken;

Amendment 102

Proposal for a regulation

Article 1 — paragraph 1 — point 19

Regulation (EC) No 1224/2009

Article 20 — paragraph 2b — point d

Text proposed by the Commission	*Amendment*
(d) the estimated quantities of each species in kilograms in product weight and in live weight, broken down by type of product presentation;	(d) the estimated quantities of each ***transhipped*** species in kilograms in product weight and in live weight, broken down by type of product presentation;

Amendment 103

Proposal for a regulation

Article 1 — paragraph 1 — point 20

Regulation (EC) No 1224/2009

Article 21 — paragraph 1

Text proposed by the Commission	*Amendment*
1. Masters of Union fishing vessels of ***10*** metres' length overall or more involved in a transhipment operation shall complete an electronic transhipment declaration.	1. Masters of Union fishing vessels of ***12*** metres' length overall or more involved in a transhipment operation shall complete an electronic transhipment declaration.

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Amendment 104

Proposal for a regulation

Article 1 — paragraph 1 — point 20

Regulation (EC) No 1224/2009

Article 21 — paragraph 2 — introductory part

Text proposed by the Commission	*Amendment*
2. The transhipment declaration referred to in paragraph 1 shall contain at least the following information:	2. The transhipment declaration referred to in paragraph 1 ***shall be of uniform format throughout the Union and*** shall contain at least the following information:

Amendment 105

Proposal for a regulation

Article 1 — paragraph 1 — point 20

Regulation (EC) No 1224/2009

Article 21 — paragraph 2 — point c

Text proposed by the Commission	*Amendment*
(c) the FAO alpha-3 code of each species and its relevant geographical area in which the catches were taken;	(c) the FAO alpha-3 code of each ***transhipped*** species and its relevant geographical area in which the catches were taken;

Amendment 106

Proposal for a regulation

Article 1 — paragraph 1 — point 20

Regulation (EC) No 1224/2009

Article 21 — paragraph 2 — point d

Text proposed by the Commission	*Amendment*
(d) the estimated quantities of each species in kilograms in product weight and in live weight, broken down by type of product presentation or, where appropriate, the number of individuals, including, as a separate entry, the quantities or individuals below the applicable minimum conservation reference size;	(d) the estimated quantities of each ***transhipped*** species in kilograms in product weight and in live weight, broken down by type of product presentation or, where appropriate, the number of individuals, including, as a separate entry, the quantities or individuals below the applicable minimum conservation reference size;

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Amendment 107

Proposal for a regulation

Article 1 — paragraph 1 — point 20

Regulation (EC) No 1224/2009

Article 21 — paragraph 3

Text proposed by the Commission	*Amendment*
3. When compared with the quantities landed or the result of an inspection, the permitted margin of tolerance in estimates recorded in the transhipment declaration of the quantities in kilograms of fish retained on board shall be ***10*** % per species.	3. When compared with the quantities landed or the result of an inspection, the permitted margin of tolerance in estimates recorded in the transhipment declaration of the quantities in kilograms of fish retained on board shall be ***15*** % per species.

Amendment 108

Proposal for a regulation

Article 1 — paragraph 1 — point 20

Regulation (EC) No 1224/2009

Article 21 — paragraph 6

Text proposed by the Commission	*Amendment*
6. The Commission is empowered to adopt delegated acts in accordance with Article 119a to exempt certain categories of fishing vessels from the obligation laid down in paragraph 1, taking into account the quantities and/or type of fisheries products."	6. The Commission is empowered to adopt delegated acts in accordance with Article 119a to exempt certain categories of fishing vessels from the obligation laid down in paragraph 1, taking into account the quantities and/or type of fisheries products ***and the risk of non-compliance with common fisheries policy rules, in addition to any other relevant legislation. In determining the level of that risk, serious infringements committed by the vessels concerned shall be considered***.

Amendment 109

Proposal for a regulation

Article 1 — paragraph 1 — point 21

Regulation (EC) No 1224/2009

Article 22 — paragraph 1

Text proposed by the Commission	*Amendment*
1. Masters of Union fishing vessels of ***10*** metres' length overall or more shall send by electronic means the information referred to in Article 21 to the competent authority of their flag Member State within 24 hours after completion of the transhipment operation.	1. Masters of Union fishing vessels of ***12*** metres' length overall or more shall send, by electronic means***, using the same format, harmonised at Union level, for all Member States,*** the information referred to in Article 21 to the competent authority of their flag Member State within 24 hours after completion of the transhipment operation.

Amendment 110

Proposal for a regulation

Article 1 — paragraph 1 — point 21

Regulation (EC) No 1224/2009

Article 22 — paragraph 5 — point a

Text proposed by the Commission	*Amendment*
(a) the format and content of the transhipment declaration;	(a) the ***harmonised*** format and content of the transhipment declaration;

Amendment 111

Proposal for a regulation

Article 1 — paragraph 1 — point 21

Regulation (EC) No 1224/2009

Article 23 — paragraph 1

Text proposed by the Commission	*Amendment*
1. The master of a Union fishing vessel, or ***its*** representative, shall complete an electronic landing declaration.	1. The master of a Union fishing vessel, or ***a*** representative ***of the master***, shall complete an electronic landing declaration.

Amendment 112

Proposal for a regulation

Article 1 — paragraph 1 — point 21

Regulation (EC) No 1224/2009

Article 23 — paragraph 2 — point f

Text proposed by the Commission	*Amendment*
(f) date and time of landing;	(f) date and time of ***the completion of*** landing;

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Amendment 113

Proposal for a regulation

Article 1 — paragraph 1 — point 21

Regulation (EC) No 1224/2009

Article 23 — paragraph 4

Text proposed by the Commission	*Amendment*
4. To convert stored or processed fish weight into live fish weight for the purposes of the landing declaration, masters of fishing vessels shall apply a conversion factor established pursuant to Article 14(9).	4. To convert stored or processed fish weight into live fish weight for the purposes of the landing declaration, masters of fishing vessels***, or a representative of the master,*** shall apply a conversion factor established pursuant to Article 14(9).

Amendment 114

Proposal for a regulation

Article 1 — paragraph 1 — point 21

Regulation (EC) No 1224/2009

Article 24 — paragraph 1

Text proposed by the Commission	*Amendment*
1. The master of a Union fishing vessel ***or their*** representative shall submit by electronic means the information referred to in Article 23 to the competent authority of their flag Member State within 24 hours after completion of the landing.	1. The master of a Union fishing vessel***, or a*** representative ***of the master,*** shall submit by electronic means ***using the same format, harmonised at Union level, for all Member States,*** the information referred to in Article 23 to the competent authority of their flag Member State ***as soon as possible and in any event*** within 24 hours after completion of the landing.
	For the purpose of calculating the deadline of 24 hours referred to in the first subparagraph, Saturdays, Sundays and public holidays shall not be taken into account.
	For the purposes of this Article, in the event that fisheries products are transported from the place of landing before weighing, the landing operation shall be deemed to have been completed when those fisheries products have been weighed.

Amendment 115

Proposal for a regulation

Article 1 — paragraph 1 — point 21

Regulation (EC) No 1224/2009

Article 24 — paragraph 5 — point d a (new)

Text proposed by the Commission	*Amendment*
	(da) the tasks of the single authority referred to in Article 5 (5) as regards landing declarations;

Amendment 116

Proposal for a regulation

Article 1 — paragraph 1 — point 21

Regulation (EC) No 1224/2009

Article 24 — paragraph 5 — point d b (new)

Text proposed by the Commission	*Amendment*
	(db) the frequency of transmissions of landing declaration data.

Amendment 117

Proposal for a regulation

Article 1 — paragraph 1 — point 21

Regulation (EC) No 1224/2009

Article 24 — paragraph 6 — point a

Text proposed by the Commission	*Amendment*
(a) the format and content of the landing declaration;	(a) the ***harmonised*** format and content of the landing declaration;

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Amendment 118

Proposal for a regulation

Article 1 — paragraph 1 — point 21

Regulation (EC) No 1224/2009

Article 24 — paragraph 6 — point f

Text proposed by the Commission	*Amendment*
(f) the tasks of the single authority referred to in Article 5(5), as regards landing declarations;	***deleted***

Amendment 119

Proposal for a regulation

Article 1 — paragraph 1 — point 21

Regulation (EC) No 1224/2009

Article 24 — paragraph 6 — point g

Text proposed by the Commission	*Amendment*
(g) the frequency of transmissions of landing declaration data.	***deleted***

Amendment 340

Proposal for a regulation

Article 1 — paragraph 1 — point 23

Regulation (EC) No 1224/2009

Article 25a — paragraph 1

Text proposed by the Commission	*Amendment*
1. Member States shall ensure effective control of the landing obligation. For this purpose a minimum percentage of fishing vessels fishing for species subject to the landing obligation ***and flying their flag established in accordance with paragraph 2***, shall be equipped with continuously recording Closed-Circuit Television (CCTV) systems incorporating data storage.	1. Member States shall ensure effective control of the landing obligation. For this purpose a minimum percentage of fishing vessels ***of 12 metres length overall or more, flying their flag and*** fishing for species subject to the landing obligation***, identified as posing a high risk of non-compliance with the landing obligation in the specific control and inspection programmes adopted under Article 95***, shall be equipped with continuously recording Closed-Circuit Television (CCTV) systems incorporating data storage***, in compliance with all applicable rules on the protection of privacy and processing of personal data. In accordance with specific control and inspection programmes adopted pursuant to Article 95, the Member State may allow the fishing vessel to carry control observers on board in accordance with Article 73a.***

Amendment 121

Proposal for a regulation

Article 1 — paragraph 1 — point 23

Regulation (EC) No 1224/2009

Article 25a — paragraph 2

Text proposed by the Commission	*Amendment*
2. The percentage of fishing vessels referred to in paragraph 1 shall be established for different risk categories in specific control and inspection programmes adopted pursuant to Article 95. Those programmes shall also determine the risk categories and the types of fishing vessels included in such categories.	***deleted***

Amendment 122

Proposal for a regulation

Article 1 — paragraph 1 — point 23

Regulation (EC) No 1224/2009

Article 25a — paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. The Commission shall review the effectiveness of the electronic monitoring systems in checking compliance with the landing obligation and their contribution to achieving the sustainable maximum yield for the relevant stocks and submit a report to the European Parliament and the Council by … [five years after the date of entry into force of this Regulation].

Amendment 123

Proposal for a regulation

Article 1 — paragraph 1 — point 23

Regulation (EC) No 1224/2009

Article 25a — paragraph 3 b (new)

Text proposed by the Commission	*Amendment*
	3b. In addition to electronic monitoring systems used to check compliance with the landing obligation, Member States may also support the use of systems which make for closer monitoring of the selectivity of fishing operations directly on gear.

Amendment 341

Proposal for a regulation

Article 1 — paragraph 1 — point 23

Regulation (EC) No 1224/2009

Article 25a — paragraph 3 c (new)

Text proposed by the Commission	*Amendment*
	3 c. Operators may equip their fishing vessels with CCTV systems on a voluntary basis. For that purpose, the competent authority shall provide incentives such as additional allocation of quota or deletion of points, in accordance with paragraph 4.

Amendment 125

Proposal for a regulation

Article 1 — paragraph 1 — point 23

Regulation (EC) No 1224/2009

Article 25a — paragraph 3 d (new)

Text proposed by the Commission	*Amendment*
	3d. Fishing vessels shall be equipped with CCTV technology on a mandatory basis if they have committed two or more serious infringements of the rules laid down in Article 15 of Regulation (EU) No 1380/2013 when decided by the competent authority as an accompanying sanction.

Amendment 126

Proposal for a regulation

Article 1 — paragraph 1 — point 23

Regulation (EC) No 1224/2009

Article 25a — paragraph 3 e (new)

Text proposed by the Commission	*Amendment*
	3e. CCTV footage shall remain the property of the owner of the fishing vessel at all times. Business confidentiality and privacy rights shall be protected and guaranteed by the competent authorities throughout the whole process.

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Amendment 127

Proposal for a regulation

Article 1 — paragraph 1 — point 23

Regulation (EC) No 1224/2009

Article 25a — paragraph 4 — subparagraph 1

Text proposed by the Commission	*Amendment*
The Commission ***may, by means of implementing*** acts***, lay*** down detailed rules on the requirements, technical specifications, installation and functioning of the electronic monitoring systems for the control of the landing obligation, including continuously recording CCTV systems.	The Commission ***is empowered to adopt delegated*** acts ***in accordance with Article 119a, supplementing this Regulation by laying*** down detailed rules on the requirements, technical specifications, installation and functioning of, ***as well as incentives concerning,*** the electronic monitoring systems for the control of the landing obligation, including continuously recording CCTV systems.

Amendment 327

Proposal for a regulation

Article 1 — paragraph 1 — point 23 a (new)

Regulation (EC) No 1224/2009

Article 25b (new)

Text proposed by the Commission	*Amendment*
	(23a) In Section 1 of Chapter 1 of Title IV, the following Article is inserted:
	'Article 25b
	Assessment of Remote electronic monitoring
	The Commission shall, by … [6 months after date of entry into force of this Regulation] submit a report to the European Parliament and the Council to assess the effectiveness of remote electronic monitoring and its contribution to the control of the rules of the common fisheries policy including the control of incidental catches and the reliability of catch data.'

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Amendment 128

Proposal for a regulation

Article 1 — paragraph 1 — point 27

Regulation (EC) No 1224/2009

Article 33 — paragraph 3

Text proposed by the Commission	*Amendment*
3. In cases where the data submitted by a Member States in accordance with paragraph 2 is based on estimates for a stock or group of stocks, the Member State shall provide to the Commission the corrected quantities established on the basis of landing declarations as soon as available and no later than ***12*** months after the date of landing.	3. In cases where the data submitted by a Member States in accordance with paragraph 2 is based on estimates for a stock or group of stocks, the Member State shall provide to the Commission the corrected quantities established on the basis of landing declarations as soon as available and no later than ***three*** months after the date of landing.

