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*Committee on Fisheries*

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**2013/0436(COD)**

04.11.2014

# **AMENDMENTS 42 - 243**

**Draft report**  
**Alain Cadec**  
(PE537.183v01-00)

on landing obligation

Proposal for a regulation  
(COM(2013)0889 – C7-0465/2013 – 2013/0436(COD))

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PE541.294v01-00

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**Amendment 42**  
**Brian Crowley**

**Proposal for a regulation**  
**Title**

*Text proposed by the Commission*

Proposal for a Regulation of the European Parliament and of the Council amending Council Regulations (EC) No 850/98, (EC) No 2187/2005, (EC) No 1967/2006, (EC) No 1098/2007, No 254/2002, (EC) No 2347/2002 **and** (EC) No 1224/2009 and repealing (EC) No 1434/98 as regards the landing obligation

*Amendment*

Proposal for a Regulation of the European Parliament and of the Council amending Council Regulations (EC) No 850/98, (EC) No 2187/2005, (EC) No 1967/2006, (EC) No 1098/2007, No 254/2002, (EC) No 2347/2002, (EC) No 1224/2009 **and (EU) No 1380/2013** and repealing (EC) No 1434/98 as regards the landing obligation

Or. en

*Justification*

*According to the Commission, it is not legally possible to include technical measures of any kind in regional discard plans. The inability to include measures such as changes in mesh sizes or temporary spatial closures to protect juveniles will jeopardize the effective implementation of the landing obligation. This amendment seeks to remedy that scenario by including amendments to Council Regulation (EC) No 1380/2013.*

**Amendment 43**  
**Liadh Ní Riada**

**Proposal for a regulation**  
**Title**

*Text proposed by the Commission*

Proposal for a Regulation of the European Parliament and of the Council amending Council Regulations (EC) No 850/98, (EC) No 2187/2005, (EC) No 1967/2006, (EC) No 1098/2007, No 254/2002, (EC) No 2347/2002 **and** (EC) No 1224/2009 and repealing (EC) No 1434/98 as regards the landing obligation

*Amendment*

Proposal for a Regulation of the European Parliament and of the Council amending Council Regulations (EC) No 850/98, (EC) No 2187/2005, (EC) No 1967/2006, (EC) No 1098/2007, No 254/2002, (EC) No 2347/2002, (EC) No 1224/2009 **and (EU) No 1380/2013** and repealing (EC) No 1434/98 as regards the landing obligation

**Amendment 44**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Recital 1**

*Text proposed by the Commission*

(1) Regulation (EU) No [x] has **a** central **objective of** the progressive elimination of discards in all **EU** fisheries through the introduction of a landing obligation for catches of species subject to catch limits and species covered by minimum sizes in the Mediterranean. In order to make this landing obligation operational certain provisions within the current technical measures and control regulations run contrary to the landing obligation and oblige fishermen to discard fish and should be removed or amended.

*Amendment*

(1) Regulation (EU) No [x] has, **among its** central **objectives**, the progressive elimination of discards in all **Union** fisheries through the introduction of a landing obligation for catches of species subject to catch limits and species covered by minimum sizes in the Mediterranean. In order to make this landing obligation operational certain provisions within the current technical measures and control regulations run contrary to the landing obligation and oblige fishermen to discard fish and should be removed or amended.

Or. fr

**Amendment 45**  
**Brian Crowley**

**Proposal for a regulation**  
**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**(1a) 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 should be amended.**

*Justification*

*Regulation (EU) No 1380/2013 makes no provision for inclusion of Technical Conservation Measures in the implementation of regional discard plans and should be amended accordingly.*

**Amendment 46**

**Ian Hudghton**

**Proposal for a regulation**

**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*(1a) The fact that the elimination of discards is being implemented progressively means that the necessary amendment of certain provisions within the current technical measures and control regulations can likewise be made progressively and, indeed, general principles of good law-making suggest that proceeding on a step-by-step basis is more likely to result in properly drafted legislation.*

Or. en

**Amendment 47**

**Liadh Ní Riada**

**Proposal for a regulation**

**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*(1a) In order to provide for the inclusion of technical conservation measures in the implementation of regional discard plans, 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 should be amended.***

Or. en

**Amendment 48**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

(2) A new technical measures framework is awaited ***pending*** the reform of the Common Fisheries Policy (CFP). The unlikelihood that such a new framework will be in place by the start of 2015 when the landing obligation will be first introduced ***justifies the amendment or removal of*** certain elements of the current technical measures regulations to remove the incompatibility between these regulations and the landing obligation.

*Amendment*

(2) A new technical measures framework is awaited, ***since*** the reform of the Common Fisheries Policy (CFP) ***was adopted some time ago***. The unlikelihood that such a new framework will be in place by the start of 2015 when the landing obligation will be first introduced ***is regrettable; it means that*** certain elements of the current technical measures regulations ***will need to be amended or removed to*** remove the incompatibility between these regulations and the landing obligation.

Or. fr

**Amendment 49**  
**Alain Cadec**

**Proposal for a regulation**  
**Recital 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***(2a) The current wording of Article 15(6) of Regulation (EU) No 1380/2013 concerning the possibility of incorporating technical measures strictly***

*linked to the landing obligation into the discard plans to allow for increased selectivity and for unintended catches of marine organisms to be reduced as far as possible needs to be clarified.*

Or. fr

**Amendment 50**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) In particular, in order to ensure the implementation of the landing obligation Council Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms should be amended by requiring all unintended catches of marine organisms subject to the landing obligation caught in excess of catch composition rules should be landed and counted against quotas; by replacing minimum landing sizes for marine organisms subject to the landing obligation with minimum conservation reference sizes; and by requiring all unintended catches of marine organisms caught in excess of bycatch provisions in specific areas, at specific times and for specified gear types to be landed and counted against quotas.

*Amendment*

(3) In particular, in order to ensure the implementation of the landing obligation Council Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms should be amended by requiring all unintended catches of marine organisms subject to the landing obligation caught in excess of catch composition rules should be landed and ***those reaching the minimum conservation reference size*** counted against quotas; by replacing minimum landing sizes for marine organisms subject to the landing obligation with minimum conservation reference sizes; and by requiring all unintended catches of marine organisms caught in excess of bycatch provisions in specific areas, at specific times and for specified gear types to be landed and ***those reaching the minimum conservation reference size*** counted against quotas.

Or. fr

*Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be*

*documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

#### **Amendment 51**

**Ian Duncan, Diane Dodds**

#### **Proposal for a regulation**

##### **Recital 4**

*Text proposed by the Commission*

*Amendment*

*(4) In addition, in order to ensure legal certainty, provisions relating to an area closure for the protection of juvenile haddock in ICES division VIIb should be amended.*

*deleted*

Or. en

#### **Amendment 52**

**Renata Briano**

#### **Proposal for a regulation**

##### **Recital 4**

*Text proposed by the Commission*

*Amendment*

*(4) In addition, in order to ensure legal certainty, provisions relating to an area closure for the protection of juvenile haddock in ICES division VIIb should be amended.*

*deleted*

Or. it

#### **Amendment 53**

**Brian Crowley**

#### **Proposal for a regulation**

##### **Recital 4**



*Text proposed by the Commission*

(4) In addition, in order to ensure legal certainty, provisions relating to an area closure for the protection of juvenile haddock in ICES division VIb should be amended.

*Amendment*

(4) In addition, in order to ***allow to fish for queen scallop in area VIa with the appropriate mesh size and to*** ensure legal certainty, provisions relating to an area closure for the protection of juvenile haddock in ICES division VIb should be amended.

Or. en

*Justification*

*It is prohibited to fish for queen scallops in part of Area VIa unless a cod end mesh size of 120 mm is used due to the cod recovery plan. It is not possible to catch queen scallops using this mesh. The appropriate mesh size is 80 mm.*

**Amendment 54**  
**Liadh Ní Riada**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) In addition, in order to ensure legal certainty, ***provisions*** relating to an area closure for the protection of juvenile haddock in ICES division VIb should be amended.

*Amendment*

(4) In addition, in order to ***allow to fish for queen scallop in area VIa with the appropriate mesh size and to*** ensure legal certainty relating to an area closure for the protection of juvenile haddock in ICES division VIb should be amended.

Or. en

**Amendment 55**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Recital 5**

*Text proposed by the Commission*

(5) In order to ensure the implementation of the landing obligation Council Regulation (EC) No 2187/2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98 should be amended by requiring all unintended catches of marine organisms subject to the landing obligation in the Baltic Sea caught in excess of catch composition rules to be landed and counted against quotas; by replacing minimum landing sizes for marine organisms subject to the landing obligation with conservation reference sizes; and by prohibiting the catching of salmon and sea trout at specific times and in specific areas except with trap-nets.

*Amendment*

(5) In order to ensure the implementation of the landing obligation Council Regulation (EC) No 2187/2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98 should be amended by requiring all unintended catches of marine organisms subject to the landing obligation in the Baltic Sea caught in excess of catch composition rules to be landed and ***those exceeding the minimum conservation reference size*** counted against quotas; by replacing minimum landing sizes for marine organisms subject to the landing obligation with conservation reference sizes; and by prohibiting the catching of salmon and sea trout at specific times and in specific areas except with trap-nets.

Or. fr

**Amendment 56**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Recital 8**

*Text proposed by the Commission*

***(8) In order to ensure the implementation of the landing obligation Council Regulation (EC) No 254/2002 establishing measures to be applicable in 2002 for the recovery of the stocks of cod in the Irish Sea (ICES division VIIa should be amended by requiring that in the trawl fishery for queen scallop that all unintentional catches of marine organisms subject to the landing obligation caught in excess of permitted bycatch percentages should be landed and***

*Amendment*

***deleted***

*counted against quotas.*

Or. fr

*Justification*

*This recital does not concern the landing obligation coming into effect in January 2015.*

**Amendment 57**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

*Amendment*

*(9) In order to ensure the implementation of the landing obligation Council Regulation (EC) No 2347/2002 establishing specific access requirements and associated conditions applicable to fishing for deep-sea stocks should be amended by requiring all catches of deep-sea species should be landed and counted against quotas.* *deleted*

Or. fr

*Justification*

*This recital does not concern the landing obligation coming into effect in January 2015.*

**Amendment 58**  
**Ian Duncan, Diane Dodds**

**Proposal for a regulation**  
**Recital 10**

*Text proposed by the Commission*

*Amendment*

*(10) In order to ensure the implementation of the landing obligation Control Regulation (EC) 1224/2009* *deleted*

*establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 should be amended to ensure monitoring of the landing obligation. For this purpose fishing authorisations should apply to fisheries subject to a landing obligation ; data on catches of all species shall be recorded irrespective of a weight threshold; data on catches below minimum conservation reference sizes should be recorded separately; in view of the difficulty to establish the exact quantity of small catches on board a fishing vessel a higher margin of tolerance should apply for estimates of small catches in logbooks and transshipment declarations; rules for remote electronic monitoring (REM) should be established for the recording of data for monitoring the landing obligation at sea; rules on a separate stowage of catches and control of marketing of catches below minimum conservation reference sizes should be set up; and the conditions for the use of control observers for monitoring purposes should be defined.*

Or. en

**Amendment 59**  
**Renata Briano**

**Proposal for a regulation**  
**Recital 10**

*Text proposed by the Commission*

(10) In order to ensure the implementation of the landing obligation Control Regulation (EC) 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 should be amended to ensure monitoring of the landing obligation. ***For this purpose fishing authorisations should apply to fisheries subject to a landing obligation ; data on catches of all species shall be recorded irrespective of a weight threshold; data on catches below minimum conservation reference sizes should be recorded separately; in view of the difficulty to establish the exact quantity of small catches on board a fishing vessel a higher margin of tolerance should apply for estimates of small catches in logbooks and transshipment declarations; rules for remote electronic monitoring (REM) should be established for the recording of data for monitoring the landing obligation at sea; rules on a separate stowage of catches and control of marketing of catches below minimum conservation reference sizes should be set up; and the conditions for the use of control observers for monitoring purposes should be defined.***

*Amendment*

(10) In order to ensure the implementation of the landing obligation Control Regulation (EC) 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 should be amended to ensure monitoring of the landing obligation. Catches of all species ***should*** be recorded ***above*** a weight threshold ***of 50 kg***; data on catches below minimum conservation reference sizes should be recorded separately; in view of the difficulty to establish the exact quantity of small catches on board a fishing vessel a higher margin of tolerance should apply for estimates of small catches in logbooks and transshipment declarations; ***Member States' prerogatives as regards monitoring and verifying compliance with*** the landing obligation at sea ***should be respected***; rules on a separate stowage of catches and control of marketing of catches below minimum conservation reference sizes should be set up; and the conditions for the use of control observers for monitoring purposes should be defined.