Amendment 129

Proposal for a regulation

Article 1 — paragraph 1 — point 27

Regulation (EC) No 1224/2009

Article 33 — paragraph 4

Text proposed by the Commission	*Amendment*
4. In the case where a Member State detects inconsistencies between the information submitted to the Commission in accordance with paragraphs 2 and 3 and the results of the validation performed in accordance with Article 109, the Member State shall provide to the Commission the corrected quantities established on the basis of that validation as soon as available and no later than 3 months after the date of landing.	4. In the case where a Member State detects inconsistencies between the information submitted to the Commission in accordance with paragraphs 2 and 3 and the results of the validation performed in accordance with Article 109, ***it shall verify and cross-check data so as to correct such inconsistencies. In addition,*** the Member State shall provide to the Commission the corrected quantities established on the basis of that validation as soon as available and no later than 3 months after the date of landing.

Amendment 130

Proposal for a regulation

Article 1 — paragraph 1 — point 27

Regulation (EC) No 1224/2009

Article 33 — paragraph 6 a (new)

Text proposed by the Commission	*Amendment*
	6a. Catches taken in the framework of scientific research may be donated to social projects, including providing food for homeless people.

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Amendment 131

Proposal for a regulation

Article 1 — paragraph 1 — point 28

Regulation (EC) No 1224/2009

Article 34 — paragraph 1

Text proposed by the Commission	*Amendment*
The Commission may request a Member State to submit more detailed and more frequent information than provided for in Article 33 in the case it is established that 80 % of a quota for a stock or group of stocks is deemed to be exhausted."	***1. A Member State shall inform the Commission, without delay, when it establishes that:***
	(a) 80 % of the catches of a stock or group of stocks subject to a quota related to fishing vessels flying its flag has been exhausted; or
	(b) 80 % of the maximum allowable fishing effort related to a fishing gear or a specific fishery and to a corresponding geographical area and applicable to all or a part of the fishing vessels flying its flag has been reached.
	In that case, the Commission may request more detailed and frequent information than that provided for under Article 33.

Amendment 132

Proposal for a regulation

Article 1 — paragraph 1 — point 28

Regulation (EC) No 1224/2009

Article 34 — paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	1a. The Commission may request a Member State to submit more detailed and more frequent information than provided for in Article 33 where it is established that 80 % of a quota for a stock or group of stocks is deemed to be exhausted, or 80 % of the maximum allowable fishing effort for a fishing gear or a specific fishery and a corresponding geographical area has been reached. In that case, the Member State shall provide the Commission with the information requested.

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Amendment 134

Proposal for a regulation

Article 1 — paragraph 1 — point 35

Regulation (EC) No 1224/2009

Article 39a — paragraph 1 — point a

Text proposed by the Commission	*Amendment*
(a) the vessels are equipped with propulsive engines with certified engine power exceeding 221 kilowatts; ***or***	(a) the vessels are equipped with propulsive engines with certified engine power exceeding 221 kilowatts; ***and***

Amendment 135

Proposal for a regulation

Article 1 — paragraph 1 — point 35

Regulation (EC) No 1224/2009

Article 39a — paragraph 1 — point b

Text proposed by the Commission	*Amendment*
(b) the vessels ***are equipped with propulsive engines with certified engine power between 120 and 221 kilowatts and*** operate in areas subject to effort regimes or restrictions on engine power.	(b) the vessels operate in areas subject to ***fishing*** effort regimes or restrictions on engine power.

Amendment 136

Proposal for a regulation

Article 1 — paragraph 1 — point 35

Regulation (EC) No 1224/2009

Article 39 a — paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	1a. In addition, Member States shall ensure that vessels having committed an infringement related to the manipulation of an engine in order to increase the power of the vessel above the maximum continuous engine power indicated on the engine certificate are equipped with permanently installed devices that measure and record engine power.

Amendment 137

Proposal for a regulation

Article 1 — paragraph 1 — point 35

Regulation (EC) No 1224/2009

Article 39a — paragraph 2

Text proposed by the Commission	*Amendment*
2. The devices referred to in paragraph 1, in particular permanently affixed shaft strain gauges and revolution counters, shall ensure the continuous measurement of propulsive engine power in kilowatts.	2. The devices referred to in paragraph 1, in particular permanently affixed shaft strain gauges and revolution counters, shall ensure the continuous measurement ***and recording*** of propulsive engine power in kilowatts.

Amendment 138

Proposal for a regulation

Article 1 — paragraph 1 — point 35 a (new)

Regulation (EC) No 1224/2009

Article 40 — paragraph 3

Present text	*Amendment*
	(35a) In Article 40, paragraph 3is replaced by the following:
3. Member States' competent authorities may assign the certification of engine power to classification societies or to other operators having the necessary expertise for the technical examination of engine power. Those classification societies or other operators shall only certify a propulsion engine as not being capable of exceeding the officially stated power if there is no possibility to increase the performance of the propulsion engine above the certified power.	'3. Member States' competent authorities may assign the certification of engine power to classification societies or to other operators having the necessary expertise for the technical examination of engine power. Those classification societies or other operators shall only certify a propulsion engine as not being capable of exceeding the officially stated power if there is no possibility to increase the performance of the propulsion engine above the certified power. ***Those certification societies and other operators shall be responsible for the accuracy of the certifications.'***

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Amendment 139

Proposal for a regulation

Article 1 — paragraph 1 — point 36

Regulation (EC) No 1224/2009

Article 40 — paragraph 6

Text proposed by the Commission	*Amendment*
6. The Commission may, by means of ***implementing*** acts, lay down detailed rules concerning the certification of propulsion engine power. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).;***	6. The Commission ***is empowered to adopt delegated*** acts ***in accordance with Article 119a laying*** down detailed rules concerning the certification of propulsion engine power.;

Amendment 140

Proposal for a regulation

Article 1 — paragraph 1 — point 37

Regulation (EC) No 1224/2009

Article 41 — paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	Member States shall verify the accuracy and consistency of the data on engine power and tonnage, using all available information related to the technical characteristics of the vessel concerned.

Amendment 141

Proposal for a regulation

Article 1 — paragraph 1 — point 37

Regulation (EC) No 1224/2009

Article 41 — paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	Member States shall inform the Commission, as part of the report referred to in Article 118, of the results of the checks referred to in this Article and of the measures taken where the engine power or tonnage of the fishing vessel is greater than that declared in the fishing licence or in the Union or national fleet register.

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Amendment 142

Proposal for a regulation

Article 1 — paragraph 1 — point 39 a (new)

Regulation (EC) No 1224/2009

Article 44

Present text	*Amendment*
	(39a) Article 44 is replaced by the following:
Article 44	'Article 44
Separate stowage of demersal catches subject to multiannual plans	Separate stowage of demersal catches subject to multiannual plans
1. All catches of demersal stocks subject to a ***multiannual*** plan retained on board a Union fishing vessel of 12 metres' length overall or more shall be placed in boxes, compartments or containers separately for each of such stocks in such a way that they are identifiable from other boxes, compartments or containers.	1. All catches of ***target*** demersal stocks subject to a ***recovery*** plan***, specific control and inspection programs adopted pursuant to Article 95 including provisions on separate stowage, or specific control measures as defined in*** multiannual ***plans,*** retained on board a Union fishing vessel of 12 metres' length overall or more shall be placed in boxes, compartments or containers separately for each of such stocks in such a way that they are identifiable from other boxes, compartments or containers.
2. Masters of Union fishing vessels shall keep the catches of demersal stocks ***subject to a multiannual plan*** according to a stowage plan ***that describes*** the location of the different species in the holds.	2. Masters of Union fishing vessels shall keep the catches of demersal stocks ***referred to in paragraph 1*** according to a stowage plan ***describing*** the location of the different species in the holds.
3. It shall be prohibited to retain on board a Union fishing vessel in any box, compartment or container any quantity of catches of demersal stocks ***subject to a multiannual plan*** mixed with any other fisheries product.	3. It shall be prohibited to retain on board a Union fishing vessel in any box, compartment or container any quantity of catches of demersal stocks ***referred to in paragraph 1*** mixed with any other fisheries product.'

Amendment 143

Proposal for a regulation

Article 1 — paragraph 1 — point 42 — point a

Regulation (EC) No 1224/2009

Article 48 — paragraph 3

Text proposed by the Commission	*Amendment*
3. If the lost gear cannot be retrieved, the Master of the vessel shall include the information on the lost gear in the logbook pursuant to Article 14(3). The competent authority of the flag Member State shall inform the competent authority of the coastal Member State.	3. If the lost gear cannot be retrieved, the Master of the vessel shall include the information on the lost gear in the logbook pursuant to Article 14(3). The competent authority of the flag Member State shall ***without delay*** inform the competent authority of the coastal Member State.

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Amendment 144

Proposal for a regulation

Article 1 — paragraph 1 — point 42 — point b

Regulation (EC) No 1224/2009

Article 48 — paragraph 5

Text proposed by the Commission	*Amendment*
5. Member States shall collect and record information concerning lost gears and provide this information to the Commission ***upon request***.	5. Member States shall collect and record ***all the*** information concerning lost gears ***referred to in paragraph 3*** and provide this information to the Commission ***and to the European Fisheries Control Agency***.
	The European Fisheries Control Agency shall forward that information to the European Maritime Safety Agency and the European Environmental Agency, in the context of their enhanced cooperation.
	The Union register of infringements established pursuant to Article 93(1) shall list items of gear lost at sea and shall ensure the recording of information and the availability of that information for Member States and the European Fisheries Control Agency.
	The information shall be transmitted electronically and without delay. The Commission is empowered to adopt delegated acts in accordance with Article 119a supplementing this Regulation by further specifying the rules governing the transmission of information.

Amendment 145

Proposal for a regulation

Article 1 — paragraph 1 — point 43

Regulation (EC) No 1224/2009

Article 50 — title

Text proposed by the Commission	*Amendment*
Control of fishing restricted areas	Control of fishing restricted areas ***and marine protected areas***

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Amendment 146

Proposal for a regulation

Article 1 — paragraph 1 — point 43

Regulation (EC) No 1224/2009

Article 50 — paragraph 1

Text proposed by the Commission	*Amendment*
1. Fishing activities in fishing restricted areas located in Union waters shall be controlled by the coastal Member State. The coastal Member State shall have a system to detect and record the fishing vessels' entry into, transit through and exit from fishing restricted areas under its jurisdiction or sovereignty.	1. Fishing activities in fishing restricted ***areas and marine protected*** areas located in Union waters shall be controlled by the coastal Member State. The coastal Member State shall have a system to detect and record the fishing vessels' entry into, transit through and exit from fishing restricted areas ***and marine protected areas*** under its jurisdiction or sovereignty.

Amendment 147

Proposal for a regulation

Article 1 — paragraph 1 — point 43

Regulation (EC) No 1224/2009

Article 50 — paragraph 2

Text proposed by the Commission	*Amendment*
2. Fishing activities of Union fishing vessels in fishing restricted areas located in high seas or in third country waters shall be controlled by the flag Member States.	2. Fishing activities of Union fishing vessels in fishing restricted ***areas and marine protected*** areas located in high seas or in third country waters shall be controlled by the flag Member States.

Amendment 148

Proposal for a regulation

Article 1 — paragraph 1 — point 43

Regulation (EC) No 1224/2009

Article 50 — paragraph 3 — introductory part

Text proposed by the Commission	*Amendment*
3. Transit through a fishing restricted area is allowed for all fishing vessels that are not authorised to fish in such areas subject to the following conditions:	3. Transit through a fishing restricted ***area or marine protected*** area is allowed for all fishing vessels that are not authorised to fish in such areas subject to the following conditions:

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Amendment 149

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 1 — subparagraph 1

Text proposed by the Commission	*Amendment*
Member States shall ensure that recreational fisheries on their territory and in Union waters are conducted in a manner compatible with the objectives and rules of the common fisheries policy.	Member States shall ensure that recreational fisheries on their territory and in Union waters are conducted in a manner compatible with the objectives and rules of the common fisheries policy ***and with Union conservation measures, including those adopted as part of multiannual plans***.

Amendment 150

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 1 — subparagraph 2 — point a

Text proposed by the Commission	*Amendment*
(a) put in place a registration or a licensing system monitoring the number of natural and legal persons involved in recreational fisheries; and	(a) ***building on already existing practices in Member States,*** put in place a registration or a licensing system monitoring the number of natural and legal persons involved in recreational fisheries***, together with an appropriate system of sanctions for non-compliance, informing applicants for such licences about the Union conservation measures to be applied in the area, including catch restrictions and arrangements governing sanctions***; and

Amendment 151

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 1 — subparagraph 2 — point b

Text proposed by the Commission	*Amendment*
(b) collect data on catches from such fisheries through ***catch reporting or other data collection mechanisms based on a methodology which shall be notified to the Commission***.	(b) collect data on catches from such fisheries through ***a simple, free of charge, harmonised electronic form or application***.

Amendment 152

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 2 — introductory part

Text proposed by the Commission	*Amendment*
2. As regards stocks, groups of stocks and species that are subject to Union conservation measures applicable to recreational fisheries, Member States shall	2. As regards stocks, groups of stocks and species that are subject to Union conservation measures applicable to recreational fisheries, ***including additional conservation measures adopted as part of multiannual plans,*** Member States shall:

Amendment 153

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 2 — point a

Text proposed by the Commission	*Amendment*
(a) ensure that natural and legal persons involved in recreational fisheries for such stocks or species record and send catch declarations electronically to the competent authorities on a daily basis or after each fishing trip; and	(a) ensure that natural and legal persons involved in recreational fisheries for such stocks or species ***receive clear information on applicable Union conservation measures,*** record and send catch declarations electronically to the competent authorities on a daily basis or after each fishing trip; and

Amendment 342

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3 a. The master of a fishing vessel used in pesca-tourism shall, before each occasion where the fishing vessel is used for that specific purpose, notify the competent authorities accordingly. Article 15 shall not apply.