Or. it

**Amendment 60**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Recital 10**

*Text proposed by the Commission*

(10) In order to ensure the implementation of the landing obligation Control Regulation (EC) 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 should be amended to ensure monitoring of the landing obligation. ***For this purpose fishing authorisations should apply to fisheries subject to a landing obligation ;*** data on catches of all species shall be recorded ***irrespective of a weight threshold***; data on catches below minimum conservation reference sizes should be recorded separately; in view of the difficulty to establish the exact quantity of small catches on board a fishing vessel a higher margin of tolerance should apply for estimates of small catches in logbooks and transshipment declarations; rules for remote electronic monitoring (REM) should be established for the recording of data for monitoring the landing obligation at sea; rules on a separate stowage of catches and control of marketing of catches below minimum conservation reference sizes should be set up; and the conditions for the use of control observers for monitoring purposes should be defined.

*Amendment*

(10) In order to ensure the implementation of the landing obligation Control Regulation (EC) 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 should be amended to ensure monitoring of the landing obligation. Data on catches of all species shall be recorded ***above a threshold of 50kg live*** weight; data on catches below minimum conservation reference sizes should be recorded separately; in view of the difficulty to establish the exact quantity of small catches on board a fishing vessel a higher margin of tolerance should apply for estimates of small catches in logbooks and transshipment declarations; rules for remote electronic monitoring (REM) should be established for the recording of data for monitoring the landing obligation at sea; rules on a separate stowage of catches and control of marketing of catches below minimum conservation reference sizes should be set up; and the conditions for the use of control observers for monitoring purposes should be defined.

Or. fr

### *Justification*

*Given the total volume of fishing, the threshold of 50 kg would allow fishermen not to take into account tiny catches which have no scientific value but which would nevertheless mean considerable extra work for them.*

#### **Amendment 61** **Isabelle Thomas**

#### **Proposal for a regulation** **Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10a) The technical and human means of control must be compatible the rights of the crew under labour law and with regard to personal portrayal and the protection of privacy.***

Or. fr

#### **Amendment 62** **Isabelle Thomas**

#### **Proposal for a regulation** **Recital 11**

*Text proposed by the Commission*

*Amendment*

(11) As ***discards constitute*** a substantial waste and affect negatively the sustainable exploitation of marine biological resources and marine ecosystems and as a general observance of the landing obligation by operators is essential for its success a violation of the landing obligation should be defined as a serious infringement. The introduction of the landing obligation in combination with certain new inter-annual quota flexibility rules, requires adjustment of the rules on the deduction of quotas and effort.

(11) As ***the discard obligation under the current legislation constitutes*** a substantial waste and ***unintended catches*** affect negatively the sustainable exploitation of marine biological resources and marine ecosystems and as a general observance of the landing obligation by operators is essential for its success, a violation of the landing obligation should be defined as a ***simple infringement when this regulation comes into effect and then a*** serious infringement ***two years thereafter***. The introduction of the landing obligation in combination with certain new inter-annual

quota flexibility rules, requires adjustment of the rules on the deduction of quotas and effort.

Or. fr

### *Justification*

*The industry needs time to adapt. People working in the industry may make unintended mistakes during the two-year period.*

## **Amendment 63** **Renata Briano**

### **Proposal for a regulation** **Recital 11**

#### *Text proposed by the Commission*

(11) As discards constitute a substantial waste and affect negatively the sustainable exploitation of marine biological resources and marine ecosystems and as a general observance of the landing obligation by operators is essential for its success a violation of the landing obligation should be defined as a serious infringement. The introduction of the landing obligation in combination with certain new inter-annual quota flexibility rules, requires adjustment of the rules on the deduction of quotas and effort.

#### *Amendment*

(11) As discards constitute a substantial waste and affect negatively the sustainable exploitation of marine biological resources and marine ecosystems and as a general observance of the landing obligation by operators is essential for its success a violation of the landing obligation should be defined as a serious infringement. ***However, in view of the major change this will involve for fishermen, there should be a two-year adjustment period during which violations of the landing obligation will not be regarded as serious infringements.*** The introduction of the landing obligation in combination with certain new inter-annual quota flexibility rules, requires adjustment of the rules on the deduction of quotas and effort.

Or. it

## **Amendment 64** **Isabelle Thomas**



**Proposal for a regulation**  
**Recital 12**

*Text proposed by the Commission*

(12) Council Regulations (EC) No 850/98, (EC) No 2187/2005, (EC) No 1967/2006, (EC) No 1098/2007, **(EC) No 254/2002, (EC) No 2347/2002** and (EC) No 1224/2009 should therefore be amended accordingly.

*Amendment*

(12) Council Regulations (EC) No 850/98, (EC) No 2187/2005, (EC) No 1967/2006, (EC) No 1098/2007 and (EC) No 1224/2009 should therefore be amended accordingly.

Or. fr

*Justification*

*There is no need to amend the two regulations which do not concern the species which will have to be landed from 1 January 2015.*

**Amendment 65**  
**Alain Cadec**

**Proposal for a regulation**  
**Chapter -1 – Article -1 (new)**  
Regulation (EU) No 1380/2013  
Article 15 – paragraph 6

*Present text*

6. Where no multiannual plan, or no management plan in accordance with Article 18 of Regulation (EC) No 1967/2006, is adopted for the fishery in question, the Commission shall be

*Amendment*

***Chapter -1***  
***Basic regulation***

***Article -1***

***Amendment to Regulation (EU) No 1380/2013***

***Regulation (EU) No 1380/2013 is amended as follows:***

***In Article 15, paragraph 6 is replaced by the following:***

***"6. Where no multiannual plan, or no management plan in accordance with Article 18 of Regulation (EC) No 1967/2006, is adopted for the fishery in question, the Commission shall be***

empowered to adopt, in accordance with Article 18 of this Regulation, delegated acts in accordance with Article 46 of this Regulation, laying down on a temporary basis and for a period of no more than three years a specific discard plan containing the specifications referred to in points (a) to (e) of paragraph 5 of this Article. Member States may cooperate, in accordance with Article 18 of this Regulation, in the drawing up of such **a plan** with a view to the Commission adopting such acts or submitting a proposal in accordance with the ordinary legislative procedure.

empowered to adopt, in accordance with Article 18 of this Regulation, delegated acts in accordance with Article 46 of this Regulation, laying down on a temporary basis and for a period of no more than three years a specific discard plan containing the specifications referred to in points (a) to (e) of paragraph 5 of this Article **and, where necessary, the technical measures described in points (a) to (e) of Article 7(2) of this Regulation, provided that these measures allow selectivity to be improved and unintended catches to be avoided or reduced as far as possible.** Member States may cooperate, in accordance with Article 18 of this Regulation, in the drawing up of such **plans** with a view to the Commission adopting such acts or submitting a proposal in accordance with the ordinary legislative procedure."

Or. fr

#### *Justification*

*Clarification should be sought from the legal services of the Commission, the Council and Parliament as to whether technical measures connected with the strict implementation of the landing obligation can be incorporated into the discard plans. Pending that clarification, your rapporteur proposes this amendment.*

#### **Amendment 66** **Brian Crowley**

**Proposal for a regulation**  
**Chapter -1 – Article -1 (new)**  
Regulation (EU) No 1380/2013  
Article 15 – paragraph 6

*Present text*

*Amendment*

**Chapter -1**  
**Basic Regulation**

## **Article -1**

### **Amendments to Regulation (EU) No 1380/2013**

**Regulation (EU) No 1380/2013 is amended as follows:**

**In Article 15, paragraph 6 is replaced by the following:**

6. Where no multiannual plan, or no management plan in accordance with Article 18 of Regulation (EC) No 1967/2006, is adopted for the fishery in question, the Commission shall be empowered to adopt, in accordance with Article 18 of this Regulation, delegated acts in accordance with Article 46 of this Regulation, laying down on a temporary basis and for a period of no more than three years a specific discard plan containing the specifications referred to in points (a) to (e) of paragraph 5 of this Article. Member States may cooperate, in accordance with Article 18 of this Regulation, in the drawing up of such a plan with a view to the Commission adopting such acts or submitting a proposal in accordance with the ordinary legislative procedure.

"6. Where no multiannual plan, or no management plan in accordance with Article 18 of Regulation (EC) No 1967/2006, is adopted for the fishery in question, the Commission shall be empowered to adopt, in accordance with Article 18 of this Regulation, delegated acts in accordance with Article 46 of this Regulation, laying down on a temporary basis and for a period of no more than three years a specific discard plan containing the specifications referred to in points (a) to (e) of paragraph 5 of this Article **and, where necessary, technical measures as described in points (a) to (e) of Article 7(2) of this Regulation, provided that such measures facilitate improved selectivity and the avoidance and reduction, as far as possible, of unwanted catches.** Member States may cooperate, in accordance with Article 18 of this Regulation, in the drawing up of such a plan with a view to the Commission adopting such acts or submitting a proposal in accordance with the ordinary legislative procedure."

Or. en

### **Justification**

*According to the Commission, it is not legally possible to include technical measures of any kind in regional discard plans. The inability to include measures such as changes in mesh sizes or temporary spatial closures to protect juveniles will jeopardize the effective implementation of the landing obligation. This amendment seeks to remedy that scenario by including amendments to Regulation (EC) No 1380/2013.*

**Amendment 67**  
**Liadh Ní Riada**

**Proposal for a regulation**  
**Chapter -1 – Article -1 (new)**  
Regulation (EU) No 1380/2013  
Article 15 – paragraph 6

*Text proposed by the Commission*

6. Where no multiannual plan, or no management plan in accordance with Article 18 of Regulation (EC) No 1967/2006, is adopted for the fishery in question, the Commission shall be empowered to adopt, in accordance with Article 18 of this Regulation, delegated acts in accordance with Article 46 of this Regulation, laying down on a temporary basis and for a period of no more than three years a specific discard plan containing the specifications referred to in points (a) to (e) of paragraph 5 of this Article. Member States may cooperate, in accordance with Article 18 of this Regulation, in the drawing up of such a plan with a view to the Commission adopting such acts or submitting a proposal in accordance with the ordinary legislative procedure.