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Amendment 154

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 4

Text proposed by the Commission	*Amendment*
4. National control programmes referred to in Article 93a shall include specific control activities concerning the recreational fisheries.	***deleted***

Amendment 155

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 5 — subparagraph 1 — introductory part

Text proposed by the Commission	*Amendment*
The Commission ***may, by way of implementing*** acts, ***adopt*** detailed rules concerning:	The Commission ***is empowered to adopt delegated*** acts, ***in accordance with Article 119a, supplementing this Regulation by laying down*** detailed rules concerning:

Amendment 343

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 5 — point a a (new)

Text proposed by the Commission	*Amendment*
	(a a) the notification by the master of a fishing vessel as referred to in paragraph 3a,

Amendment 156

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 5 — subparagraph 1 — point b

Text proposed by the Commission	*Amendment*
(b) the collection of data and the recording and submission of the catch data,	(b) the collection of data and the recording and submission of the catch data ***through a simple, free of charge and harmonised electronic form or application;***

Amendment 157

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 5 — subparagraph 1 — point c

Text proposed by the Commission	*Amendment*
(c) the tracking of ***vessels*** used for recreational ***fisheries***, and	(c) the tracking of ***a vessel*** used for ***pesca-tourism and*** recreational ***fishing charter vessels***; and

Amendment 158

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 5 — subparagraph 1 — point d

Text proposed by the Commission	*Amendment*
(d) the control and marking of gears used for recreational fisheries.	(d) the control and marking of gears used for recreational fisheries ***in a simple and proportionate manner***.

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Amendment 159

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 5 — subparagraph 2

Text proposed by the Commission	*Amendment*
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).	***deleted***

Amendment 160

Proposal for a regulation

Article 1 — paragraph 1 — point 44

Regulation (EC) No 1224/2009

Article 55 — paragraph 6

Text proposed by the Commission	*Amendment*
6. This Article shall apply to any recreational fishing activities, including fishing activities organised by commercial entities in the tourism sector and ***in*** the sector of sport competition.	6. This Article shall apply to any recreational fishing activities***, such as those performed with the support of a vessel, diving or on foot with the use of any catching or harvesting method***, including fishing activities organised by commercial entities in the tourism sector and the sector of sport competition***, as well as in the context of pesca-tourism and with recreational fishing charter vessels***.

Amendment 161

Proposal for a regulation

Article 1 — paragraph 1 — point 44 a (new)

Regulation (EC) No 1224/2009

Chapter V a (new)

Text proposed by the Commission	*Amendment*
	(44a) In Title IV, the following chapter is added:
	'CHAPTER Va
	Control of fishing without vessels
	Article 55a
	Fishing without vessels
	1. Member States shall ensure that fishing without vessels on their territory is conducted in a manner compatible with the objectives and rules of the common fisheries policy.

Text proposed by the Commission	*Amendment*
	2. To that end, Member States shall put in place a registration or licensing system monitoring the number of natural and legal persons engaged in fishing without vessels.'

Amendment 332

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Art 56 — paragraph 1

Text proposed by the Commission	*Amendment*
1. Each Member State shall be responsible for controlling on its territory the application of the rules of the common fisheries policy at all stages of marketing of fishery and aquaculture products, from their placing on the market to the retail sale, including transport. Member States shall in particular take measures to ensure that the use of fishery products below the applicable minimum conservation reference size that are subject to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 is restricted to purposes other than direct human consumption.	1. Each Member State shall be responsible for controlling on its territory the application of the rules of the common fisheries policy at all stages of marketing of fishery and aquaculture products, from their placing on the market to the retail sale, including ***the HORECA sector and*** transport. Member States shall in particular take measures to ensure that the use of fishery products below the applicable minimum conservation reference size that are subject to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 is restricted to purposes other than direct human consumption. ***By way of derogation from Article 15(11) of Regulation (EU) No 1380/2013, in the interests of social solidarity and in order to reduce wastage, products from fish under the relevant minimum conservation reference sizes that are subject to a landing obligation may be donated for charitable and/or social purposes. That derogation shall not result in the creation of a market for catches below the minimum conservation reference size.***

Amendment 163

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 56a — paragraph 1

Text proposed by the Commission	*Amendment*
1. Fishery and aquaculture products ***from catching or harvesting*** shall be put into lots prior to placing on the market.	1. Fishery and aquaculture products shall be put into lots prior to placing on the market.

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Amendment 164

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 56a — paragraph 2

Text proposed by the Commission	*Amendment*
2. ***A lot shall only contain*** fishery or aquaculture products of a single species, of the same presentation and coming from the same relevant geographical area and from the same fishing vessel, or group of fishing vessels, or coming from the same aquaculture production unit.	2. ***For the purpose of placing*** fishery or aquaculture products ***on the market, for products falling under Chapter 3 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87, each lot shall consist*** of a single species, of the same presentation and coming from the same relevant geographical area and from the same fishing vessel, or group of fishing vessels, or coming from the same aquaculture production unit.

Amendment 165

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 56a — paragraph 3

Text proposed by the Commission	*Amendment*
3. ***By way of derogation from*** paragraph 2, quantities of fishery products totalling less than 30kg of fishery products of several species and coming from the same relevant geographical area and of the same presentation, per vessel and per day, may be put into the same ***lot*** by the operator of the fishing vessel, the producer organisation of which the operator of the fishing vessel is a member or by ***a*** registered buyer, prior to the placing on the market.	3. ***Notwithstanding*** paragraph 2, quantities of fishery products totalling less than 30kg of fishery products of several species and coming from the same relevant geographical area and of the same presentation, per vessel and per day, may be put into the same ***batch*** by the operator of the fishing vessel, the producer organisation of which the operator of the fishing vessel is a member***, by the fisheries auction*** or by ***the*** registered buyer, prior to the placing on the market.

Amendment 166

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 56a — paragraph 4 a (new)

Text proposed by the Commission	*Amendment*
	4a. By way of derogation from Article 15(11) of Regulation (EU) No 1380/2013, in the interests of social solidarity and in order to reduce wastage, fish under the relevant minimum conservation reference sizes may be used for charitable and/or social purposes.

Amendment 167

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 56a — paragraph 5 — introductory part

Text proposed by the Commission	*Amendment*
5. After the placing on the market, a lot of fishery or aquaculture products may only be merged with another lot or split, if the ***lot*** created by merging or the lots created by splitting meet the following conditions:	5. After the placing on the market, a lot of fishery or aquaculture products may only be merged with another lot or split, if the ***batch*** created by merging or the lots created by splitting meet the following conditions:

Amendment 168

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 56a — paragraph 5 — point a

Text proposed by the Commission	*Amendment*
(a) they contain fishery or aquaculture products of a single species and of the same presentation;	***deleted***

Amendment 169

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 56a — paragraph 5 — point b

Text proposed by the Commission	*Amendment*
(b) the traceability information listed in Article 58 paragraphs 5 and 6 is provided for the newly created lot***(s)***;	(b) the traceability information listed in Article 58 paragraphs 5 and 6 is provided for the newly created ***batch or*** lot;

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Amendment 170

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 56a — paragraph 5 — point c

Text proposed by the Commission	*Amendment*
(c) the operator responsible for ***placing*** the newly created ***lot*** on the market is able to provide the information concerning the composition of the newly created lot, in particular the information relating to each of the lots of fishery or aquaculture products which it contains ***and the quantities of fishery or aquaculture products coming from each of the lots forming the new lot***.	(c) the operator responsible for ***making the fishery or aquaculture products of*** the newly created ***batch or lot available*** on the market is able to provide the information concerning the composition of the newly created ***batch or*** lot, in particular the information relating to each of the lots of fishery or aquaculture products which it contains***, including the species and their origin***.

Amendment 171

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 56a — paragraph 6

Text proposed by the Commission	*Amendment*
6. This Article shall ***only*** apply to fishery and aquaculture products falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.	6. ***Without prejudice to paragraph 2,*** this Article shall apply to fishery and aquaculture products falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.

Amendment 172

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 57 — paragraph 2

Text proposed by the Commission	*Amendment*
2. Checks may take place at all stages in the supply chain including transport. In the case of products to which common marketing standards apply only at the placing on the market, checks carried out at further stages in the supply chain can be of a documentary nature.	2. Checks may take place at all stages in the supply chain, including transport ***and catering***. In the case of products to which common marketing standards apply only at the placing on the market, checks carried out at further stages in the supply chain can be of a documentary nature.

Amendment 173

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 1

Text proposed by the Commission	*Amendment*
1. Without prejudice to traceability requirements set out in Regulation (EC) No 178/2002, lots of fishery or aquaculture products shall be traceable at all stages of production, processing and distribution, from catching or harvesting to retail stage, including fisheries and aquaculture products which are destined for export.	1. Without prejudice to traceability requirements set out in Regulation (EC) No 178/2002, lots ***and batches*** of fishery or aquaculture products shall be traceable at all stages of production, processing and distribution, from catching or harvesting to retail stage, including fisheries and aquaculture products which are destined for export.

Amendment 174

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 2

Text proposed by the Commission	*Amendment*
2. Operators at all stages of production, processing and distribution, from catching or harvesting to retail stage, shall ensure that for each lot of fishery or aquaculture products, the information listed in paragraphs 5 and 6:	2. Operators at all stages of production, processing and distribution, from catching or harvesting to retail stage, shall ensure that for each lot ***or batch*** of fishery or aquaculture products, the information listed in paragraphs 5 and 6:

Amendment 175

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 3

Text proposed by the Commission	*Amendment*
3. Lots of fishery and aquaculture products placed on the market or likely to be placed on the market in the Union, or exported or likely to be exported, shall be adequately marked or labelled to ensure the traceability of each lot.	3. Lots ***and batches*** of fishery and aquaculture products placed ***or made available*** on the market or likely to be placed ***or made available*** on the market in the Union, or exported or likely to be exported, shall be adequately marked or labelled to ensure the traceability of each lot.

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Amendment 176

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 4

Text proposed by the Commission	*Amendment*
4. Member States shall check that operators have in place digitalised systems and procedures to identify any operator from whom they have been supplied with lots of fishery and aquaculture products and to whom these products have been supplied. This information shall be made available to the competent authorities on demand.	4. Member States shall check that operators have in place digitalised systems and procedures to identify any operator from whom they have been supplied with lots ***or batches*** of fishery and aquaculture products and to whom these products have been supplied. This information shall be made available to the competent authorities on demand.

Amendment 177

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 5 — introductory part

Text proposed by the Commission	*Amendment*
5. Information on lots of fishery and aquaculture products, except products imported into the Union, the information referred to in paragraph 2 shall include:	5. Information on lots ***or batches*** of fishery and aquaculture products, except products imported into the Union, the information referred to in paragraph 2 shall include:

Amendment 178

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 5 — point c

Text proposed by the Commission	*Amendment*
(c) the FAO alpha-3 code of the species ***and*** the scientific name;	(c) the FAO alpha-3 code of the species, the scientific name ***and the commercial common name***;

Amendment 179

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 5 — point f

Text proposed by the Commission	*Amendment*
(f) the date of catches for fishery products or date of harvest for aquaculture products, ***and*** the date of production where applicable;	(f) the date ***of catches or unloading*** of catches for fishery products or date of harvest for aquaculture products, ***or*** the date of production where applicable;

Amendment 180

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 6 — introductory part

Text proposed by the Commission	*Amendment*
6. Information on lots of fishery and aquaculture products imported into the Union, the information referred to in paragraph 2 shall include:	6. Information on lots ***or batches*** of fishery and aquaculture products imported into the Union, the information referred to in paragraph 2 shall include:

Amendment 181

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 6 — point d

Text proposed by the Commission	*Amendment*
(d) the relevant geographical area(s) for fishery products caught at sea, or the catch or production area as defined in Article 38(1) of Regulation (EU) No 1379/2013 for fishery products caught in freshwater and aquaculture products;	(d) the relevant geographical area(s) for fishery products caught at sea ***reported according to the FAO statistical area/sub area/division where the catch was taken and indication of whether the catch was taken on the high seas, in the regulatory area of a regional fisheries management organisation (RFMO) or within an EEZ***, or the catch or production area as defined in Article 38(1) of Regulation (EU) No 1379/2013 for fishery products caught in freshwater and aquaculture products;

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Amendment 182

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 6 — point h a (new)

Text proposed by the Commission	*Amendment*
	(ha) for fishery products caught at sea, the IMO number or other unique vessel identification (if an IMO number is not applicable) of the catching vessel.

Amendment 183

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 7

Text proposed by the Commission	*Amendment*
7. Member States may exempt from the requirements set out in this Article small quantities of products sold directly from fishing vessels to consumers, provided that ***these*** do not exceed 5kg of fishery product per consumer per day.	7. Member States may exempt from the requirements set out in this Article small quantities of products sold from fishing vessels ***by the master or a representative of the master*** directly to consumers ***and which are not subsequently marketed but used only for private consumption***, provided that ***those quantities*** do not exceed 5 kg of fishery product per consumer per day.

Amendment 184

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 9

Text proposed by the Commission	*Amendment*
9. This Article shall ***only*** apply to fishery and aquaculture products falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.	9. This Article shall apply to fishery and aquaculture products falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.

Amendment 185

Proposal for a regulation

Article 1 — paragraph 1 — point 46

Regulation (EC) No 1224/2009

Article 58 — paragraph 10

Text proposed by the Commission	*Amendment*
10. This ***article*** shall not apply to ornamental fish, crustaceans ***and*** molluscs.	10. This ***Article*** shall not apply to ornamental fish, crustaceans, molluscs ***and algae***.