*Amendment*

**Chapter -1**  
**Basic Regulation**  
**Article -1**

***Amendments to Regulation (EU) No 1380/2013***

***Regulation (EU) No 1380/2013 is amended as follows:***

***In Article 15, paragraph 6 is replaced by the following:***

"6. Where no multiannual plan, or no management plan in accordance with Article 18 of Regulation (EC) No 1967/2006, is adopted for the fishery in question, the Commission shall be empowered to adopt, in accordance with Article 18 of this Regulation, delegated acts in accordance with Article 46 of this Regulation, laying down on a temporary basis and for a period of no more than three years a specific discard plan containing the specifications referred to in points (a) to (e) of paragraph 5 of this Article ***and, where necessary, technical measures as described in points (a) to (e) of Article 7(2) of this Regulation, provided that such measures facilitate improved selectivity and the avoidance and reduction, as far as possible, of unwanted catches.***

Member States may cooperate, in accordance with Article 18 of this Regulation, in the drawing up of such a plan with a view to the Commission adopting such acts or submitting a proposal in accordance with the ordinary legislative procedure."

**Amendment 68**  
**Diane Dodds, Ian Duncan**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1**  
Regulation (EC) No 850/98  
Article 3 – point i

*Text proposed by the Commission*

*Amendment*

**1) In Article 3, the following point (i) is added:** **deleted**

***"(i) 'Unintended catches' shall mean incidental catches of marine organisms the fishing for which is prohibited in the relevant circumstances."***

Or. en

*Justification*

*There is no need to provide a specific definition of 'unintended catches' since everything will now be landed under the discards ban. Furthermore, such 'unintentionality' could prove troublesome given that a strong element of subjectivity it introduced.*

**Amendment 69**  
**Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1**  
Regulation (EC) No 850/98  
Article 3 – point i

*Text proposed by the Commission*

*Amendment*

**1) In Article 3, the following point (i) is added:** **deleted**

***"(i) 'Unintended catches' shall mean incidental catches of marine organisms the fishing for which is prohibited in the***

*relevant circumstances."*

Or. en

## **Amendment 70**

**Renata Briano**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 1**

Regulation (EC) No 850/98

Article 3 – point i

#### *Text proposed by the Commission*

“(i) Unintended catches shall mean incidental catches of marine organisms *the fishing for which is prohibited in the relevant circumstances.*”

#### *Amendment*

“(i) Unintended catches shall mean incidental catches of marine organisms *that must be landed under Article 15 of Regulation (EU) No 1380/2013.*”

Or. it

#### *Justification*

*The current wording is too vague. The term needs to be defined more clearly.*

## **Amendment 71**

**Diane Dodds, Ian Duncan**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2 – subpoint a**

Regulation (EC) No 850/98

Article 4 – paragraph 1

#### *Text proposed by the Commission*

*a) In paragraph 1, the following subparagraph is added:*

*"Fishing for any species listed in Annexes I to V using a mesh size not provided for in those Annexes for that species shall be prohibited."*

#### *Amendment*

*deleted*

Or. en

### *Justification*

*The discards ban in itself is the strongest encouragement for the search for higher selectivity. This should therefore be removed. In the cases where mesh sizes must be decided, this should only be done on a regional basis.*

#### **Amendment 72** **Isabelle Thomas**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 2 – subpoint b**

Regulation (EC) No 850/98

Article 4 – paragraph 4 – point a

#### *Text proposed by the Commission*

By way of derogation from the first subparagraph, landings shall not be prohibited where the conditions established in Annex X cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and counted against quotas.

#### *Amendment*

By way of derogation from the first subparagraph, landings shall not be prohibited where the conditions established in Annex X cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and, ***where they exceed the minimum conservation reference sizes,*** counted against quotas.

Or. fr

### *Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

#### **Amendment 73** **Diane Dodds, Ian Duncan**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 2 – subpoint b**

Regulation (EC) No 850/98

Article 4 – paragraph 4 – point a

*Text proposed by the Commission*

By way of derogation from the first subparagraph, ***landings shall not be prohibited where the conditions established in Annex X cannot be complied with because of unintended catches of marine organisms*** subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. ***Those unintended catches shall be landed and counted against quotas.***

*Amendment*

By way of derogation from the first subparagraph, ***only for those fisheries covered by the landing obligation as of 1 January 2015***, subject to Article 15 of Regulation (EU) 1380/2013, ***the rules relating to catch composition established in Annex X to this Regulation are not applicable.***

Or. en

*Justification*

*The discard ban on 1st January 2015 will only affect certain species. For these species, the catch composition rules become void since they oblige the fishermen to discard if they go over the composition percentage.*

**Amendment 74**

**Werner Kuhn, Remo Sernagiotto**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – subpoint b**

Regulation (EC) No 850/98

Article 4– paragraph 4 – point a

*Text proposed by the Commission*

By way of derogation from the first subparagraph, ***landings shall not be prohibited where the conditions established in Annex X cannot be complied with because of unintended catches of marine organisms subject to*** the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. ***Those unintended catches shall be landed and counted against quotas.***

*Amendment*

By way of derogation from the first subparagraph, ***the catch composition rules set out in Annexes I to V to this regulation shall not apply in the case of fisheries to which*** the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 ***applies as from 1 January 2015.***

Or. de



**Amendment 75**  
**Isabelle Thomas**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – subpoint c**

Regulation (EC) No 850/98

Article 4 – paragraph 4 – point b

*Text proposed by the Commission*

By way of derogation from the first subparagraph, landings shall not be prohibited where the conditions established in Annexes I to V cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and counted against quotas.

*Amendment*

By way of derogation from the first subparagraph, landings shall not be prohibited where the conditions established in Annexes I to V cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and, ***where they exceed the minimum conservation reference sizes,*** counted against quotas.

Or. fr

*Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

**Amendment 76**  
**Diane Dodds, Ian Duncan**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2 – subpoint c**

Regulation (EC) No 850/98

Article 4 – paragraph 4 – point b

*Text proposed by the Commission*

By way of derogation from the first subparagraph, ***landings shall not be prohibited where the conditions***

*Amendment*

By way of derogation from the first subparagraph, ***only for those fisheries covered by the landing obligation as of 1***

*established in Annexes I to V cannot be complied with because of unintended catches of marine organisms* subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. *Those unintended catches shall be landed and counted against quotas.*

*January 2015, subject to Article 15 of Regulation (EU) 1380/2013, the rules relating to catch composition established in Annex I to V to this Regulation are not applicable.*

Or. en

#### *Justification*

*The discard ban on 1st January 2015 will only affect certain species. For these species, the catch composition rules become void since they oblige the fishermen to discard if they go over the composition percentage.*

#### **Amendment 77**

**Werner Kuhn, Remo Sernagiotto**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2 – subpoint c**

Regulation (EC) No 850/98

Article 4 – paragraph 4 – point b

#### *Text proposed by the Commission*

By way of derogation from the first subparagraph, *landings shall not be prohibited where the conditions established in Annexes I to V cannot be complied with because of unintended catches of marine organisms* subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. *Those unintended catches shall be landed and counted against quotas.*

#### *Amendment*

By way of derogation from the first subparagraph, *the catch composition rules set out in Annex X to this regulation shall not apply in the case of fisheries to which the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 applies as from 1 January 2015.*

Or. de

#### **Amendment 78**

**Isabelle Thomas**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 4**

Regulation (EC) No 850/98

Article 7 – paragraph 5

*Text proposed by the Commission*

*Amendment*

**(4) In Article 7(5), the following subparagraph is added:**

**deleted**

*"The first subparagraph shall not apply where the crustaceans of the species Pandalus are subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. However, it shall be prohibited to fish for those crustaceans with nets referred to in the first subparagraph which are not equipped in accordance with that subparagraph. Unintended catches taken with such nets shall be landed and counted against quotas."*

Or. fr

*Justification*

*This subparagraph does not concern the landing obligation coming into effect in January 2015.*

**Amendment 79**

**Diane Dodds, Ian Duncan**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 4**

Regulation (EC) No 850/98

Article 7 – paragraph 5

*Text proposed by the Commission*

*Amendment*

**4) In Article 7(5) the following subparagraph is added:**

**deleted**

*"The first subparagraph shall not apply where the crustaceans of the species Pandalus are subject to the landing obligation set out in Article 15 of*

*Regulation (EU) [xxxx]. However, it shall be prohibited to fish for those crustaceans with nets referred to in the first subparagraph which are not equipped in accordance with that subparagraph. Unintended catches taken with such nets shall be landed and counted against quotas."*

Or. en

**Amendment 80**  
**Werner Kuhn, Remo Sernagiotto**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 4**  
Regulation (EC) No 850/98  
Article 7 – paragraph 5

*Text proposed by the Commission*

*Amendment*

**4. In Article 7(5), the following subparagraph is added:** *deleted*

*"The first subparagraph shall not apply where the crustaceans of the species Pandalus are subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. However, it shall be prohibited to fish for those crustaceans with nets referred to in the first subparagraph which are not equipped in accordance with that subparagraph. Unintended catches taken with such nets shall be landed and counted against quotas."*

Or. de

**Amendment 81**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 5**

*Text proposed by the Commission*

*Amendment*

**(5) In Article 10, the following  
subparagraph is added:**

***deleted***

***"By way of derogation from point (b) of  
the first subparagraph, the retention on  
board and landing shall not be prohibited  
where the minimum percentage of bivalve  
molluscs cannot be achieved because of  
unintended catches of marine organisms  
subject to the landing obligation set out in  
Article 15 of Regulation (EU) [xxxx].  
Those unintended catches shall be landed  
and counted against quotas."***

Or. fr

*Justification*

*This subparagraph does not concern the landing obligation coming into effect in January 2015.*

**Amendment 82**  
**Diane Dodds, Ian Duncan**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 5**  
Regulation (EC) No 850/98  
Article 10

*Text proposed by the Commission*

*Amendment*

**(5) In Article 10, the following  
subparagraph is added:**

***deleted***

***"By way of derogation from point (b) of  
the first subparagraph, the retention on  
board and landing shall not be prohibited  
where the minimum percentage of bivalve  
molluscs cannot be achieved because of  
unintended catches of marine organisms  
subject to the landing obligation set out in  
Article 15 of Regulation (EU) [xxxx].***

*Those unintended catches shall be landed and counted against quotas."*

Or. en

#### **Amendment 83**

**Werner Kuhn, Remo Sernagiotto**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 5**

Regulation (EC) No 850/98

Article 10

*Text proposed by the Commission*

*Amendment*

*(5) In Article 10, the following subparagraph is added:*

*deleted*

*"By way of derogation from point (b) of the first subparagraph, the retention on board and landing shall not be prohibited where the minimum percentage of bivalve molluscs cannot be achieved because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and counted against quotas."*

Or. de

#### **Amendment 84**

**Isabelle Thomas**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 6**

Regulation (EC) No 850/98

Article 11 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

By way of derogation from point (a) of the first subparagraph, the use or keeping on board of bottom set gillnets, entangling nets or trammel nets shall not be prohibited

By way of derogation from point (a) of the first subparagraph, the use or keeping on board of bottom set gillnets, entangling nets or trammel nets shall not be prohibited

where the conditions established in that point (a) cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and counted against quotas.

where the conditions established in that point (a) cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

### *Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

## **Amendment 85** **Diane Dodds, Ian Duncan**

### **Proposal for a regulation** **Article 1 – paragraph 1 – point 6** Regulation (EC) No 850/98 Article 11 – paragraph 1 – point a

#### *Text proposed by the Commission*

By way of derogation from point (a) of the first subparagraph, ***the use or keeping on board of bottom set gillnets, entangling nets or trammel nets shall not be prohibited where the conditions established in that point (a) cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and counted against quotas.***

#### *Amendment*

By way of derogation from point (a) of the first subparagraph, ***only for those fisheries covered by the landing obligation as of 1 January 2015, subject to Article 15 of Regulation (EU) 1380/2013, the rules relating to catch composition established in Annex X to this Regulation are not applicable.***

Or. en

### *Justification*

*The discard ban on 1st January 2015 will only affect certain species. For these species, the catch composition rules become void since they oblige the fishermen to discard if they go over the composition percentage.*

#### **Amendment 86**

**Werner Kuhn, Remo Sernagiotto**

#### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 6**

Regulation (EC) No 850/98

Article 11 – paragraph 1 – point a

#### *Text proposed by the Commission*

By way of derogation from point (a) of the first subparagraph, *the use or keeping on board of bottom set gillnets, entangling nets or trammel nets shall not be prohibited where the conditions established in that point (a) cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and counted against quotas.*

#### *Amendment*

By way of derogation from point (a) of the first subparagraph, *the catch composition rules set out in Annexes VI to VII to this regulation shall not apply in the case of fisheries to which the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 applies as from 1 January 2015.*

Or. de

#### **Amendment 87**

**Isabelle Thomas**

#### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 8**

Regulation (EC) No 850/98

Article 15 – paragraph 2

#### *Text proposed by the Commission*

2. Marine organisms caught in excess of permitted percentages specified in Articles 20(2), 21(2), 22(2b), 27(2), 29d(5d),

#### *Amendment*

2. Marine organisms caught in excess of permitted percentages specified in Articles 20(2), 21(2), 22(2b), 27(2), 29d(5d),



29d(6d), 29d(7c), 29g(2), 34b(3c) and 34b(11) and Annexes I to VII, X and XI and which are subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] shall be landed and counted against quotas.

29d(6d), 29d(7c), 29g(2), 34b(3c) and 34b(11) and Annexes I to VII, X and XI and which are subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

#### *Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

#### **Amendment 88** **Brian Crowley**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 8**

Regulation (EC) No 850/98

Article 15 – paragraph 3

*Text proposed by the Commission*

*Amendment*

***3. Before they start fishing in any management area on a specific fishing trip, masters of fishing vessels shall ensure they have quotas for stocks subject to catch limits that are sufficient to cover their likely catch composition and the permitted percentages during that trip.***

***deleted***

Or. en

#### *Justification*

*Skippers cannot guarantee they have sufficient quotas to cover their likely catch composition during fishing trips. The very nature of fishing operations mean it is impossible to forecast the volumes of fish that will be taken during a specific fishing trip.*

**Amendment 89**  
**Liadh Ní Riada**

**Proposal for a regulation**  
**Article 1 – paragraph 1– point 8**  
Regulation (EC) No 850/98  
Article 15–paragraph 3

*Text proposed by the Commission*

*Amendment*

**3. Before they start fishing in any management area on a specific fishing trip, masters of fishing vessels shall ensure they have quotas for stocks subject to catch limits that are sufficient to cover their likely catch composition and the permitted percentages during that trip.** *deleted*

Or. en

*Justification*

*Skippers cannot guarantee they have sufficient quotas to cover their likely catch composition during fishing trips. The very nature of fishing operations mean it is impossible to forecast the volumes of fish that will be taken during a specific fishing trip.*

**Amendment 90**  
**Renata Briano**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 8**  
Regulation (EC) No 850/98  
Article 15 – paragraph 3

*Text proposed by the Commission*

*Amendment*

**3. Before they start fishing in any management area on a specific fishing trip, masters of fishing vessels shall ensure they have quotas for stocks subject to catch limits that are sufficient to cover their likely catch composition and the permitted percentages during that trip.”** *deleted*

Or. it

*Justification*

*The very nature of fishing operations makes it impossible to predict the volume of fish that will be taken during a given fishing trip.*

**Amendment 91**

**Diane Dodds, Ian Duncan**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 8**

Regulation (EC) No 850/98

Article 15 – paragraph 3

*Text proposed by the Commission*

*Amendment*

***3. Before they start fishing in any management area on a specific fishing trip, masters of fishing vessels shall ensure they have quotas for stocks subject to catch limits that are sufficient to cover their likely catch composition and the permitted percentages during that trip.***

***deleted***

Or. en

*Justification*

*Catch composition rules have no function anymore under the discards ban as the whole catch is landed. Furthermore, it is impossible for a skipper to ensure the composition of his future catch before the fishing trip.*

**Amendment 92**

**Isabelle Thomas**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 8**

Regulation (EC) No 850/98

Article 15 – paragraph 3

*Text proposed by the Commission*

*Amendment*

***3. Before they start fishing in any management area on a specific fishing trip, masters of fishing vessels shall ensure***

***3. Masters of fishing vessels shall avoid fishing in areas shown to have a high density of a particular species if they do***

they have quotas *for stocks subject to catch limits that are sufficient to cover their likely catch composition and the permitted percentages during that trip.*

*not* have *sufficient* quotas *to market that species.*

Or. fr

*Justification*

*The application of legally binding rules cannot depend on a forecast. The proposed amendment is more in keeping with what happens in practice. Moreover, the burden of proof should fall on the control authorities.*

**Amendment 93**

**Werner Kuhn, Remo Sernagiotto**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 8**

Regulation (EC) No 850/98

Article 15 – paragraph 3

*Text proposed by the Commission*

*Amendment*

*3. Before they start fishing in any management area on a specific fishing trip, masters of fishing vessels shall ensure they have quotas for stocks subject to catch limits that are sufficient to cover their likely catch composition and the permitted percentages during that trip.*

*deleted*

Or. de

**Amendment 94**

**Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 8**

Regulation (EC) No 850/98

Article 15 – paragraph 3

*Text proposed by the Commission*

3. Before they start fishing in any management area on a specific fishing trip, masters of fishing vessels shall ensure they have quotas for stocks subject to catch limits that are sufficient to cover their likely catch composition and the permitted percentages during that trip.

*Amendment*

3. Before they start fishing in any management area on a specific fishing trip, masters of fishing vessels shall ***endeavour to*** ensure they have quotas for stocks subject to catch limits that are sufficient to cover their likely catch composition and the permitted percentages during that trip.

Or. en

**Amendment 95**

**Izaskun Bilbao Barandica**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 10**

Regulation (EC) No 850/98

Article 19 – paragraph 1

*Text proposed by the Commission*

***1. Undersized marine organisms, which belong to a species not subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] shall not be retained on board, or be transhipped, landed, transported, stored, sold, displayed or offered for sale, but shall be returned immediately to the sea.***

*Amendment*

***1. Within Regions 1, 2, 3 and 4 the discarding during fishing operations of species subject to quota which can be legally landed shall be prohibited, except for methods such as small-scale purse-seine fishing, which have been shown to result in a high survival rate of discards through use of the slipping process.***

Or. es

**Amendment 96**

**Izaskun Bilbao Barandica**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 10**

Regulation (EC) No 850/98

Article 19 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. By way of derogation from paragraph 1, undersized sardine, anchovy, bogue and mackerel, caught for use as live bait may be retained on board, provided they are retained alive.***

Or. es

**Amendment 97**

**Izaskun Bilbao Barandica**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 10**

Regulation (EC) No 850/98

Article 19 – paragraph 1 b (new)

*Text proposed by the Commission*

*Amendment*

***1b. Without prejudice to the terms of paragraph 1 and 1a, it shall be permitted to land 10% of the total live catch weight of sardine, anchovy, herring, horse mackerel, mackerel and bogue below the minimum reference size. The limit of 10% shall not be exceeded during transshipment, landing, transportation, storage, display or sale.***

***In line with the objective set out in Article 7(1)( b) of Regulation (EU) No 1379/2013 of the European Parliament and the Council, producer organisations shall ensure that, in the production and marketing plans which they submit pursuant to Article 28 of Regulation (EU) No 1379/2013, the landing of marine organisms referred to in this paragraph does not lead to the development of activities aimed specifically at the catching of those products, in accordance with Articles 7(1)(b) and 28 of Regulation (EU) No 1379/2013.***

*Member States shall, when carrying out the checks under Article 28(7) of Regulation (EU) No 1379/2013, ensure that producer organisations fulfil the obligation set out in the above subparagraph.*

Or. es

**Amendment 98**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 10**  
Regulation (EC) No 850/98  
Article 19 – paragraph 2

*Text proposed by the Commission*

2. Undersized marine organisms, which do belong to a species subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] shall be retained on board, landed ***and counted against quotas***. They shall not be sold, displayed or offered for sale for human consumption.

*Amendment*

2. Undersized marine organisms which do belong to a species subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] shall be retained on board ***and*** landed. They shall not be sold, displayed or offered for sale for human consumption. ***After they have been landed, the master of the vessel shall not be responsible for their storage nor for finding market outlets for them.***

Or. fr

*Justification*

*Given the uncertainty of finding an outlet for undersized marine organisms once landed, and given that the vessel masters will not gain anything from these landings, the problem of storing the organisms on the docks should be anticipated and it should be made clear at this stage that it will not be the fishermen's responsibility.*

**Amendment 99**  
**Renata Briano**

## **Proposal for a regulation**

### **Article 1 – paragraph 1 – point 10**

Regulation (EC) No 850/98

Article 19 – paragraph 2

*Text proposed by the Commission*

2. Undersized marine organisms which belong to a species subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] shall be retained on board, landed and counted against quotas. They shall not be sold, displayed or offered for sale for human consumption.”

*Amendment*

2. Undersized marine organisms which belong to a species subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] shall be retained on board, landed and counted against quotas. They shall not be sold, displayed or offered for sale for human consumption.