Amendment 186

Proposal for a regulation

Article 1 — paragraph 1 — point 48

Regulation (EC) No 1224/2009

Article 59a — paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	1a. When products which have been weighed immediately after landing are not sold on the same day, a margin of tolerance of 10 % between the landing weight and the sale weight shall be allowed. That margin of tolerance applies only in cases in which the fresh product is stored in the facilities of authorised agents, legalised through a collection document, for sale on subsequent days.

Amendment 187

Proposal for a regulation

Article 1 — paragraph 1 — point 48

Regulation (EC) No 1224/2009

Article 59a — paragraph 2

Text proposed by the Commission	*Amendment*
2. ***Before registration of an operator to perform the weighing of fishery products***, Member States ***shall ensure that the operator is competent and adequately equipped to carry out weighing activities. Member States shall also have a system in place by which operators that no longer comply with the conditions for carrying out weighing activities, are no longer registered***.	2. ***By way of derogation from paragraph 1***, Member States ***may permit fisheries products to be weighed on board the fishing vessel subject to a sampling plan as referred to in Article 60(1)***.

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Amendment 188

Proposal for a regulation

Article 1 — paragraph 1 — point 48

Regulation (EC) No 1224/2009

Article 59a — paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. Registered buyers, registered auctions or other bodies or persons which are responsible for the first marketing of fisheries products in a Member State shall be responsible for the accuracy of the weighing operation unless, in accordance with paragraph 2, the weighing takes place on board a fishing vessel, in which case it shall be the master's responsibility.

Amendment 189

Proposal for a regulation

Article 1 — paragraph 1 — point 48

Regulation (EC) No 1224/2009

Article 59a — paragraph 4

Text proposed by the Commission	*Amendment*
4. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning the criteria for the registration of operators entitled to perform the weighing of fisheries products, and the content of the weighing records."	***deleted***

Amendment 190

Proposal for a regulation

Article 1 — paragraph 1 — point 48

Regulation (EC) No 1224/2009

Article 59a — paragraph 4 a (new)

Text proposed by the Commission	*Amendment*
	4a. The competent authorities of a Member State may require that any quantity of fisheries products first landed in that Member State is weighed in the presence of officials before being transported elsewhere from the place of landing.

Amendment 191

Proposal for a regulation

Article 1 — paragraph 1 — point 49

Regulation (EC) No 1224/2009

Article 60 — paragraph 1 — subparagraph 1 a (new)

Text proposed by the Commission	*Amendment*
	By way of derogation from the first subparagraph, Member States may adopt Commission-approved sampling plans in accordance with the methodology referred to in paragraph 6, establishing the quantities and places for fisheries products to be weighed. In accordance with that plan, Member States may permit fisheries products to be weighed:
	(a) on landing;
	(b) on board the fishing vessel; and/or
	(c) after transport to a destination on the territory of the Member State where the landing took place.

Amendment 192

Proposal for a regulation

Article 1 — paragraph 1 — point 49

Regulation (EC) No 1224/2009

Article 60 — paragraph 3

Text proposed by the Commission	*Amendment*
3. The figure from the weighing record shall be transmitted to the master and shall be used for the completion of the landing declaration and the transport document.	3. The figure from the weighing record shall ***immediately*** be transmitted to the master and shall be used for the completion of the landing declaration and the transport document.

Amendment 193

Proposal for a regulation

Article 1 — paragraph 1 — point 49

Regulation (EC) No 1224/2009

Article 60 — paragraph 4

Text proposed by the Commission	*Amendment*
4. The competent authorities of a Member State may require that any quantity of fishery products first landed in that Member State is weighed by, or ***weighed*** in the presence of officials before being transported elsewhere from the place of landing.	4. The competent authorities of a Member State may require that any quantity of fishery products first landed in that Member State is weighed by, or in the presence of officials, before being transported elsewhere from the place of landing. ***Without prejudice to paragraph 5, those quantities of fishery products shall not be required to be weighed again.***

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Amendment 194

Proposal for a regulation

Article 1 — paragraph 1 — point 49

Regulation (EC) No 1224/2009

Article 60 — paragraph 5 — point c

Text proposed by the Commission	*Amendment*
(c) In the case of fishery products destined for human consumption: a second weighing per species of fisheries products is performed by a registered weigher. That second weighing may take place, after transport, at an auction centre, at the premises of a registered buyer or producer organisation. The result of that second weighing shall be transmitted to the master.	(c) In the case of fishery products destined for human consumption: a second weighing per species of fisheries products is performed by a registered weigher. That second weighing may take place, after transport, at an auction centre, at the premises of a registered buyer or producer organisation. The result of that second weighing shall ***immediately*** be transmitted to the master.

Amendment 195

Proposal for a regulation

Article 1 — paragraph 1 — point 49

Regulation (EC) No 1224/2009

Article 60 — paragraph 5 a (new)

Text proposed by the Commission	*Amendment*
	5a. By way of derogation from paragraph 1, the competent authorities of the Member State in which the fisheries products are landed may permit the transport before weighing of those products to registered buyers, registered auctions or other bodies or persons, which are responsible for the placing on the market of fisheries products in another Member State. That permission shall be subject to a common control programme between the Member States concerned as referred to in Article 94, which has been approved by the Commission and based on the risk-based methodology adopted by the Commission in accordance with paragraph 6.

Amendment 196

Proposal for a regulation

Article 1 — paragraph 1 — point 49

Regulation (EC) No 1224/2009

Article 60 — paragraph 5 b (new)

Text proposed by the Commission	*Amendment*
	5b. By way of derogation from paragraph 1, fishing vessels landing outside Union territory may weigh fisheries products after transport from the place of landing provided that the flag Member State has adopted a Commission-approved control plan based on the risk-based methodology adopted by the Commission in accordance with paragraph 6.

Amendment 197

Proposal for a regulation

Article 1 — paragraph 1 — point 49

Regulation (EC) No 1224/2009

Article 60 — paragraph 6

Text proposed by the Commission	*Amendment*
6. The Commission may, by way of implementing acts, determine a risk-based methodology for the establishment of the sampling plans referred to in ***paragraph*** 5(b) and approve those plans. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).	6. The Commission may, by way of implementing acts, determine a risk-based methodology for the establishment of the sampling plans referred to in ***paragraphs 1 and*** 5(b) and approve those plans. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).

Amendment 198

Proposal for a regulation

Article 1 — paragraph 1 — point 50

Regulation (EC) No 1224/2009

Article 60a — paragraph 2 — point c

Text proposed by the Commission	*Amendment*
(c) the information ***of*** competent authorities before entering into port;	(c) the information ***to be sent to*** competent authorities before entering into port;

Amendment 199

Proposal for a regulation

Article 1 — paragraph 1 — point 52

Regulation (EC) No 1224/2009

Article 62 — paragraph 1

Text proposed by the Commission	*Amendment*
1. Registered buyers, registered auctions or other bodies or persons authorised by Member States which are responsible for placing on the market of fishery products landed in a Member State, shall record by electronic means the information referred to in Article 64(1) and shall submit by electronic means, within ***24*** hours after the placing on the market, a sales note containing such information to the competent authorities of the Member State in whose territory the first sale takes place. The accuracy of the sales note shall be the responsibility of these buyers, auctions, bodies or persons.	1. Registered buyers, registered auctions or other bodies or persons authorised by Member States which are responsible for placing on the market of fishery products landed in a Member State, shall record by electronic means the information referred to in Article 64(1) and shall submit by electronic means, within ***48*** hours after the placing on the market, a sales note containing such information to the competent authorities of the Member State in whose territory the first sale takes place. The accuracy of the sales note shall be the responsibility of these buyers, auctions, bodies or persons.

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Amendment 200

Proposal for a regulation

Article 1 — paragraph 1 — point 54

Regulation (EC) No 1224/2009

Article 64 — paragraph 1 — introductory part

Text proposed by the Commission	*Amendment*
The sales notes referred to in Article 62 shall have a unique identification number and contain the following data:	The sales notes referred to in Article 62 ***shall be of a uniform format throughout the Union,*** shall have a unique identification number and contain the following data:

Amendment 201

Proposal for a regulation

Article 1 — paragraph 1 — point 54

Regulation (EC) No 1224/2009

Article 64 — paragraph 1 — point d

Text proposed by the Commission	*Amendment*
(d) the FAO alpha-3 code of each species and the relevant geographical area in which the catches were taken;	(d) the FAO alpha-3 code***, scientific name and common commercial name*** of each species and the relevant geographical area in which the catches were taken;

Amendment 202

Proposal for a regulation

Article 1 — paragraph 1 — point 54

Regulation (EC) No 1224/2009

Article 66 — paragraph 3 — point d

Text proposed by the Commission	*Amendment*
(d) the FAO alpha-3 code of each species and its relevant geographical area in which the catches were taken;	(d) the FAO alpha-3 code***, scientific name and commercial common name*** of each species and its relevant geographical area in which the catches were taken;

Amendment 203

Proposal for a regulation

Article 1 — paragraph 1 — point 56

Regulation (EC) No 1224/2009

Article 68 — paragraph 2

Text proposed by the Commission	*Amendment*
2. ***Before the transport begins***, the transporter shall transmit the transport document by electronic means to the competent authorities of the flag Member State, of the Member State of landing, the Member State(s) of transit, the Member State of destination of the fisheries product, as appropriate.	2. ***Within 48 hours of loading***, the transporter shall transmit the transport document by electronic means to the competent authorities of the flag Member State, of the Member State of landing, the Member State(s) of transit, ***and*** the Member State of destination of the fisheries product, as appropriate.

Amendment 204

Proposal for a regulation

Article 1 — paragraph 1 — point 56

Regulation (EC) No 1224/2009

Article 68 — paragraph 4 — point c

Text proposed by the Commission	*Amendment*
(c) the FAO alpha-3 code of each species and the relevant geographical area in which the catches were taken;	(c) the FAO alpha-3 code***, scientific name and commercial common name*** of each species and the relevant geographical area in which the catches were taken;

Amendment 205

Proposal for a regulation

Article 1 — paragraph 1 — point 56

Regulation (EC) No 1224/2009

Article 68 — paragraph 4 — point d

Text proposed by the Commission	*Amendment*
(d) the quantities of each species transported in kilograms in product weight, broken down by type of product presentation ***or***, where appropriate, the number of individuals and where appropriate by places of destination;	(d) the quantities of each species transported in kilograms in product weight, broken down by type of product presentation and, where appropriate, the number of individuals ***and,*** where appropriate, by places of destination. ***A margin of tolerance of 5 % shall be permitted when the distance to be travelled is less than 500 km or the travel time is five hours or less; the margin of tolerance shall be 15 % when the distance and travel time is greater than that;***

Thursday 11 March 2021

Amendment 206

Proposal for a regulation

Article 1 — paragraph 1 — point 56

Regulation (EC) No 1224/2009

Article 68 — paragraph 5

Text proposed by the Commission	*Amendment*
5. The competent authorities of Member States may grant exemptions from the obligation set out in paragraph 1 if the fisheries products are transported within a port area or not more than ***20*** km from the place of landing.	5. The competent authorities of Member States may grant exemptions from the obligation set out in paragraph 1 if the fisheries products are transported within a port area or not more than ***50*** km from the place of landing.

Amendment 207

Proposal for a regulation

Article 1 — paragraph 1 — point 56

Regulation (EC) No 1224/2009

Article 68 — paragraph 6 a (new)

Text proposed by the Commission	*Amendment*
	6a. The transport document may be replaced by a copy of the landing declaration or any equivalent document pertaining to the quantities transported only when that document contains the same information as indicated in paragraph 4.

Amendment 208

Proposal for a regulation

Article 1 — paragraph 1 — point 57 a (new)

Regulation (EC) No 1224/2009

Article 71 — paragraph 1 — point a

Present text	*Amendment*
	(57a) in Article 71(1), point (a) is replaced by the following:
(a) sightings of fishing vessels by inspection vessels ***or*** surveillance aircrafts;	'(a) sightings of fishing vessels by inspection vessels, surveillance aircrafts ***or other surveillance means***;'

Thursday 11 March 2021

Amendment 209

Proposal for a regulation

Article 1 — paragraph 1 — point 57 b (new)

Regulation (EC) No 1224/2009

Article 71 — paragraph 3

Present text	*Amendment*
	(57b) in Article 71, paragraph 3 is replaced by the following:
3. If the sighting or detection refers to a fishing vessel of another Member State or a third country and the information does not correspond to any other information that is available to the coastal Member State and if that coastal Member State is not in a position to undertake further action, it shall record its findings in a surveillance report and shall transmit that report without delay, ***if possible*** by electronic means, to the flag Member State or to the third country concerned. In case of a third country vessel, the surveillance report shall also be sent to the Commission or the body designated by it.	'3. If the sighting or detection refers to a fishing vessel of another Member State or a third country and the information does not correspond to any other information that is available to the coastal Member State and if that coastal Member State is not in a position to undertake further action, it shall record its findings in a surveillance report***, the format of which shall be uniform throughout the Union,*** and shall transmit that report without delay, by electronic means, to the flag Member State or to the third country concerned. In case of a third country vessel, the surveillance report shall also be sent to the Commission or the body designated by it.'

Amendment 210

Proposal for a regulation

Article 1 — paragraph 1 — point 59 — point a

Regulation (EC) No 1224/2009

Article 73 — paragraph 1

Text proposed by the Commission	*Amendment*
1. Where a Union control observer scheme has been established in accordance with the Treaty, control observers on board fishing vessels designated by Member States shall monitor the fishing vessel's compliance with the rules of the common fisheries policy. They shall fulfill all the tasks of the observer scheme and in particular record the vessel's fishing activities and examine relevant documents.	1. Where a Union control observer scheme has been established in accordance with the Treaty, control observers on board fishing vessels designated by Member States shall monitor the fishing vessel's compliance with the rules of the common fisheries policy***, with the rules applicable in the waters of the third country or in the high seas where the vessel is operating, including obligations related to technical measures and the protection of the marine environment***. They shall fulfill all the tasks of the observer scheme and in particular record the vessel's fishing activities and examine relevant documents.