***By way of derogation from the first subparagraph of this paragraph, undersized sardine, anchovy, horse mackerel and mackerel caught for use as live bait may be retained on board, provided they are retained alive.”***

Or. it

*Justification*

*Fish and other marine organisms (especially juveniles) that are landed but are not marketable cannot be used for human consumption.*

## **Amendment 100**

**Izaskun Bilbao Barandica**

## **Proposal for a regulation**

### **Article 1 – paragraph 1 – point 10**

Regulation (EC) No 850/98

Article 19 – paragraph 2

*Text proposed by the Commission*

***2. Undersized marine organisms which belong to a species subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] shall be retained on board, landed and counted against quotas. They shall not be sold, displayed or offered for sale for human***

*Amendment*

***2. Within Regions 1, 2, 3 and 4 it is prohibited to release mackerel, herring or horse mackerel before the net is fully taken on board a fishing vessel resulting in the loss of dead or dying fish, except for methods such as small-scale purse-seine fishing, which have been shown to***



*consumption.*

*result in a high survival rate of discards through use of the slipping process.*

Or. es

## **Amendment 101**

**Ulrike Rodust**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 10**

Regulation (EC) No 850/98

Article 19 – paragraph 2

#### *Text proposed by the Commission*

2. Undersized marine organisms which belong to a species subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] ***shall be retained on board, landed and counted against quotas. They shall not be sold, displayed or offered for sale for human consumption.***

#### *Amendment*

2. Undersized marine organisms which belong to a species ***shall be*** subject to the landing obligation set out in Article 15 of Regulation (EU) ***No 1380/2013. Article 2(2)(h) of Regulation (EC) No 1069/2009 and the relevant implementing provisions set out in Regulation (EC) No 142/2011 shall not apply.***

Or. de

## **Amendment 102**

**Izaskun Bilbao Barandica**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 10**

Regulation (EC) No 850/98

Article 19 – paragraph 2 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***2a. In line with the objective set out in Article 7(1)( b) of Regulation (EU) No 1379/2013 of the European Parliament and the Council, producer organisations shall ensure that, in the production and marketing plans which they submit pursuant to Article 28 of Regulation (EU) No 1379/2013, the landing of marine***

*organisms referred to in paragraph 2 does not lead to the development of activities aimed specifically at the catching of those products, in accordance with Articles 7(1)(b) and 28 of Regulation (EU) No 1379/2013.*

*Member States shall, when carrying out the checks under Article 28(7) of Regulation (EU) No 1379/2013, ensure that producer organisations fulfil the obligation set out in the above subparagraph.*

*Without prejudice to the above, it shall be permitted to land 10% of the total live catch weight of sardine, anchovy, herring, horse mackerel, mackerel and bogue below the minimum reference size. The limit of 10% shall not be exceeded during transshipment, landing, transportation, storage, display or sale.*

Or. es

**Amendment 103**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 10**  
Regulation (EC) No 850/98  
Article 19 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

*2a. As from...\*, the Commission shall publish a study of the market for undersized marine organisms and identify its potential weaknesses and beneficiaries on the basis of an assessment of changes in the selectivity of fleets.*

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*\*OJ: please insert date: two years after the date of publication of Regulation (EU) No [xxxx] in the OJ.*

**Amendment 104**

**Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 10**

Regulation (EC) No 850/98

Article 19 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

*2a. Paragraphs 1 and 2 shall not apply to sardine, anchovy, herring, horse mackerel and mackerel, within a limit of 10 % by live weight of the total catches retained on board of each of these species. The percentage of undersized sardine, anchovy, herring, horse mackerel and mackerel shall be calculated as the proportion by live weight of all marine organisms on board after sorting or on landing. The percentage may be calculated on the basis of one or more representative samples. The limit of 10 % shall not be exceeded during transshipment, landing, transportation, storage, display or sale.*

Or. en

**Amendment 105**

**Isabelle Thomas**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 10**

Regulation (EC) No 850/98

Article 19 – paragraph 2 b (new)

*Text proposed by the Commission*

*Amendment*

*2b. The provisions laid down in paragraphs 1 and 2 shall not apply to*

*sardine, anchovy, herring, horse mackerel and mackerel, within a limit of 10 % by live weight of the total catches on board of each of these species; the percentage of undersized sardine, anchovy, herring, horse mackerel or mackerel shall be calculated as a proportion by live weight of all marine organisms on board after sorting or on landing. The percentage may be calculated on the basis of one or more representative samples. The limit of 10 % shall not be exceeded during transshipment, landing, transportation, storage, display or sale;*

Or. fr

*Justification*

*It is practically impossible to sort these species on board or on the dock in the case of small and medium-sized vessels. With anchovies, for example, there may be as many as 80 fish per kilo. It is not possible to have grading machines on board and the cost of sorting on the dockside would be exorbitant, as well as being too time-consuming where fresh fish are involved. We should therefore maintain these flexibilities, whose raison d'être is independent of the landing requirement.*

**Amendment 106**

**Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 10**

Regulation (EC) No 850/98

Article 19 – paragraph 2 b (new)

*Text proposed by the Commission*

*Amendment*

*2b. Paragraphs 1 and 2 shall not apply to undersized sardine, anchovy, horse mackerel or mackerel caught for use as live bait which may be retained on board, provided they are retained alive.*

Or. en

**Amendment 107**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 11**  
Regulation (EC) No 850/98  
Article 20 – paragraph 4

*Text proposed by the Commission*

4. Where herring is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in paragraph 1 of this Article shall not apply. However, it shall be prohibited to fish for that species within the geographical areas and during the periods referred to in that paragraph. Unintended catches of herring shall be landed and counted against quotas.

*Amendment*

4. Where herring is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in paragraph 1 of this Article shall not apply. However, it shall be prohibited to fish for that species within the geographical areas and during the periods referred to in that paragraph. Unintended catches of herring shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

*Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

**Amendment 108**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 12**  
Regulation (EC) No 850/98  
Article 20 a

*Text proposed by the Commission*

Where herring is subject to the landing obligation set out in Article 15 of

*Amendment*

Where herring is subject to the landing obligation set out in Article 15 of

Regulation (EU) [xxxx], the prohibition to land or retain on board established in the first subparagraph of this Article shall not apply. However, it shall be prohibited to fish for that species within the geographical area and during the periods referred to in that first subparagraph. Unintended catches of herring shall be landed and counted against quotas.

Regulation (EU) [xxxx], the prohibition to land or retain on board established in the first subparagraph of this Article shall not apply. However, it shall be prohibited to fish for that species within the geographical area and during the periods referred to in that first subparagraph. Unintended catches of herring shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

### *Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

## **Amendment 109** **Isabelle Thomas**

### **Proposal for a regulation** **Article 1 – paragraph 1 – point 13** Regulation (EC) No 850/98 Article 21 – paragraph 3

#### *Text proposed by the Commission*

3. Where sprat is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in paragraph 1 of this Article shall not apply. However, it shall be prohibited to fish for that species within the geographical areas and during the periods referred to in that paragraph. Unintended catches of sprat shall be landed and counted against quotas.

#### *Amendment*

3. Where sprat is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in paragraph 1 of this Article shall not apply. However, it shall be prohibited to fish for that species within the geographical areas and during the periods referred to in that paragraph. Unintended catches of sprat shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

### *Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

#### **Amendment 110** **Isabelle Thomas**

##### **Proposal for a regulation** **Article 1 – paragraph 1 – point 14** Regulation (EC) No 850/98 Article 22 – paragraph 1

#### *Text proposed by the Commission*

Where mackerel is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in the first subparagraph of this paragraph shall not apply. However, it shall be prohibited to fish for that species within the geographical area referred to in that subparagraph. Unintended catches of mackerel shall be landed and counted against quotas.

#### *Amendment*

Where mackerel is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in the first subparagraph of this paragraph shall not apply. However, it shall be prohibited to fish for that species within the geographical area referred to in that subparagraph. Unintended catches of mackerel shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

### *Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

#### **Amendment 111** **Isabelle Thomas**

##### **Proposal for a regulation** **Article 1 – paragraph 1 – point 15**

*Text proposed by the Commission*

Where anchovy is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in the first subparagraph of this paragraph shall not apply. However, it shall be prohibited to fish for that species with the fishing gear and within the geographical areas referred to in that subparagraph. Unintended catches of anchovy shall be landed and counted against quotas.

*Amendment*

Where anchovy is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in the first subparagraph of this paragraph shall not apply. However, it shall be prohibited to fish for that species with the fishing gear and within the geographical areas referred to in that subparagraph. Unintended catches of anchovy shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

*Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

**Amendment 112**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 16**  
Regulation (EC) No 850/98  
Article 27 – paragraph 3

*Text proposed by the Commission*

3. Where Norway pout is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in paragraph 1 of this Article shall not apply. However, it shall be prohibited to fish for that species with the fishing gear and within the

*Amendment*

3. Where Norway pout is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in paragraph 1 of this Article shall not apply. However, it shall be prohibited to fish for that species with the fishing gear and within the



geographical area referred to in that paragraph. Unintended catches of Norway pout shall be landed and counted against quotas.

geographical area referred to in that paragraph. Unintended catches of Norway pout shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

#### *Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

#### **Amendment 113** **Isabelle Thomas**

#### **Proposal for a regulation** **Article 1 – paragraph 1 – point 17** Regulation (EC) No 850/98 Article 29a – paragraph 1

#### *Text proposed by the Commission*

Where sand eel is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to land or retain on board established in the first subparagraph of this paragraph shall not apply. However, it shall be prohibited to fish for that species within the geographical area referred to in that subparagraph. Unintended catches of sand eel shall be landed and counted against quotas.

#### *Amendment*

Where sand eel is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to land or retain on board established in the first subparagraph of this paragraph shall not apply. However, it shall be prohibited to fish for that species within the geographical area referred to in that subparagraph. Unintended catches of sand eel shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

#### *Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic*

*purposes.*

#### **Amendment 114**

**Ian Duncan, Diane Dodds**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 18**

Regulation (EC) No 850/98

Article 29c

*Text proposed by the Commission*

*Amendment*

*(18) Article 29c is replaced by the following:* *deleted*

*"Article 29c*

*Rockall haddock box in ICES sub-area VI*

*1. All fishing, except with longlines, shall be prohibited in the areas enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:*

*– 57°00' N, 15°00' W*

*– 57°00' N, 14°00' W*

*– 56°30' N, 14°00' W*

*– 56°30' N, 15°00' W*

*– 57°00' N, 15°00' W."*

Or. en

*Justification*

*Rockall haddock is not related to landing obligations.*

#### **Amendment 115**

**Werner Kuhn, Remo Sernagiotto**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 18**

*Text proposed by the Commission*

*Amendment*

**18. Article 29c is replaced by the following:**

**deleted**

**"Article 29c**

**Rockall haddock box in ICES sub-area VI**

**1. All fishing, except with longlines, shall be prohibited in the areas enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:**

**– 57°00' N, 15°00' W**

**– 57°00' N, 14°00' W**

**– 56°30' N, 14°00' W**

**– 56°30' N, 15°00' W**

**– 57°00' N, 15°00' W."**

Or. de

**Amendment 116**

**Isabelle Thomas**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 19 – subpoint a**

Regulation (EC) No 850/98

Article 29d – paragraph 3

*Text proposed by the Commission*

*Amendment*

Where the fish or shellfish referred to in point (b) of the first subparagraph is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the condition laid down in that point (b) shall be replaced by the condition that such fish or shellfish is not targeted. Unintended catches of such fish or shellfish shall be landed and counted against quotas.