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Amendment 211

Proposal for a regulation

Article 1 — paragraph 1 — point 59 — point a

Regulation (EC) No 1224/2009

Article 73 — paragraph 2 — point a

Text proposed by the Commission	*Amendment*
(a) be certified and trained ***for*** their tasks by the Member States;	(a) be certified and trained***, in compliance with the rules of the common fisheries policy and the technical measures for the conservation of fishery resources and the protection of marine ecosystems, to carry out*** their tasks by the Member States;

Amendment 212

Proposal for a regulation

Article 1 — paragraph 1 — point 59 — point a

Regulation (EC) No 1224/2009

Article 73 — paragraph 2 — point a a (new)

Text proposed by the Commission	*Amendment*
	(aa) receive regular training which enables them to adapt to changes in Union rules;

Amendment 213

Proposal for a regulation

Article 1 — paragraph 1 — point 59 — point b a (new)

Regulation (EC) No 1224/2009

Article 73 — paragraph 5

Present text	*Amendment*
	(ba) paragraph 5 is replaced by the following:
5. Control observers shall draw up an observer report***, if possible*** electronically, and forward it without delay, using if deemed necessary electronic means of transmission on board the fishing vessel, to their competent authorities and to the competent authorities of the flag Member State. Member States shall insert the report in the database referred to in Article 78.	'5. Control observers shall draw up an observer report electronically and forward it without delay, using if deemed necessary electronic means of transmission on board the fishing vessel, to their competent authorities and to the competent authorities of the flag Member State. Member States shall insert the report in the database referred to in Article 78.'

Amendment 214

Proposal for a regulation

Article 1 — paragraph 1 — point 59 — point b b (new)

Regulation (EC) No 1224/2009

Article 73 — paragraph 6

Present text	*Amendment*
	(bb) paragraph 6 is replaced by the following:
6. In the event that the observer report indicates that the vessel observed has engaged in fishing activities contrary to the rules of the common fisheries policy, the competent authorities referred to in paragraph 4 shall take all appropriate action to investigate the matter.	'6. In the event that the observer report indicates that the vessel observed has engaged in fishing activities contrary to the rules of the common fisheries policy, the ***rules applicable in the waters of the third country or in the high seas where the vessel is operating, the*** competent authorities referred to in paragraph 4 shall take all appropriate action to investigate the matter.'

Amendment 215

Proposal for a regulation

Article 1 — paragraph 1 — point 59 — point b c (new)

Regulation (EC) No 1224/2009

Article 73 — paragraph 7

Present text	*Amendment*
	(bc) paragraph 7 is replaced by the following:
7. Masters of ***Community*** fishing vessels shall provide adequate accommodation for assigned control observers, facilitate their work and avoid interference with the discharge of their duties. Masters of ***Community*** fishing vessels shall also provide control observers access to relevant parts of the vessel, including the catch, and to the vessel's documents including electronic files.	'7. Masters of ***Union*** fishing vessels shall provide adequate accommodation for assigned control observers, facilitate their work and avoid interference with the discharge of their duties. Masters of ***Union*** fishing vessels shall also provide control observers ***with*** access to relevant parts of the vessel, including the catch, and to the vessel's documents including electronic files.';

Amendment 216

Proposal for a regulation

Article 1 — paragraph 1 — point 59 — point b d (new)

Regulation (EC) No 1224/2009

Article 73 — paragraph 8

Present text	*Amendment*
	(bd) paragraph 8 is replaced by the following:
8. All costs arising from the operation of control observers under this Article shall be borne by the flag Member States. ***Member States may charge those costs, in part or in full, to the operators of the fishing vessels flying their flags involved in the relevant fishery.***	'8. All costs arising from the operation of control observers under this Article shall be borne by the flag Member States.'

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Amendment 217

Proposal for a regulation

Article 1 — paragraph 1 — point 59 — point c

Regulation (EC) No 1224/2009

Article 73 — paragraph 9 — point b

Text proposed by the Commission	*Amendment*
(b) format and content of observers reports;	(b) format – ***which shall be the same throughout the Union*** – and content of observers reports;

Amendment 218

Proposal for a regulation

Article 1 — paragraph 1 — point 59 — point c

Regulation (EC) No 1224/2009

Article 73 — paragraph 9 — point f a (new)

Text proposed by the Commission	*Amendment*
	(fa) minimum Union training requirements for Union control observers.

Amendment 219

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 74 — paragraph 2

Text proposed by the Commission	*Amendment*
2. Officials shall carry out their duties in accordance with Union law. They shall prepare and conduct inspections in a non-discriminatory manner at sea, in ports, during transport, on processing premises and along the supply chain of the fisheries products.	2. Officials shall carry out their duties in accordance with Union law. They shall prepare and conduct inspections in a non-discriminatory manner at sea, ***along the shoreline,*** in ports, during transport, on processing premises and along the supply chain of the fisheries products.

Amendment 220

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 74 — paragraph 3 — point b

Text proposed by the Commission	*Amendment*
(b) the legality of fishing gears used for the targeted species ***and*** for the catches kept on board and the equipment used for the retrieval of the fishing gears as referred to in Article 48;	(b) the legality of fishing gears used for the targeted ***and by-catch*** species, for the catches kept on board and the equipment used for the retrieval of the fishing gears as referred to in Article 48;

Amendment 221

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 74 — paragraph 3 — point d

Text proposed by the Commission	*Amendment*
(d) the markings of the vessels and gears;	(d) the markings ***and identification*** of the vessels and gears;

Amendment 222

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 74 — paragraph 3 — point f

Text proposed by the Commission	*Amendment*
(f) the use of CCTVs and other electronic monitoring devices;	(f) the use of CCTVs***, where applicable,*** and other electronic monitoring devices ***such as Full Documentation of Fisheries when it is admitted***;

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Amendment 223

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 74 — paragraph 3 — point g

Text proposed by the Commission	*Amendment*
(g) compliance with technical measures for the conservation of fishery resources and the protection of marine ecosystems.	(g) compliance with ***the applicable*** technical measures for the conservation of fishery resources and the protection of marine ecosystems.

Amendment 224

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 74 — paragraph 4

Text proposed by the Commission	*Amendment*
4. Officials shall be able to examine all relevant areas, decks and rooms. They shall also be able to examine catches, processed or not, ***nets or other gear***, equipment, containers and packages containing fish or fisheries products and any relevant documents or electronic transmissions which they deem necessary to verify compliance with the rules of the common fisheries policy. They shall also be able to question persons deemed to have information on the matter that is the subject of the inspection.	4. Officials shall be able to examine all relevant areas, decks and rooms. They shall also be able to examine catches, processed or not, ***fishing gear used and on board***, equipment, containers and packages containing fish or fisheries products and any relevant documents or electronic transmissions which they deem necessary to verify compliance with the rules of the common fisheries policy. They shall also be able to question persons deemed to have information on the matter that is the subject of the inspection.

Amendment 225

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 74 — paragraph 4 a (new)

Text proposed by the Commission	*Amendment*
	4a. Inspectors shall receive the training necessary to perform the tasks assigned to them and shall be equipped with the tools necessary to conduct the inspections.

Amendment 226

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 74 — paragraph 5

Text proposed by the Commission	*Amendment*
5. Officials shall conduct inspections in such manner as to cause the least disturbance or inconvenience to the vessel or transport vehicle and its activities, and to the storing, processing and marketing of the catch***. They shall***, ***as far as possible,*** prevent any degradation of the catch during the inspection.	5. Officials shall conduct inspections in such manner as to cause the least disturbance or inconvenience to the vessel or transport vehicle and its activities, and to the storing, processing and marketing of the catch, ***in order to*** prevent any degradation of the catch during the inspection.

Amendment 227

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 74 — paragraph 6 — point b

Text proposed by the Commission	*Amendment*
(b) the adoption by Member States of a risk-based approach for the selection of inspection targets;	(b) the adoption by Member States of a risk-based approach for the selection of inspection targets ***and minimum frequency of inspections***;

Amendment 228

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 74 — paragraph 6 — point g

Text proposed by the Commission	*Amendment*
(g) inspections at sea and in ports, transport inspections, and market inspection.	(g) inspections at sea***, along the shoreline*** and in ports, transport inspections, and market inspection.

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Amendment 229

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 75 — paragraph 1

Text proposed by the Commission	*Amendment*
1. The operator and the master shall cooperate with officials in the performance of their duties. They shall facilitate the safe access to the vessel, transport vehicle ***or room*** where the fisheries products are stored, processed or marketed. They shall ensure the safety of the officials and shall not obstruct, intimidate or interfere with the officials in the performance of their duties.	1. The operator and the master shall cooperate with officials in the performance of their duties. They shall facilitate the safe access to the vessel, ***vessel holds,*** transport vehicle***, containers or storage rooms*** where the fisheries products are stored, processed or marketed***, or facilities where fishing gears are stored or repaired***. They shall ensure the safety of the officials and shall not obstruct, intimidate or interfere with the officials in the performance of their duties.

Amendment 230

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 76 — paragraph 1 — subparagraph 1

Text proposed by the Commission	*Amendment*
Officials shall draw up an inspection report after each inspection and shall forward it to their competent authorities. Data contained in this report shall be recorded and transmitted by electronic means. In the case of the inspection of a fishing vessel flying the flag of another Member State, a copy of the inspection report shall be sent by electronic means and without delay to the flag Member State.	Officials shall draw up an inspection report after each inspection, ***based on an electronic form which contains the same information for all Member States,*** and shall forward it to their competent authorities***, the European Fisheries Control Agency, and the operator or the master. Member States may include information additional to that contained in the common electronic form.*** Data contained in this report shall be recorded and transmitted by electronic means. In the case of the inspection of a fishing vessel flying the flag of another Member State, a copy of the inspection report shall be sent by electronic means and without delay to the flag Member State.

Amendment 231

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 76 — paragraph 1 — subparagraph 2

Text proposed by the Commission	*Amendment*
In the case of the inspection of a fishing vessel flying the flag of a third country, a copy of the inspection report shall be sent by electronic means and without delay to the competent authorities of the third country concerned and to the Commission in the case of detected serious infringements.	In the case of the inspection of a fishing vessel flying the flag of a third country, a copy of the inspection report shall be sent by electronic means and without delay to the competent authorities of the third country concerned***, to the European Fisheries Control Agency, the operator and to the master*** and to the Commission in the case of detected serious infringements.

Amendment 232

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 76 — paragraph 1 — subparagraph 3

Text proposed by the Commission	*Amendment*
In case of an inspection carried out in the waters or ports under the jurisdiction of another Member State than the inspecting Member State or of a third country in accordance with international agreements, a copy of the inspection report shall be sent by electronic means and without delay to that Member State or that third country.	In case of an inspection carried out in the waters or ports under the jurisdiction of another Member State than the inspecting Member State or of a third country in accordance with international agreements, a copy of the inspection report shall be sent by electronic means and without delay to that Member State or that third country ***and to the European Fisheries Control Agency, the operator and to the master***.

Amendment 233

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 76 — paragraph 3

Text proposed by the Commission	*Amendment*
3. A copy of the inspection report shall be sent as soon as possible to the operator or to the master, and in any case no later than 15 working days after the completion of the inspection.	3. A copy of the inspection report shall be sent***, preferably by electronic means,*** as soon as possible to the operator or to the master, and in any case no later than 15 working days after the completion of the inspection.

Amendment 234

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 78 — paragraph 1

Text proposed by the Commission	*Amendment*
1. Member States shall set up and keep up to date ***an*** electronic database where they upload all inspection reports and surveillance reports concerning the fishing vessels flying their flag drawn up by their officials or other Member States officials or third country officials, as well as other inspections reports and surveillance report drawn up by their officials.	1. Member States shall set up and keep up to date electronic database ***which shall be publicly accessible with respect to non-confidential and non-sensitive information*** where they upload all inspection reports and surveillance reports concerning the fishing vessels flying their flag drawn up by their officials or other Member States officials or third country officials, as well as other inspections reports and surveillance report drawn up by their officials. ***The European Fisheries Control Agency shall centralise the Member States' databases.***

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Amendment 235

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 79 — paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	2a. Union inspectors shall report to the authorities of the Member State or to the Commission any non-compliant fishing activity by fishing vessels flying the flag of a third country in international waters subject to requirements and/or recommendations issued by a regional international body.

Amendment 236

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 79 — paragraph 3 — point b a (new)

Text proposed by the Commission	*Amendment*
	(ba) the training of third country fisheries inspectors who provide support in the monitoring of Union vessels operating outside the Union.

Amendment 237

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 79 — paragraph 4 — point b

Text proposed by the Commission	*Amendment*
(b) all information and documents which are needed to fulfil their tasks, in particular fishing logbooks, fishing licence, certification of engine power, ***CCTVs*** data, landing declarations, catch certificates, transhipment declarations, sales notes, and other relevant information and documents;	(b) all information and documents which are needed to fulfil their tasks, in particular fishing logbooks, fishing licence, certification of engine power, data ***from electronic monitoring devices***, landing declarations, catch certificates, transhipment declarations, sales notes, and other relevant information and documents;

Amendment 238

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 79 — paragraph 6 a (new)

Text proposed by the Commission	*Amendment*
	6a. The Commission is empowered to adopt delegated acts in accordance with Article 119a supplementing this Regulation by setting out the powers and duties of Union inspectors.

Amendment 239

Proposal for a regulation

Article 1 — paragraph 1 — point 60

Regulation (EC) No 1224/2009

Article 79 — paragraph 7 — point f a (new)

Text proposed by the Commission	*Amendment*
	(fa) minimum training requirements for Union inspectors, covering in-depth knowledge of the common fisheries policy as well as relevant Union environmental law.

Amendment 240

Proposal for a regulation

Article 1 — paragraph 1 — point 68

Regulation (EC) No 1224/2009

Article 88 — paragraph 3

Text proposed by the Commission	*Amendment*
3. If the Member State of landing or transhipment no longer has a corresponding quota at its disposal, Article 37 shall apply. To that end the quantities of fish caught, landed or transhipped in the breach of the rules of the common fisheries policy shall be deemed equivalent to the amount of the prejudice suffered, as mentioned in that Article, by the flag Member State.	3. If the Member State of landing or transhipment no longer has a corresponding quota at its disposal, Article 37 shall apply. To that end the quantities of fish caught***, discarded***, landed or transhipped in the breach of the rules of the common fisheries policy shall be deemed equivalent to the amount of the prejudice suffered, as mentioned in that Article, by the flag Member State.

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Amendment 241

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 89 — paragraph 1

Text proposed by the Commission	*Amendment*
1. Without prejudice to the powers of the Member States to initiate criminal proceedings and impose criminal sanctions, Member States shall lay down rules on administrative measures and sanctions and ensure that they are systematically applied, in conformity with their national law, against the natural person having committed or a legal person held liable for a breach of the rules of the common fisheries policy.	1. Without prejudice to the powers of the Member States to initiate criminal proceedings and impose criminal sanctions, Member States shall lay down rules on administrative measures and sanctions and ensure that they are systematically applied, in conformity with their national law, against the natural person having committed or a legal person held liable for ***infringements resulting in*** a breach of the rules of the common fisheries policy.
	In respect of each specific act of infringement as referred to in the first subparagraph, no more than one Member State may initiate proceedings or impose sanctions against the natural or legal person concerned.

Amendment 242

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 89a — paragraph 1

Text proposed by the Commission	*Amendment*
1. Member States shall ensure that a natural person having committed or a legal person held liable for infringements of rules of common fisheries policy is punishable by effective, proportionate and dissuasive administrative sanctions.	1. Member States shall ensure that a natural person having committed or a legal person held liable for infringements of rules of common fisheries policy is punishable by effective, proportionate and dissuasive ***criminal and/or*** administrative sanctions.

Amendment 243

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 89a — paragraph 3

Text proposed by the Commission	*Amendment*
3. When determining these sanctions the Member States shall take into account, in particular, the gravity of the infringement, including the level of environmental damage done, the value of the prejudice to the fishing resources, the nature and extent of the infringement, its duration or repetition, or the accumulation of simultaneous infringements.	3. When determining these sanctions the Member States shall take into account, in particular, the gravity of the infringement, including the level of environmental damage done, the value of the prejudice to the fishing resources, the nature and extent of the infringement, its duration or repetition, or the accumulation of simultaneous infringements. ***When setting the amount of those penalties, Member States shall also take the economic situation of the natural person concerned into account.***

Amendment 244

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 89a — paragraph 4

Text proposed by the Commission	*Amendment*
4. Member States ***may*** apply a system whereby a fine is proportionate to the turnover of the legal person, or to the economic benefit achieved or envisaged by committing the infringement.	4. Member States ***shall*** apply a system whereby a fine is proportionate to the turnover of the legal person, or to the economic benefit achieved or envisaged by committing the infringement ***taking into account the seriousness of the offence***.

Amendment 245

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 89a — paragraph 4 a (new)

Text proposed by the Commission	*Amendment*
	4a. If an infringement is committed, different proceedings may not be brought or different sanctions may not be imposed against the same person for the same acts.

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Amendment 246

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 90 — paragraph 2 — point d

Text proposed by the Commission	*Amendment*
(d) obstructing the work of officials or observers, in the exercise of their duties; or	(d) obstructing the work of officials or observers, in the exercise of their duties***, except in the event of force majeure, such as situations where there is a danger to the safety of the crew***; or

Amendment 247

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 90 — paragraph 2 — point h

Text proposed by the Commission	*Amendment*
(h) being involved in the operation, management, ownership of, or being hired on, a vessel engaged in IUU fishing as defined under Council Regulation (EC) No 1005/2008, in particular those listed in the IUU vessel list of the Union or of a regional fisheries management organisation as referred to in Articles 29 and 30 of Council Regulation (EC) No 1005/2008 or supplying services to operators connected to a vessel engaged in IUU fishing; or	(h) being involved in the operation, management, ownership of, or being hired on, a vessel engaged in IUU fishing as defined under Council Regulation (EC) No 1005/2008, in particular those listed in the IUU vessel list of the Union or of a regional fisheries management organisation as referred to in Articles 29 and 30 of Council Regulation (EC) No 1005/2008 or supplying services to operators connected to a vessel engaged in IUU fishing ***or benefitting from, supporting or engaging in IUU fishing including as operators, effective beneficiaries, owners, logistics and service providers, including insurance providers and other financial service providers***; or

Amendment 248

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 90 — paragraph 2 — point i

Text proposed by the Commission	*Amendment*
(i) fishing in a restricted or closed area, or a fish stock recovery area, or during a closed season, or without or after attainment of a quota or beyond a closed depth; or	(i) fishing in a restricted or closed area, or a fish stock recovery area, or during a closed season, or without or after attainment of a quota or beyond a closed depth ***or distance to shore, including restricted or closed areas for the protection of sensitive species and sensitive habitats under Directive 2009/147/EC of the European Parliament and of the Council (*) or Council Directive 92/43/EEC (**)***; or

(*) ***Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).***

(**) ***Directive 92/43/EEC of the European Parliament and of the Council of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).***

Amendment 249

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 90 — paragraph 2 — point j

Text proposed by the Commission	*Amendment*
(j) ***engaging in directed*** fishing***, retaining on board, transhipping, transferring or landing*** species ***which are*** subject to a moratorium, a closed season or for which fishing is prohibited; or	(j) ***conducting*** fishing ***activities directed at*** species subject to a moratorium, a closed season or for which fishing is prohibited***, or retaining on board, transhipping or landing such species;*** or

Amendment 250

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 90 — paragraph 2 — point j a (new)

Text proposed by the Commission	*Amendment*
	(ja) failure to comply with technical and other measures to reduce incidental catches of juveniles and protected species;

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Amendment 251

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 90 — paragraph 2 — point q a (new)

Text proposed by the Commission	*Amendment*
	(qa) intentionally discarding of fishing gears and marine litter at sea from fishing vessels.

Amendment 252

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 90 — paragraph 3 — point d

Text proposed by the Commission	*Amendment*
(d) not fulfilling obligations related to the use of fishing gear as set in the rules of the common fisheries policy; or	(d) not fulfilling obligations related to the use of fishing gear ***or obligations related to technical measures and the protection of the marine environment*** as set in the rules of the common fisheries policy ***and, in particular, obligations related to the implementation of measures to reduce incidental catches of sensitive species***; or

Amendment 253

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 90 — paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. The Commission shall publish, prior to implementation of the provisions on sanctions, guidelines to ensure standard determination of the seriousness of infringements in the Union and uniform interpretation of the various sanctions applicable. Those guidelines shall be published on the Commission's website and made available to the general public.

Amendment 254

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 90 — paragraph 3 b (new)

Text proposed by the Commission	*Amendment*
	3b. By … [two years after the date of entry into force of this amending Regulation], the Agency shall draw up a report on the implementation of the guidelines at Union level.

Amendment 255

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 91 — paragraph 1 — introductory part

Text proposed by the Commission	*Amendment*
1. Where a natural person ***is suspected of having committed or*** is caught in the act while committing a serious infringement or a legal person is ***suspected of being*** liable for such a serious infringement, Member States, in addition to the investigation of the infringement in accordance with the provisions of Article 85, shall immediately in conformity with their national law, take relevant and immediate measures such as:	1. Where a natural person is caught in the act while committing a serious infringement or a ***serious infringement has been detected in the course of an inspection in relation to that natural person, or there is evidence that a*** legal person is liable for such a serious infringement, Member States, in addition to the investigation of the infringement in accordance with the provisions of Article 85, shall immediately in conformity with their national law, take relevant and immediate measures such as:

Amendment 256

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 91a — paragraph 1 — introductory part

Text proposed by the Commission	*Amendment*
1. Without prejudice to other sanctions applied in accordance with this Regulation and national law, in case of established serious infringement where the serious infringement has ***lead*** to obtaining fishery products, Member States shall impose fines for which:	1. Without prejudice to other sanctions applied in accordance with this Regulation and national law, in case of established serious infringement where the serious infringement has ***led*** to obtaining fishery products, Member States shall impose fines for which:

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Amendment 257

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 91a — paragraph 1 — indent 1

Text proposed by the Commission	*Amendment*
— the minimum shall be at least ***three times*** the value of the fishery products obtained by committing the serious infringement, and	— the minimum shall be at least ***twice*** the value of the fishery products obtained by committing the serious infringement, and

Amendment 258

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 91a — paragraph 4 a (new)

Text proposed by the Commission	*Amendment*
	4a. In all cases, no more than one Member State may institute proceedings or impose sanctions for each act of infringement.

Amendment 259

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 91b — paragraph 1 — point 10

Text proposed by the Commission	*Amendment*
(10) the temporary suspension of the economic activity or its permanent cessation;	(10) the temporary suspension of the ***fishing-related*** economic activity or its permanent cessation;

Amendment 260

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 91b — paragraph 1 — point 11 a (new)

Text proposed by the Commission	*Amendment*
	(11a) the use of continuously recording closed-circuit television (CCTV) systems incorporating data storage in the event of serious infringements of common fisheries policy landing obligation rules.

Amendment 261

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 92 — paragraph 3

Text proposed by the Commission	*Amendment*
3. ***While remaining*** attached to the licence holder who sold the fishing vessel***, points shall also*** be assigned to ***any*** new holder of the fishing licence for the fishing vessel concerned ***where the vessel is sold, transferred or otherwise changes ownership after the date of the infringement***.	3. ***Points shall continue to be*** attached to the licence holder who ***has committed the infringement and has subsequently*** sold the fishing vessel ***in the event of sale, transfer or any other change of ownership after the date of the infringement. Under no circumstances shall they*** be assigned to ***the*** new holder of the fishing licence for the fishing vessel concerned.

Amendment 262

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 92 — paragraph 4

Text proposed by the Commission	*Amendment*
4. Member States shall also establish a point system under which the master of a vessel is assigned the same number of points as the holder of the fishing licence following a serious infringement committed aboard the vessel under his or her command.	4. Member States shall also establish a point system under which the master of a vessel is assigned the same number of points as the holder of the fishing licence following a serious infringement committed aboard the vessel under his or her command. ***The assigned points to the master of the vessel shall be recorded in the official certification document with the indication of date of assignment as well as the date of deletion of the assigned points.***

Amendment 263

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 92 — paragraph 7 a (new)

Text proposed by the Commission	*Amendment*
	7a. Fishing licence holders or masters of vessels that have not committed serious infringements for a period of at least five consecutive calendar years, calculated from 1 January of … [the year of the entry into force of this amending Regulation], shall be allocated two priority points in the national rankings used by the European Maritime and Fisheries Fund under Regulation (EU) No 508/2014.

Amendment 264

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 92 — paragraph 13 — point a

Text proposed by the Commission	*Amendment*
(a) the amendment of the threshold of points triggering the suspension and permanent withdrawal of a fishing licence or of the right to command a fishing vessel as a master;	***deleted***

Amendment 265

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 92 — paragraph 14 a (new)

Text proposed by the Commission	*Amendment*
	14a. The Commission shall publish guidelines clarifying the interpretation of the rules on infringements and sanctions to limit disparities in treatment from Member State to Member State.

Amendment 266

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 93 — paragraph 1

Text proposed by the Commission	*Amendment*
1. Member States shall enter in a national register all ***suspected and*** confirmed infringements of the rules of the common fisheries policy committed by vessels flying their flag or the flag of a third country or by their nationals, including all decisions and sanctions they incurred and the number of points assigned. Infringements of fishing vessels flying their flag or by their nationals prosecuted in other Member States shall also be entered by Member States in their national register on infringements, upon notification of the definitive ruling by the Member State having jurisdiction, pursuant to Article.92b.	1. Member States shall enter in a national register all confirmed infringements of the rules of the common fisheries policy committed by vessels flying their flag or the flag of a third country or by their nationals, including all decisions and sanctions they incurred and the number of points assigned. Infringements of fishing vessels flying their flag or by their nationals prosecuted in other Member States shall also be entered by Member States in their national register on infringements, upon notification of the definitive ruling by the Member State having jurisdiction, pursuant to Article.92b.

Amendment 267

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 93 — paragraph 2

Text proposed by the Commission	*Amendment*
2. When following up an infringement of rules of the common fisheries policy, a Member State may ***request other Member States to provide*** information contained in ***their national*** register on the fishing vessels and persons ***suspected of*** having committed the infringement in question or caught in the act of committing the infringement in question.	2. When following up an infringement of rules of the common fisheries policy, a Member State may ***consult the*** information contained in ***the Union*** register ***of infringements referred to in Article 93a*** on the fishing vessels and persons having committed the infringement in question or caught in the act of committing the infringement in question.

Amendment 268

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 93 — paragraph 3

Text proposed by the Commission	*Amendment*
3. Where a Member State requests information from another Member State in relation to an infringement, that other Member State shall provide without delay the relevant information on the fishing vessels and physical or legal persons involved in the infringement.	***deleted***

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Amendment 269

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article 93 — paragraph 4

Text proposed by the Commission	*Amendment*
4. The data contained in the national register of infringements shall be stored only for as long as necessary for the purpose of this Regulation, but always for a minimum of five calendar years, starting from the year following that in which the information is recorded.	4. The data contained in the national register of infringements shall be stored only for as long as necessary for the purpose of this Regulation, but always for a minimum of five calendar years, starting from the year following that in which the information is recorded***, in compliance with all applicable rules on the protection of privacy and processing of personal data***.