Where the fish or shellfish referred to in point (b) of the first subparagraph is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the condition laid down in that point (b) shall be replaced by the condition that such fish or shellfish is not targeted. Unintended catches of such fish or shellfish shall be landed and, ***where they exceed the minimum conservation reference sizes,***

counted against quotas.

Or. fr

*Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

**Amendment 117**

**Diane Dodds, Ian Duncan**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 19 – subpoint a**

Regulation (EC) No 850/98

Article 29d – paragraph 3

*Text proposed by the Commission*

***Where the fish or shellfish referred to in point (b) of the first subparagraph is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the condition laid down in that point (b) shall be replaced by the condition that such fish or shellfish is not targeted. Unintended catches of such fish or shellfish shall be landed and counted against quotas.***

*Amendment*

***The capture of species subject to catch limits as subject to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 as of 1 January 2015, shall be landed and counted against quotas. However, the targeted fishing for species not listed in point (b) of the first subparagraph shall be prohibited.***

Or. en

*Justification*

*This should only apply to those species covered in the first phase of the discard ban of 1st January 2015.*

**Amendment 118**

**Werner Kuhn, Remo Sernagiotto**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 19 – subpoint a**

*Text proposed by the Commission*

***Where the fish or shellfish referred to in point (b) of the first subparagraph is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the condition laid down in that point (b) shall be replaced by the condition that such fish or shellfish is not targeted. Unintended catches of such fish or shellfish shall be landed and counted against quotas.***

*Amendment*

***Unintended catches of species subject as from 1 January 2015 to the landing obligation set out in Article 15 of Regulation (EU) 1380/2013 shall be landed and counted against quotas. However, targeted fishing for species not listed in point b) shall be prohibited.***

Or. de

**Amendment 119**  
**Isabelle Thomas**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 19 – subpoint b**

Regulation (EC) No 850/98

Article 29d – paragraph 4

*Text proposed by the Commission*

Where the fish referred to in point (b) of the first subparagraph is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the condition laid down in that point (b) shall be replaced by the condition that such fish is not targeted. Unintended catches of such fish shall be landed and counted against quotas.

*Amendment*

Where the fish referred to in point (b) of the first subparagraph is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the condition laid down in that point (b) shall be replaced by the condition that such fish is not targeted. Unintended catches of such fish shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

*Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic*

*purposes.*

## **Amendment 120**

**Werner Kuhn, Remo Sernagiotto**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 19 – subpoint b**

Regulation (EC) No 850/98

Article 29d – paragraph 4

*Text proposed by the Commission*

***Where the fish referred to in point (b) of the first subparagraph is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the condition laid down in that point (b) shall be replaced by the condition that such fish is not targeted. Unintended catches of such fish shall be landed and counted against quotas.***

*Amendment*

***Unintended catches of species subject as from 1 January 2015 to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 shall be landed and counted against quotas. However, targeted fishing for species not listed in point b) shall be prohibited.***

Or. de

## **Amendment 121**

**Deirdre Clune**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 19 – subpoint b a (new)**

Regulation No 850/98

Article 29d – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) In Article 29d, the following paragraph is inserted:***

***"4a. By way of derogation from paragraph 1, it shall be permitted to fish for queen scallop (*Aequipecten opercularis*) provided that:***

***(a) the fishing gear used is specialised otter trawl gear configured to select against fish catches (60 cm low headline);***

*(b) the fishing gear includes a square mesh panel as described in Annex XIVc;*

*(c) the fishing gear is constructed with a minimum mesh size of 80 mm;*

*(d) no less than 90 % of the retained catch by weight is comprised of queen scallop (Aequipecten opercularis)*

*Where the quantity of cod exceeds 1.5% of the total quantity of the catches in any one haul, the vessel shall move away to a distance of at least two nautical miles from any position of the previous haul before continuing fishing."*

Or. en

## **Amendment 122**

### **Liadh Ní Riada**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 19 – subpoint b a (new)**

Regulation (EC) No 850/98

Article 29d – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

*(ba) In Article 29d, the following paragraph is inserted:*

*“4a. By way of derogation from paragraph 1, it shall be permitted to fish for queen scallop (Aequipecten opercularis) provided that:*

*(a). the fishing gear used is specialised otter trawl gear configured to select against fish catches (60 cm low headline);*

*(b) the fishing gear is constructed with a minimum mesh size of 80 mm;*

*(c) no less than 90% of the retained catch by weight is comprised of queen scallop (Aequipecten opercularis).”*

Or. en

**Amendment 123**  
**Brian Crowley**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 19 –subpoint b a (new)**

Regulation (EC) No 850/98

Article 29d – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) In Article 29d, the following paragraph is inserted:***

***“4a. By way of derogation from paragraph 1, it shall be permitted to fish for queen scallop (*Aequipecten opercularis*) provided that:***

***(a). the fishing gear used is specialised otter trawl gear configured to select against fish catches (60cm low headline);***

***(b) the fishing gear is constructed with a minimum mesh size of 80 mm;***

***(c) no less than 90% of the retained catch by weight is comprised of queen scallop (*Aequipecten opercularis*).”***

Or. en

*Justification*

*It is prohibited to fish for queen scallops in part of Area VIa unless a cod end mesh size of 120 mm is used due to the cod recovery plan. It is not possible to catch queen scallops using this mesh. The appropriate mesh size is 80 mm.*

**Amendment 124**  
**Isabelle Thomas**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 20**

Regulation (EC) No 850/98

Article 29e – paragraph 2



*Text proposed by the Commission*

Where the fish referred to in point (b) of the first subparagraph is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the condition laid down in that point (b) shall be replaced by the condition that such fish is not targeted. Unintended catches of such fish shall be landed and counted against quotas.

*Amendment*

Where the fish referred to in point (b) of the first subparagraph is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the condition laid down in that point (b) shall be replaced by the condition that such fish is not targeted. Unintended catches of such fish shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

*Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

**Amendment 125**

**Diane Dodds, Ian Duncan**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 20**

Regulation (EC) No 850/98

Article 29e – paragraph 2

*Text proposed by the Commission*

***Where the fish referred to in point (b) of the first subparagraph is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the condition laid down in that point (b) shall be replaced by the condition that such fish is not targeted. Unintended catches of such fish shall be landed and counted against quotas.***

*Amendment*

***The capture of species subject to catch limits as subject to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 as of 1 January 2015 shall be landed and counted against quotas. However, the targeted fishing for species not listed in point (b) of the first subparagraph shall be prohibited.***

Or. en

## *Justification*

*This should only apply to those species covered in the first phase of the discard ban of 1st January 2015.*

### **Amendment 126**

**Werner Kuhn, Remo Sernagiotto**

#### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 20**

Regulation (EC) No 850/98

Article 29e – paragraph 2

#### *Text proposed by the Commission*

*Where the fish referred to in point (b) of the first subparagraph is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the condition laid down in that point (b) shall be replaced by the condition that such fish is not targeted. Unintended catches of such fish shall be landed and counted against quotas.*

#### *Amendment*

*Unintended catches of species subject as from 1 January 2015 to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 shall be landed and counted against quotas. However, targeted fishing for species not listed in point b) shall be prohibited.*

Or. de

### **Amendment 127**

**Isabelle Thomas**

#### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 21**

Regulation (EC) No 850/98

Article 29f – paragraph 1a

#### *Text proposed by the Commission*

*(21) In Article 29f, the following paragraph 1a shall be inserted:*

*"1a. Where blue ling is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in paragraph 1 of this Article shall not apply. However,*

#### *Amendment*

*deleted*

*in the period and within the areas referred to in that paragraph, it shall be prohibited to fish for that species. Unintended catches of blue ling shall be landed and counted against quotas."*

Or. fr

*Justification*

*This paragraph does not concern the landing obligation from January 2015.*

**Amendment 128**

**Diane Dodds, Ian Duncan**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 21**

Regulation (EC) No 850/98

Article 29f – paragraph 1a

*Text proposed by the Commission*

*Amendment*

*In Article 29f, the following paragraph 1a shall be inserted:* *deleted*

*"1a. Where blue ling is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in paragraph 1 of this Article shall not apply. However, in the period and within the areas referred to in that paragraph, it shall be prohibited to fish for that species. Unintended catches of blue ling shall be landed and counted against quotas."*

Or. en

*Justification*

*Blue ling is not covered under the first phase of the discard ban of 1st January 2015.*

**Amendment 129**  
**Werner Kuhn, Remo Sernagiotto**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 21**  
Regulation (EC) No 850/98  
Article 29f – paragraph 1a

*Text proposed by the Commission*

*Amendment*

**21. In Article 29f, the following paragraph 1a shall be inserted:**

**deleted**

*"Where blue ling is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board established in paragraph 1 of this Article shall not apply. However, in the period and within the areas referred to in that paragraph, it shall be prohibited to fish for that species. Unintended catches of blue ling shall be landed and counted against quotas."*

Or. de

**Amendment 130**  
**Mairead McGuinness, Werner Kuhn**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 23 a (new)**  
Regulation (EC) No 850/98  
Articles 48 a (new)

*Text proposed by the Commission*

*Amendment*

**(23a) The following Article is inserted:**

**"Article 48a**

***Without prejudice to Article 15(6) of Regulation (EU) No 1380/2013, the Commission shall be empowered to adopt, in accordance with Article 18 of that Regulation, delegated acts in accordance with Article 46 of that Regulation, to amend the provisions included in Articles 4, 7, 11, 19b, 28, 29, 29b, 29d, 29e, 29f,***

***30, 31a, 34a, 34b and 34c of this Regulation, provided they are compatible with the objectives set out in Article 2 of Regulation (EU) No 1380/2013, and are necessary for the implementation of the landing obligation under Article 15 of that Regulation."***

Or. en

*Justification*

*There is ambiguity as to whether or not technical measures may be included in a delegated act giving effect to regional discard plans. This amendment is necessary to provide legal certainty regarding the inclusion of technical measures in regional discard plans. The inability to include measures such as changes in mesh sizes (to allow under sized fish to escape) or temporary spatial closures to protect juveniles would severely jeopardize the effective implementation of the landing obligation.*

**Amendment 131**

**Liadh Ní Riada**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 1**

Regulation (EC) No 2187/2005

Article 2 – point p

*Text proposed by the Commission*

*Amendment*

***(1) In Article 2, the following point p is added:*** ***deleted***

***"(p) 'Unintended catches' means incidental catches of marine organisms the fishing for which is prohibited in the relevant circumstances."***

Or. en

*Justification*

*There is no need to provide a specific definition of 'unintended catches' since everything will now be landed under the discards ban.*

**Amendment 132**  
**Diane Dodds, Ian Duncan**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 1**  
Regulation (EC) No 2187/2005  
Article 2 – point p

*Text proposed by the Commission*

*Amendment*

*(1) In Article 2, the following point p is added:* *deleted*

*"(p) 'Unintended catches' means incidental catches of marine organisms the fishing for which is prohibited in the relevant circumstances."*

Or. en

*Justification*

*There is no need to provide a specific definition of 'unintended catches' since everything will now be landed under the discards ban.*

**Amendment 133**  
**Renata Briano**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 1**  
Regulation (EC) No 2187/2005  
Article 2 – point p

*Text proposed by the Commission*

*Amendment*

*“(p) ‘Unintended catches’ means incidental catches of marine organisms **the fishing for which is prohibited in the relevant circumstances.**”*

*“(p) ‘Unintended catches’ means incidental catches of marine organisms **that must be landed under Article 15 of Regulation (EU) No 1380/2013.**”*

Or. it

**Amendment 134**  
**Diane Dodds, Ian Duncan**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 1 a (new)**

Regulation (EC) No 2187/2005

Article 2 a (new)

*Text proposed by the Commission*

*Amendment*

***(1a) The following Article is be inserted:***

***"Article 2a***

***The use of separator trawls and other highly selective gears as approved under the conditions laid down in Article 11(2) of Council Regulation (EC) No 1342/2008 (the Cod Plan) shall be permitted."***

Or. en

*Justification*

*Such gears possess similar selectivity characteristics as those permitted under the Implementing Regulation. Their unintentional exclusion from Regulation 737/2012 has proven troublesome for the trans-zonal fishery for nephrops that operates between the Celtic and Irish Seas.*

**Amendment 135**

**Isabelle Thomas**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 2 – subpoint b**

Regulation (EC) No 2187/2005

Article 3 – paragraph 3

*Text proposed by the Commission*

*Amendment*

By way of derogation from the first subparagraph, the retention on board and the landing shall not be prohibited if the conditions established in that subparagraph cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed

By way of derogation from the first subparagraph, the retention on board and the landing shall not be prohibited if the conditions established in that subparagraph cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and, ***where they exceed the minimum***

and counted against quotas.