Amendment 270

Proposal for a regulation

Article 1 — paragraph 1 — point 69

Regulation (EC) No 1224/2009

Article - 93 a (new)

Text proposed by the Commission	*Amendment*
	Article - 93 a
	Union register of infringements
	1. The Commission shall establish a Union register of infringements (the Union register) centralising information from the Member States concerning the infringements referred to in Article 93(1), as well as information on lost gear as referred to in Article 48(5). For that purpose Member States shall ensure that the information stored in their national registers as referred to in Article 93, as well as information collected and recorded in accordance with Article 48(5), is also entered in the Union register.
	2. Information relating to an infringement by a natural person of the rules of the common fisheries policy that has led to a conviction as defined in Article 2 of Council Framework Decision 2009/315/JHA of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States and falling within the scope of that Decision shall not be included in the Union register.

Text proposed by the Commission	*Amendment*
	3. Information relating to an infringement by a natural person of the rules of the common fisheries policy that has led to a conviction as defined in Article 3 of Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726 and falling within the scope of that Regulation shall not be included in the Union register.
	4. The Union register shall be composed of a central system, a national central access point in each Member State, interface software enabling the connection of the competent authorities to the central system via the national central access points and communication infrastructure between the central system and the national central access points.
	5. The competent authorities of the Member States may only consult the Union register to verify whether, in respect of a Union fishing vessel or a natural person, any Member State holds information on infringements concerning that vessel or that natural person, as well as information on lost gear.
	6. The Member States may at any time rectify or erase the data they have entered into the central system of Union register. If a Member State other than the Member State which entered the data has reason to believe that data recorded in the central system are inaccurate, it shall contact the central access point of the Member State without undue delay, with a view to rectification of inaccurate data.
	7. Data contained in the Union register shall only be stored for as long as the corresponding data are stored in the national register in accordance with Article 93(4). Member States shall ensure that, when data in the national register are erased, those data are immediately erased from the central system of the Union register.
	8. Each Member State shall be responsible for ensuring a secure connection between its national register and the national central access point, ensuring a connection between its national systems and the Union register, and the management of and arrangements for access of duly authorised staff of the central authorities to the Union register in accordance with this Regulation. Each Member State shall give the staff of its competent authority who have a right to access the Union register appropriate training covering, in particular, data security and data protection rules and applicable rules concerning fundamental rights, before authorising them to process data stored in the Union register.

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Text proposed by the Commission	*Amendment*
	9. In accordance with applicable Union data protection rules, each Member State, together with the Commission, shall ensure that the data recorded in the Union register are registered lawfully, and in particular that only duly authorised staff have access to the data for the performance of their tasks, that the data are collected lawfully in a manner that fully respects the human dignity and fundamental rights of the individual concerned, that the data are entered into the Union register lawfully, and that the data are accurate and up-to-date when they are entered.
	10. The European Fisheries Control Agency shall have direct access to the Union register for the purpose of fulfilling its tasks in accordance with Regulation (EU) 2019/473. In accordance with applicable Union data protection rules, the European Fisheries Control Agency shall ensure that only duly authorised staff have access to the data.
	11. The Commission shall adopt implementing acts laying down detailed rules on the technical development and implementation of the Union register in particular concerning the transfer of data from the national registers to the central system of the Union register, the technical specifications of the interface software, maintaining and accessing the Union register in accordance with paragraph 3, performance and availability requirements of the Union register. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).
	12. The costs incurred in connection with the establishment and operation of the central system, the communication infrastructure, and the interface software shall be borne by the EMFF. The costs of connection of the European Fisheries Control Agency to the Union register shall be borne by the European Fisheries Control Agency's budget. Other costs shall be borne by the Member States, specifically the costs incurred by the connection of the existing national registers, and the competent authorities to the Union register.

Amendment 271

Proposal for a regulation

Article 1 — paragraph 1 — point 70

Regulation (EC) No 1224/2009

Article 93a — paragraph 1 — subparagraph 1

Text proposed by the Commission	*Amendment*
1. Member States shall establish annual or multiannual national control programmes for ***the*** inspections and ***the*** control of the rules of the common fisheries policy.	1. Member States shall establish annual or multiannual national control programmes for inspections***, surveillance*** and control of the rules of the common fisheries policy.

Amendment 272

Proposal for a regulation

Article 1 — paragraph 1 — point 70

Regulation (EC) No 1224/2009

Article 93a — paragraph 1 — subparagraph 2

Text proposed by the Commission	*Amendment*
National control programmes shall be risk-based and shall be updated at least once a year in particular taking into account newly adopted conservation and control measures.	National control programmes shall be risk-based and shall be updated at least once a year in particular taking into account newly adopted conservation and control measures ***and the conclusions of the annual evaluation report referred to in paragraph 2b***.

Amendment 273

Proposal for a regulation

Article 1 — paragraph 1 — point 70

Regulation (EC) No 1224/2009

Article 93a — paragraph 2

Text proposed by the Commission	*Amendment*
2. By ***30 June*** every year, Member States shall submit to the Commission a report on inspections and controls performed in the previous year, in accordance with the national control programmes and in compliance with ***the present*** Regulation.	2. By ***31 March*** every year, Member States shall submit to the Commission a report on inspections***, surveillance*** and controls performed in the previous year, in accordance with the national control programmes and in compliance with ***this*** Regulation. ***Those reports shall be made public on the official website of the Member States by 31 March every year.***

Amendment 274

Proposal for a regulation

Article 1 — paragraph 1 — point 70

Regulation (EC) No 1224/2009

Article 93a — paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	2a. The report on inspections, surveillance and controls referred to in paragraph 2 shall contain, at least, the following information:
	(a) the total budget allocated to fisheries control;
	(b) the number and type of inspections, surveillance and controls performed;
	(c) the number and type of suspected and confirmed infringements, including serious infringements;

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Text proposed by the Commission	*Amendment*
	(d) the type of follow-up actions to confirmed infringements (such as simple warning, administrative sanction, criminal sanction, immediate enforcement measure or number of penalty points administered).

Amendment 275

Proposal for a regulation

Article 1 — paragraph 1 — point 70

Regulation (EC) No 1224/2009

Article 93a — paragraph 2 b (new)

Text proposed by the Commission	*Amendment*
	2b. By 1 September every year, the Commission shall publish a report with an evaluation of the implementation of the national control programmes. That report shall include the main findings of the reports referred to in paragraph 2, and shall also analyse the application of this Regulation by fishing vessels registered in third countries fishing in Union waters, particularly fishing vessels registered in neighbouring countries of the Union. That report shall be made public on the website of the Commission.

Amendment 276

Proposal for a regulation

Article 1 — paragraph 1 — point 71 a (new)

Regulation (EC) No 1224/2009

Article 101 — paragraph 4 a (new)

Text proposed by the Commission	*Amendment*
	(71a) in Article 101, the following paragraph is added:
	'4a. If, after the action has been adopted, the Member State concerned still fails to remedy the situation and act on the shortcomings in its control system, the Commission shall start an investigation with the aim of initiating an infringement procedure against that Member State'.

Amendment 277

Proposal for a regulation

Article 1 — paragraph 1 — point 77 — point a

Regulation (EC) No 1224/2009

Article 109 — paragraph 1

Text proposed by the Commission	*Amendment*
'1. Member States shall set up a computerised database for the purpose of validation of data recorded in accordance with this Regulation. The validation of the data recorded includes the cross-checking, analysis and verification of the data.'	'1. Member States shall***, by … [31 December of the third year after the date of entry in force of this amending Regulation],*** set up a computerised database for the purpose of validation of data recorded in accordance with this Regulation. The validation of the data recorded includes the cross-checking, analysis and verification of the data. ***The set of data from the Member States' databases shall be transferred to a single database managed by the European Fisheries Control Agency.'***

Amendment 278

Proposal for a regulation

Article 1 — paragraph 1 — point 77 — point a

Regulation (EC) No 1224/2009

Article 109 — paragraph 2 — point b — point x

Text proposed by the Commission	*Amendment*
(x) data from ***close circuit television systems on board of fishing vessels and other*** electronic monitoring ***of*** the landing obligation ***in accordance with Article 25a***."	(x) data from electronic ***devices for*** monitoring the landing obligation."

Amendment 279

Proposal for a regulation

Article 1 — paragraph 1 — point 78

Regulation (EC) No 1224/2009

Article 110 — paragraph 4 — subparagraph 2

Text proposed by the Commission	*Amendment*
Data listed in paragraph 1(a)(ii) and (iii) may be provided to scientific bodies of Member States, scientific bodies of the Union and Eurostat.	Data listed in paragraph 1(a)(ii) and (iii) may be provided to scientific bodies of Member States, scientific bodies of the Union and Eurostat. ***Those data shall be in an anonymised format, so as not to permit the identification of individual vessels or natural persons.***

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Amendment 280

Proposal for a regulation

Article 1 — paragraph 1 — point 78

Regulation (EC) No 1224/2009

Article 110 — paragraph 5 a (new)

Text proposed by the Commission	*Amendment*
	5a. Member States shall publish annually their annual reports on national control programmes on the website of their competent authorities.

Amendment 281

Proposal for a regulation

Article 1 — paragraph 1 — point 81

Regulation (EC) No 1224/2009

Article 112 — paragraph 3

Text proposed by the Commission	*Amendment*
3. Personal data contained in information referred to in Article 110(1) and (2) shall not be stored for a period longer than ***5 years***, except for personal data that is necessary to allow the follow up of a complaint, an infringement, an inspection, a verification or an audit or on-going judicial or administrative proceedings, which may be retained for 10 years. If the information listed in Article 110(1) and (2) is retained for a longer period of time, the data shall be anonymized.	3. Personal data contained in information referred to in Article 110(1) and (2) shall not be stored for a period longer than ***one year***, except for personal data that is necessary to allow the follow up of a complaint, an infringement, an inspection, a verification or an audit or on-going judicial or administrative proceedings, which may be retained for 10 years. If the information listed in Article 110(1) and (2) is retained for a longer period of time, the data shall be anonymised.

Amendment 333

Proposal for a regulation

Article 1 — paragraph 1 — point 80 a (new) — point a

Regulation (EC) No 1224/2009

Article 113 — paragraph 2

Present text	*Amendment*
	(80a) Article 113 is amended as follows
	(a) paragraph 2 is replaced by the following:
2. The data exchanged between Member States and the Commission ***shall not*** be transmitted to persons other than those in Member States or Community institutions whose functions require them to have such access unless the Member States transmitting the data ***give their express consent***.	'2. The data exchanged between Member States and the Commission ***may*** be transmitted to persons other than those in Member States or Community institutions whose functions require them to have such access unless the Member States transmitting the data ***provide a reasoned refusal to disclose the data***.'

Amendment 334

Proposal for a regulation

Article 1 — paragraph 1 — point 80 a (new) — point b

Regulation (EC) No 1224/2009

Article 113 — paragraph 3

Present text	*Amendment*
	(b) paragraph 3 is replaced by the following:
3. The data referred to in paragraph 1 ***shall not*** be used for ***any*** purpose other than that provided for in this Regulation unless the authorities providing the data ***give their express consent for the use of the data for other purposes and on condition that the provisions in force in the Member State of the authority receiving the data do not prohibit such use***.	'3. The data referred to in paragraph 1 ***may*** be used for ***a*** purpose other than that provided for in this Regulation unless the authorities providing the data ***provide a reasoned refusal for it to be so used***.'

Amendment 335

Proposal for a regulation

Article 1 — paragraph 1 — point 80 a (new) — point c

Regulation (EC) No 1224/2009

Article 113 — paragraph 7a (new)

Present text	*Amendment*
	(c) the following paragraph is added:
	'***7a. This Article is without prejudice to Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents and Regulation (EC) No 1367/2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies.***'

Amendment 282

Proposal for a regulation

Article 1 — paragraph 1 — point 82

Regulation (EC) No 1224/2009

Article 114 — paragraph 1

Text proposed by the Commission	*Amendment*
"For the purpose of this Regulation, each Member State shall set up and keep up-to date an official website for operators and the general public, containing as a minimum the information listed in Article 115.	For the purpose of this Regulation, each Member State ***or region*** shall set up and keep up-to date an official website ***or websites*** for operators and the general public, containing as a minimum the information listed in Article 115.

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Amendment 283

Proposal for a regulation

Article 1 — paragraph 1 — point 82

Regulation (EC) No 1224/2009

Article 115 — paragraph 1 — introductory part

Text proposed by the Commission	*Amendment*
On their websites, Member States shall publish without delay, or provide a direct link to, the following information:	On their websites, Member States ***or regions*** shall publish without delay, or provide a direct link to, the following information:

Amendment 284

Proposal for a regulation

Article 1 — paragraph 1 — point 82

Regulation (EC) No 1224/2009

Article 115 — paragraph 1 — point i a (new)

Text proposed by the Commission	*Amendment*
	(ia) the national control programme set, the results and the evaluation report made by the Commission at least 30 days after the dates established in Article 93a.

Amendment 285

Proposal for a regulation

Article 2 — point 1 a (new)

Regulation (EC) No 768/2005

Article 2 — paragraph 1 — point a

Present text	*Amendment*
	(1a) In Article 2(1), point (a) is replaced by the following:
(a) 'control and inspection' means any measures taken by Member States***, in particular pursuant to Articles 23, 24 and 28 of Regulation (EC) No 2371/2002,*** to control and inspect fishing activities within the scope of the common fisheries policy including surveillance and monitoring activities such as ***satellite-based*** vessel monitoring systems and observer schemes;	'(a) "control and inspection" means any measures taken by Member States to control and inspect fishing activities within the scope of the common fisheries policy including surveillance and monitoring activities such as vessel monitoring systems and observer schemes;'
	(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473.)