*conservation reference sizes*, counted against quotas.

Or. fr

*Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

**Amendment 136**  
**Isabelle Thomas**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 2 – subpoint c**

Regulation (EC) No 2187/2005

Article 3 – paragraph 6

*Text proposed by the Commission*

By way of derogation from the first subparagraph, landings shall not be prohibited if the conditions established in that subparagraph cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and counted against quotas.

*Amendment*

By way of derogation from the first subparagraph, landings shall not be prohibited if the conditions established in that subparagraph cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

*Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*



**Amendment 137**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 4**  
Regulation (EC) No 2187/2005  
Article 12 – paragraph 1

*Text proposed by the Commission*

1. Unintended catches of marine **organism** in excess of permitted percentages specified in Annexes II and III and which are subject to the landing obligation set out in Article 15 of Regulation EU [xxxx] shall be landed and counted against quotas.

*Amendment*

1. Unintended catches of marine **organisms** in excess of permitted percentages specified in Annexes II and III and which are subject to the landing obligation set out in Article 15 of Regulation EU [xxxx] shall be landed and, **where they exceed the minimum conservation reference sizes**, counted against quotas.

Or. fr

*Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

**Amendment 138**  
**Brian Crowley**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 4**  
Regulation (EC) No 2187/2005  
Article 12 – paragraph 2

*Text proposed by the Commission*

**2. Before they start fishing in any management area on a specific fishing trip, masters of all fishing vessels shall ensure they have quotas for stocks subject to catch limits that are sufficient to cover their likely catch composition and the**

*Amendment*

**deleted**

***percentages contained in Annexes II and III.***

Or. en

*Justification*

*Skippers cannot guarantee they have sufficient quotas to cover their likely catch composition during fishing trips. The very nature of fishing operations mean it is impossible to forecast the volumes of fish that will be taken during a specific fishing trip.*

**Amendment 139**

**Diane Dodds, Ian Duncan**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 4**

Regulation (EC) No 2187/2005

Article 12 – paragraph 2

*Text proposed by the Commission*

*Amendment*

***2. Before they start fishing in any management area on a specific fishing trip, masters of all fishing vessels shall ensure they have quotas for stocks subject to catch limits that are sufficient to cover their likely catch composition and the percentages contained in Annexes II and III.*** ***deleted***

Or. en

*Justification*

*Catch composition rules have no function anymore under the discards ban as the whole catch is landed. Furthermore, it is impossible for a skipper to ensure the composition of his future catch before the fishing trip.*

**Amendment 140**

**Werner Kuhn, Remo Sernagiotto**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 4**

*Text proposed by the Commission*

*Amendment*

**2. Before they start fishing in any management area on a specific fishing trip, masters of all fishing vessels shall ensure they have quotas for stocks subject to catch limits that are sufficient to cover their likely catch composition and the percentages contained in Annexes II and III.**

**deleted**

Or. de

**Amendment 141**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 4**  
Regulation (EC) No 2187/2005  
Article 12 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**2. Before they start fishing in any management area on a specific fishing trip, masters of all fishing vessels shall ensure they have quotas for stocks subject to catch limits that are sufficient to cover their likely catch composition and the percentages contained in Annexes II and III.**

**2. Masters of fishing vessels shall *avoid fishing in areas shown to have a high density of a particular species if they do not have sufficient quotas to market that species.***

Or. fr

*Justification*

*The application of legally binding rules cannot depend on a forecast. The proposed amendment is more in keeping with what happens in practice. Moreover, the burden of proof should fall on the control authorities.*

**Amendment 142**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 6 – subpoint b**  
Regulation (EC) No 2187/2005  
Article 15 – paragraph 3

*Text proposed by the Commission*

3. Undersized marine organisms, which do belong to a species subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] shall be retained on board, landed **and counted against quotas**. They shall not be sold, displayed or offered for sale for human consumption.

*Amendment*

3. Undersized marine organisms which do belong to a species subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] shall be retained on board **and** landed. They shall not be sold, displayed or offered for sale for human consumption. **After they have been landed, the master of the vessel shall not be responsible for their storage nor for finding market outlets for them.**

Or. fr

*Justification*

*Given the uncertainty of finding an outlet for undersized marine organisms once landed, and given that the vessel masters will not gain anything from these landings, the problem of storing the organisms on the docks should be anticipated and it should be made clear at this stage that it will not be the fishermen's responsibility.*

**Amendment 143**  
**Ulrike Rodust**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 6 – subpoint b**  
Regulation (EC) No 2187/2005  
Article 15 – paragraph 3

*Text proposed by the Commission*

3. Undersized marine organisms, which do belong to a species subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] **shall be retained on board, landed and counted against**

*Amendment*

3. Undersized marine organisms which belong to a species **shall be** subject to the landing obligation set out in Article 15 of Regulation (EU) **No 1380/2013. Article 2(2)(h) of Regulation (EC) No 1069/2009**

*quotas. They shall not be sold, displayed or offered for sale for human consumption.*

*and the relevant implementing provisions set out in Regulation (EC) No 142/2011 shall not apply.*

Or. de

#### **Amendment 144**

**Isabelle Thomas**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 7 – subpoint a**

Regulation (EC) No 2187/2005

Article 17 – paragraph 1

#### *Text proposed by the Commission*

Where salmon (*Salmo salar*) or sea trout (*Salmo trutta*) are subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain those species on board, as established in the first subparagraph of this Article, shall not apply. However, it shall be prohibited to fish for those species within the geographical areas and during the periods referred to in that subparagraph. Unintended catches of salmon (*Salmo salar*) or sea trout (*Salmo trutta*) shall be landed and counted against quotas.

#### *Amendment*

Where salmon (*Salmo salar*) or sea trout (*Salmo trutta*) are subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain those species on board, as established in the first subparagraph of this Article, shall not apply. However, it shall be prohibited to fish for those species within the geographical areas and during the periods referred to in that subparagraph. Unintended catches of salmon (*Salmo salar*) or sea trout (*Salmo trutta*) shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

#### *Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

#### **Amendment 145**

**Mairead McGuinness, Werner Kuhn**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 7 a (new)**

Regulation (EC) No 2187/2005

Article 28 a (new)

*Text proposed by the Commission*

*Amendment*

***(7a) The following Article is be inserted:***

***"Article 28a***

***Without prejudice to Article 15(6) of Regulation (EU) No 1380/2013, the Commission shall be empowered to adopt, in accordance with Article 18 of that Regulation, delegated acts in accordance with Article 46 of that Regulation, to amend the provisions included in Articles 3, 4, 5, 6, 8, 9, 10, 16, 18a, 20, 21, and 22 of this Regulation, provided they are compatible with the objectives set out in Article 2 of Regulation (EU) No 1380/2013, and are necessary for the implementation of the landing obligation under Article 15 of that Regulation."***

Or. en

*Justification*

*There is ambiguity as to whether or not technical measures may be included in a delegated act giving effect to regional discard plans. This amendment is necessary to provide legal certainty regarding the inclusion of technical measures in regional discard plans. The inability to include measures such as changes in mesh sizes (to allow under sized fish to escape) or temporary spatial closures to protect juveniles would severely jeopardize the effective implementation of the landing obligation.*

**Amendment 146**

**Liadh Ní Riada**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 1**

Regulation (EC) No 1967/2006

Article 2 – point 18

*Text proposed by the Commission*

*Amendment*

**(1) In Article 2, the following point (18) is added:** **deleted**

***"(18) 'Unintended catches' means incidental catches of marine organisms the fishing for which is prohibited in the relevant circumstances."***

Or. en

*Justification*

*There is no need to provide a specific definition of 'unintended catches' since everything will now be landed under the discards ban. Furthermore, such 'unintentionality' could prove troublesome given that a strong element of subjectivity it introduced.*

#### **Amendment 147**

**Diane Dodds, Ian Duncan**

#### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point 1**

Regulation (EC) No 1967/2006

Article 2 – point 18

*Text proposed by the Commission*

*Amendment*

**(1) In Article 2, the following point (18) is added:** **deleted**

***"(18) 'Unintended catches' means incidental catches of marine organisms the fishing for which is prohibited in the relevant circumstances."***

Or. en

*Justification*

*There is no need to provide a specific definition of 'unintended catches' since everything will now be landed under the discards ban.*

**Amendment 148**  
**Renata Briano**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 1**  
Regulation (EC) No 1967/2006  
Article 2 – point 18

*Text proposed by the Commission*

“(18) ‘Unintended catches’ means incidental catches of marine organisms *the fishing for which is prohibited in the relevant circumstances.*”

*Amendment*

“(18) ‘Unintended catches’ means incidental catches of marine organisms *that must be landed under Article 15 of Regulation (EU) No 1380/2013.*”

Or. it

**Amendment 149**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 2 – subpoint a**  
Regulation (EC) No 1967/2006  
Article 15 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

Unintended catches of undersized marine organisms which are subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] shall be retained on board, and landed. They shall not be sold, displayed or offered for sale for human consumption.

*Amendment*

Unintended catches of undersized marine organisms which are subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx] shall be retained on board, and landed. They shall not be sold, displayed or offered for sale for human consumption. *After they have been landed, the master of the vessel shall not be responsible for their storage nor for finding market outlets for them.*

Or. fr

*Justification*

*Given the uncertainty of finding an outlet for undersized marine organisms once landed, and given that the vessel masters will not gain anything from these landings, the problem of storing the organisms on the docks should be anticipated and it should be made clear at this stage that it will not be the fishermen’s responsibility.*



## Amendment 150

Diane Dodds, Ian Duncan

### Proposal for a regulation

Article 3 – paragraph 1 – point 2 – subpoint a

Regulation (EC) No 1967/2006

Article 15 – paragraph 1 – subparagraph 2

#### *Text proposed by the Commission*

Unintended catches of undersized marine organisms which are subject to the landing obligation set out in Article 15 of Regulation (EU) [xxx] shall be retained on board, and landed. They shall not be sold, displayed or offered for sale for human consumption.