Amendment 286

Proposal for a regulation

Article 2 — point 2 — point a

Regulation (EC) No 768/2005

Article 3 — point e

Text proposed by the Commission	*Amendment*
(e) to assist Member States and the Commission in harmonising the application of the common fisheries policy;	(e) to assist Member States and the Commission in harmonising the application ***and ensuring the sustainability*** of the common fisheries policy ***including its external dimension***;

(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 3(e) of Regulation (EC) No 768/2005 corresponds to Article 3(e) of Regulation (EU) 2019/473.)

Amendment 287

Proposal for a regulation

Article 2 — point 2 — point b a (new)

Regulation (EC) No 768/2005

Article 3 — paragraph 1 — point j a (new)

Text proposed by the Commission	*Amendment*
	(ba) In Article 3, the following point is added:
	'(ja) to work together with the European Environment Agency and the European Maritime Safety Agency in sharing relevant data and information to support the creation and common use of knowledge on the marine environment.'

(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473.)

Amendment 288

Proposal for a regulation

Article 2 — point 2 — point c a (new)

Regulation (EC) No 768/2005

Article 3 — paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	(ca) In Article 3, the following paragraph is added:
	'1a. The Commission shall draw up a partnership protocol between the agencies referred to in point (ja) of the first paragraph as the framework for their enhanced cooperation.'

(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473.)

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Amendment 289

Proposal for a regulation

Article 2 — point 4 a (new)

Regulation (EC) No 768/2005

Article 17g

Present text	*Amendment*
	(4a) Article 17g is replaced by the following:
Article 17g	Article 17g
Cooperation in maritime affairs	Cooperation in maritime affairs
The Agency shall contribute ***to*** the implementation of the EU Integrated Maritime Policy, and in particular conclude administrative agreements with other bodies in matters covered by this Regulation after approval by the Administrative Board. The Executive Director shall inform the Commission and the Member States thereof at an early stage of such negotiations.	'The Agency shall contribute to ***and help*** the implementation of the EU Integrated Maritime Policy, and in particular conclude administrative agreements with other bodies in matters covered by this Regulation after approval by the Administrative Board. The Executive Director shall inform the ***European Parliament, the*** Commission and the Member States thereof at an early stage of such negotiations.'
	(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 17g of Regulation (EC) No 768/2005 corresponds to Article 25 of Regulation (EU) 2019/473.)

Amendment 290

Proposal for a regulation

Article 2 — point 5 — point a a (new)

Regulation (EC) No 768/2005

Article 23 — paragraph 2 — point c — subparagraph 1

Present text	*Amendment*
	(aa) In point (c) of Article 23(2), the first subparagraph is replaced by the following:
adopt by 31 October each year, and taking into account the opinion of the Commission and the Member States, the work programme of the Agency for the coming year and forward it to the European Parliament, the Council, the Commission and the Member States.	'adopt by 31 October each year, and taking into account the opinion of ***the European Parliament,*** the Commission and the Member States, the work programme of the Agency for the coming year and forward it to the European Parliament, the Council, the Commission and the Member States.'
	(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 23 of Regulation (EC) No 768/2005 corresponds to Article 32 of Regulation (EU) 2019/473.)

Amendment 291

Proposal for a regulation

Article 2 — point 5 — point a b (new)

Regulation (EC) No 768/2005

Article 23 — paragraph 2 — point c — subparagraph 2

Present text	*Amendment*
	(ab) In point (c) of Article 23(2), the second subparagraph is replaced by the following:
The work programme shall contain the priorities of the Agency. It shall give priority to the duties of the Agency relating to control and surveillance programmes. It shall be adopted without prejudice to the annual Community budgetary procedure. In case the Commission expresses, within 30 days from the date of adoption of the work programme, its disagreement with that programme, the Administrative Board shall re-examine the programme and adopt it, possibly amended, within a period of two months, in a second reading;	'The work programme shall contain the priorities of the Agency. It shall give priority to the duties of the Agency relating to control and surveillance programmes. It shall be adopted without prejudice to the annual Community budgetary procedure. In case ***the European Parliament or*** the Commission expresses, within 30 days from the date of adoption of the work programme, its disagreement with that programme, the Administrative Board shall re-examine the programme and adopt it, possibly amended, within a period of two months, in a second reading;'
	(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 23 of Regulation (EC) No 768/2005 corresponds to Article 32 of Regulation (EU) 2019/473.)

Amendment 292

Proposal for a regulation

Article 2 — point 5 a (new)

Regulation (EC) No 768/2005

Article 24 — paragraph 1

Present text	*Amendment*
	(5a) in Article 24, paragraph 1 is replaced by the following:
1. The Administrative Board shall be composed of representatives of Member States ***and*** six representatives of the Commission. Each Member State shall be entitled to appoint one member. The Member States ***and*** the Commission shall appoint one alternate to each member who will represent the member in his/her absence.	'1. The Administrative Board shall be composed of representatives of Member States, six representatives of the Commission ***and representatives of the European Parliament.*** Each Member State shall be entitled to appoint one member. ***The European Parliament shall be entitled to appoint two representatives.*** The Member States, the Commission ***and the European Parliament*** shall appoint one alternate to each member who will represent the member in his/her absence.'
	(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 24(1) of Regulation (EC) No 768/2005 corresponds to Article 33(1) of Regulation (EU) 2019/473.)

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Amendment 293

Proposal for a regulation

Article 2 — point 7

Regulation (EC) No 768/2005

Article 29 — paragraph 3 — point a

Text proposed by the Commission	*Amendment*
'(a) he/she shall prepare the draft annual work programme and the draft multiannual work programme and submit them to the Administrative Board after consultation with the Commission and the Member States. He/she shall take the necessary steps for the implementation of the work programme and multiannual work programme within the limits specified by this Regulation, its implementing rules and any applicable law;'	'(a) he/she shall prepare the draft annual work programme and the draft multiannual work programme and submit them to the Administrative Board after consultation with ***the European Parliament,*** the Commission and the Member States. He/she shall take the necessary steps for the implementation of the work programme and multiannual work programme within the limits specified by this Regulation, its implementing rules and any applicable law;'

(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 29 of Regulation (EC) No 768/2005 corresponds to Article 38 of Regulation (EU) 2019/473.)

Amendment 294

Proposal for a regulation

Article 4 — paragraph 1 — point 9 a (new)

Regulation (EC) No 1005/2008

Article 18 — paragraph 3

Present text	*Amendment*
	(9a) in Article 18, paragraph 3 is replaced by the following:
3. In the event that the importation of fishery products is refused pursuant to paragraphs 1 or 2, Member States may confiscate and destroy, dispose of or sell such fishery products in accordance with national law. The profits from the sale ***may*** be used for charitable purposes.	'3. In the event that the importation of fishery products is refused pursuant to paragraphs 1 or 2, Member States may confiscate and destroy, dispose of or sell such fishery products in accordance with national law. The profits from the sale ***shall*** be used for charitable purposes.'

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Amendment 295

Proposal for a regulation

Article 4 — paragraph 1 — point 10 a (new)

Regulation (EC) No 1005/2008

Article 32 a (new)

Text proposed by the Commission	*Amendment*
	(10a) The following Article is inserted:
	'Article 32a
	Safeguard measures
	Where a third country has been notified, in accordance with Article 32, of the possibility of being identified as a non-cooperating third country, the Commission may introduce safeguard measures under which preferential tariffs for fishery and aquaculture products are temporarily suspended. Those safeguard measures may apply for as long as the Commission has evidence of specific weaknesses notified and resulting in possible or confirmed IUU activities and therefore the proceedings initiated vis-a-vis that third country have not been terminated.'

Amendment 296

Proposal for a regulation

Article 4 — paragraph 1 — point 12

Regulation (EC) No 1005/2008

Article 42 — paragraph 1

Text proposed by the Commission	*Amendment*
For the purpose of this Regulation, 'serious infringement' means any infringements listed in points (a) to ***(n), (o) and*** (p) of Article 90(2) of Regulation (EC) No 1224/2009 or considered as serious infringements pursuant to points (a), (c), (e), (f) and (i) of Article 90(3) of that Regulation (EC) No 1224/2009.	For the purpose of this Regulation, 'serious infringement' means any infringements listed in points (a) to (p) of Article 90(2) of Regulation (EC) No 1224/2009 or considered as serious infringements pursuant to points (a), (c), (e), (f) and (i) of Article 90(3) of that Regulation (EC) No 1224/2009.

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Amendment 297

Proposal for a regulation

Article 4 — paragraph 1 — point 14

Regulation (EC) No 1005/2008

Article 43 — paragraph 1

Text proposed by the Commission	*Amendment*
1. Without prejudice to the powers of the Member States to initiate criminal proceedings and impose criminal sanctions, Member States shall, in conformity with their national law, systematically apply administrative measures and sanctions against the natural person having committed or a legal person held liable for serious infringements as defined in this Regulation.	1. Without prejudice to the powers of the Member States to initiate criminal proceedings and impose criminal sanctions, Member States shall, in conformity with their national law, systematically apply administrative measures and sanctions against the natural person having committed or a legal person held liable for serious infringements as defined in this Regulation.
	In respect of each specific act of infringement as referred to in the first subparagraph, no more than one Member State may initiate proceedings or impose sanctions against the natural or legal person concerned.

Amendment 298

Proposal for a regulation

Article 4 — paragraph 1 — point 14

Regulation (EC) No 1005/2008

Article 43 — paragraph 2

Text proposed by the Commission	*Amendment*
2. Where a natural person ***is suspected of having committed or*** is caught in the act while committing a serious infringement or a legal person is ***suspected of being held*** liable for such a serious infringement in accordance with this Regulation, Member States shall, in conformity with their national law, immediately take relevant and immediate measures in accordance with Article 91 of Regulation (EC) No 1224/2009.	2. Where a natural person is caught in the act while committing a serious infringement or a ***serious infringement has been detected in the course of an inspection in relation to that natural person, or there is evidence that a*** legal person is liable for such a serious infringement in accordance with this Regulation, Member States shall, in conformity with their national law, immediately take relevant and immediate measures in accordance with Article 91 of Regulation (EC) No 1224/2009.

Amendment 299

Proposal for a regulation

Article 6 — paragraph 2

Text proposed by the Commission	*Amendment*
Articles 1, 3, 4, 5 shall apply from [24 months after date of entry into force].	Articles 1, 3, 4, 5 shall apply from [24 months after ***the*** date of entry into force ***of this Regulation] with the exception of points 6, 11, 12, 21, 22, 23, 44 and 46 of Article 1, which shall apply from… [four years after the date of entry into force of this Regulation***].

Amendment 300

Proposal for a regulation

ANNEX I

Regulation (EC) No 1224/2009

Annex III — table — row 5

Text proposed by the Commission

No	Serious infringement	points
5	***Not fulfilling obligations related to the use of fishing gears as set out in the rules of the common fisheries policy.***	***4***

Amendment

deleted

Amendment 301

Proposal for a regulation

ANNEX I

Regulation (EC) No 1224/2009

Annex III — table — row 6 a (new)

Text proposed by the Commission

Amendment

No	Serious infringement	points
6a	***For vessels not operating in a fishery under a fishing effort management plan, manipulating of an engine with the aim of increasing the power of the vessel beyond the maximum continuous engine power according to the engine certificate.***	***5***

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Amendment 302

Proposal for a regulation

ANNEX I

Regulation (EC) No 1224/2009

Annex III — table — row 16 — column 2 ('serious infringements')

Text proposed by the Commission	*Amendment*
Serious infringement	Serious infringement
Fishing in a restricted or closed area, or a fish stock recovery area, or during a closed season, or without or after attainment of a quota or beyond a closed depth.	Fishing in a restricted or closed area, or a fish stock recovery area, or during a closed season, or without or after attainment of a quota or beyond a closed depth ***or distance to shore***;

Amendment 303

Proposal for a regulation

ANNEX II

Regulation (EC) No 1005/2008

ANNEX II — table 1 — row 4

Text proposed by the Commission

2. Fishing vessel name	Flag — Home port and registration number	Call sign	IMO/**Lloyd's** number *(if issued)*

Amendment

2. Fishing vessel name	Flag — Home port and registration number	Call sign	IMO/**Unique Vessel Identifier** number (if issued)

Amendment 304

Proposal for a regulation

ANNEX II

Regulation (EC) No 1005/2008

ANNEX II — table 1 — row 7

Text proposed by the Commission

Species	Product code	Catch area(s) **and dates**	Estimated **live** weight (net fish **weight in** kg)	**Estimated live weight to be landed** (net fish weight **in** kg)	Verified Weight **Landed** (net **weight in** kg)

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Amendment

Species	Product code	**Fishing gear (1)**	Catch area(s) **(2)**	**Catch dates: from — to**	Estimated net fish weight **to be landed** (kg)	Net fish weight (kg)	Verified net **fish** weight (kg) **(3)**

(1) Code to be used in accordance with FAO International Standard Statistical Classification of Fishing Gears.

(2) Catch area:

— **FAO area(s); and**

— **Exclusive Economic Zone(s) and/or High Seas; and**

— **Relevant Regional Fisheries Management Organisation Convention Area(s)**

(3) To be filled only if verified in the context of an official inspection

Amendment 305

Proposal for a regulation

ANNEX II

Regulation (EC) No 1005/2008

ANNEX II — table 1 — row 11

Text proposed by the Commission

Master of receiving vessels	Signature	Vessel name	Call sign	IMO/**Lloyds** number (if issued)

Amendment

Master of receiving vessels	Signature	Vessel name	Call sign	IMO/ **Unique Vessel Identifier** number (if issued)