#### *Amendment*

Unintended catches of undersized marine organisms which are subject to the landing obligation set out in Article 15 of Regulation (EU) ***No 1380/2013 as of 1 January 2015, that is to say sardine, anchovy, mackerel and horse mackerel caught by pelagic gears***, shall be retained on board, and landed. They shall not be sold, displayed or offered for sale for human consumption.

Or. en

#### *Justification*

*It is necessary here to outline which species will fall under the first phase of the discards ban on 1st January 2015 in the Mediterranean.*

## Amendment 151

Werner Kuhn, Remo Sernagiotto

### Proposal for a regulation

Article 3 – paragraph 1 – point 2 – subpoint a

Regulation (EC) No 1967/2006

Article 15 – paragraph 1 – subparagraph 2

#### *Text proposed by the Commission*

Unintended catches of undersized marine organisms which are subject to the landing obligation set out in Article 15 of Regulation (EU) [xxx] shall be retained on board, and landed. They shall not be sold, displayed or offered for sale for

#### *Amendment*

Unintended catches of undersized marine organisms which are subject as from 1 January 2015 to the landing obligation set out in Article 15 of Regulation (EU) ***No 1380/2013, which is to say sardines, anchovies, mackerel and horse mackerel***

human consumption.

*caught using pelagic gear*, shall be retained on board, and landed. They shall not be sold, displayed or offered for sale for human consumption.

Or. de

## **Amendment 152**

**Renata Briano**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point 2 – subpoint b**

Regulation (EC) No 1967/2006

Article 15 – paragraph 3

*Text proposed by the Commission*

*Amendment*

*(b) Paragraph 3 is deleted.*

*deleted*

Or. it

### *Justification*

*Subpoint (b) provides for a derogation for fries of sardine landed for human consumption if caught by boat seines or shore seines in accordance with a management plan, provided that the stock of sardine concerned is within safe biological limits. This derogation needs to be retained, as it plays a valuable economic and social role and covers a sustainable form of fishing.*

## **Amendment 153**

**Diane Dodds, Ian Duncan**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point 2 – subpoint b**

Regulation (EC) No 1967/2006

Article 15 – paragraph 3

*Text proposed by the Commission*

*Amendment*

*(b) Paragraph 3 is deleted.*

*deleted*

Or. en

### *Justification*

*'Paragraph 3' refers to a derogation for minimum sizes of sardine landed for human consumption. This derogation is only applicable in certain cases but must be retained.*

#### **Amendment 154**

**Isabelle Thomas**

#### **Proposal for a regulation**

##### **Article 4 – paragraph 1 – point 2**

Regulation (EC) No 1098/2007

Article 8 – paragraph 2

#### *Text proposed by the Commission*

Where cod is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board, as established in the first subparagraph, shall not apply. However, it shall be prohibited to fish for that species with drifting lines, within the geographical areas and during the periods referred to in paragraph 1. Unintended catches of cod shall be landed and counted against quotas.

#### *Amendment*

Where cod is subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board, as established in the first subparagraph, shall not apply. However, it shall be prohibited to fish for that species with drifting lines, within the geographical areas and during the periods referred to in paragraph 1. Unintended catches of cod shall be landed and, ***where they exceed the minimum conservation reference sizes,*** counted against quotas.

Or. fr

### *Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

#### **Amendment 155**

**Werner Kuhn**

#### **Proposal for a regulation**

##### **Article 4 – paragraph 1 – point 2 a (new)**

Regulation (EC) No 1098/2007

Article 8 – paragraph 3

*Text proposed by the Commission*

*Amendment*

***2a. Article 8(3) is deleted.***

Or. de

*Justification*

*The Commission's proposal for a multi-species plan for the Baltic Sea provides for the abolition of the days-at-sea scheme. This change could already be put into effect when the Omnibus Regulation enters into force.*

**Amendment 156**

**Ulrike Rodust**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point 2 a (new)**

Regulation (EC) No 1098/2007

Article 8 – paragraph 3

*Text proposed by the Commission*

*Amendment*

***2a. Article 8(3) is deleted.***

Or. de

*Justification*

*Paragraph deleted in order to put into effect the abolition of the days-at-sea scheme in the Baltic Sea as from 1 January 2015.*

**Amendment 157**

**Isabelle Thomas**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point 3**

Regulation (EC) No 1098/2007

Article 9 – paragraph 3

*Text proposed by the Commission*

*Amendment*

Where cod is subject to the landing

Where cod is subject to the landing

obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board, as established in the first subparagraph, shall not apply. However, it shall be prohibited to fish for that species with the gear types referred to in paragraph 2, within the geographical areas and during the period referred to in paragraph 1. Unintended catches of cod shall be landed and counted against quotas.

obligation set out in Article 15 of Regulation (EU) [xxxx], the prohibition to retain on board, as established in the first subparagraph, shall not apply. However, it shall be prohibited to fish for that species with the gear types referred to in paragraph 2, within the geographical areas and during the period referred to in paragraph 1. Unintended catches of cod shall be landed and, ***where they exceed the minimum conservation reference sizes***, counted against quotas.

Or. fr

#### *Justification*

*The quotas should remain a marker of economic anticipation for fishermen. Juveniles will be documented for scientific purposes. Subjecting them to quotas would require additional time being spent sorting them, which cannot be justified for either conservation or economic purposes.*

#### **Amendment 158** **Jarosław Leszek Wałęsa**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point 3 a (new)**  
Regulation (EC) No 1098/2007  
Article 9 a (new)

*Text proposed by the Commission*

*Amendment*

***(3a) The following Article is be inserted:***

***"Article 9a***

***The Commission shall be empowered to adopt delegated acts in accordance with Article 29a, to supplement or amend Chapter IV of this Regulation, in order to provide for transitional technical measures responding to the biological situation of Baltic cod stocks."***

Or. en

## *Justification*

*The currently available ICES advice for Baltic cod stocks reveals a negative picture. This difficult situation is subject to regional discussions aimed at finding the correct responses as soon as practicable, through i.a. technical measures. In normal circumstances, it would be addressed through an ordinary legislative procedure within the Baltic multispecies multiannual plan proposal. However, the stock situation requires a much quicker action.*

### **Amendment 159**

**Jarosław Leszek Wałęsa**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point 3 b (new)**

Regulation (EC) No 1098/2007

Article 29 a (new)

*Text proposed by the Commission*

*Amendment*

***(3b) The following Article is be inserted:***

***"Article 29a***

***1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.***

***2. The delegation of power referred to in Article 9a shall be conferred for three years starting from (date of entry into force of this regulation). It shall not be renewed.***

***3. The delegation of power referred to in Article 9a may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect of the day following the publication of the decisions in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.***

***4. As soon as it adopts a delegated act, the Commission shall notify in simultaneously to the European Parliament and the Council."***

*Justification*

*The currently available ICES advice for Baltic cod stocks reveals a negative picture. This difficult situation is subject to regional discussions aimed at finding the correct responses as soon as practicable, through i.a. technical measures. In normal circumstances, it would be addressed through an ordinary legislative procedure within the Baltic multispecies multiannual plan proposal. However, the stock situation requires a much quicker action.*

**Amendment 160**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 5**

*Text proposed by the Commission*

*Amendment*

**Article 5**

**deleted**

**Amendments to Regulation (EC) No  
 254/2002**

**Regulation (EC) No 254/2002 is hereby  
 amended as follows:**

**(1) In Article 3(1), the following  
 subparagraph is added:**

**"By way of derogation from the first  
 subparagraph, landings shall not be  
 prohibited if the conditions established in  
 that subparagraph cannot be complied  
 with because of unintended catches of  
 marine organisms subject to the landing  
 obligation set out in Article 15 of  
 Regulation (EU) [xxxx]. Those  
 unintended catches shall be landed and  
 counted against quotas."**

**(2) In Article 4, the following  
 subparagraph is added:**

**"By way of derogation from the first  
 subparagraph, landings shall not be  
 prohibited if the conditions established in  
 that subparagraph cannot be complied  
 with because of unintended catches of  
 marine organisms subject to the landing**

*obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and counted against quotas."*

Or. fr

*Justification*

*This regulation does not concern the landing obligation from January 2015.*

**Amendment 161**  
**Diane Dodds, Ian Duncan**

**Proposal for a regulation**  
**Article 5**

*Text proposed by the Commission*

*Amendment*

**Article 5**

**deleted**

**Amendments to Regulation (EC) No 254/2002**

**Regulation (EC) No 254/2002 is amended as follows:**

**(1) In Article 3(1), the following subparagraph is added:**

**"By way of derogation from the first subparagraph, landings shall not be prohibited if the conditions established in that subparagraph cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and counted against quotas."**

**(2) In Article 4, the following subparagraph is added:**

**"By way of derogation from the first subparagraph, landings shall not be prohibited if the conditions established in that subparagraph cannot be complied with because of unintended catches of**



*marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and counted against quotas."*

Or. en

*Justification*

*The landing obligation for cod in the Irish Sea only enters into force between 2016 and 2019 so should therefore not appear here.*

**Amendment 162**  
**Werner Kuhn, Remo Sernagiotto**

**Proposal for a regulation**  
**Article 5**

*Text proposed by the Commission*

*Amendment*

*Article 5*

*deleted*

*Amendments to Regulation (EC) No  
254/2002*

*Regulation (EC) No 254/2002 is hereby  
amended as follows:*

*1. In Article 3(1), the following  
subparagraph is added:*

*"By way of derogation from the first  
subparagraph, landings shall not be  
prohibited if the conditions established in  
that subparagraph cannot be complied  
with because of unintended catches of  
marine organisms subject to the landing  
obligation set out in Article 15 of  
Regulation (EU) [xxxx]. Those  
unintended catches shall be landed and  
counted against quotas."*

*2. In Article 4, the following  
subparagraph is added:*

*"By way of derogation from the first  
subparagraph, landings shall not be  
prohibited if the conditions established in*

*that subparagraph cannot be complied with because of unintended catches of marine organisms subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and counted against quotas."*

Or. de

**Amendment 163**  
**Diane Dodds, Ian Duncan**

**Proposal for a regulation**  
**Article 5 – paragraph 1 – point -1 (new)**  
Regulation (EC) No 254/2002  
Article 2 – paragraph 2 – point a – point iii

*Present text*

(iii) incorporate no individual mesh, irrespective of its position within the net, of mesh size greater than 300 mm, **and**

*Amendment*

***(-1) In point (a) of Article 2(2), point (iii), is replaced by the following:***

"(iii) incorporate no individual **diamond** mesh, irrespective of its position within the net, of mesh size greater than 300 mm,"

Or. en

*Justification*

*Some highly selective gears have been approved under the conditions laid down in Article 11(2) of the Cod Plan that incorporate square mesh with a minimum size of 300 mm.*

**Amendment 164**  
**Diane Dodds, Ian Duncan**

**Proposal for a regulation**  
**Article 5 – paragraph 1 – point -1 a (new)**  
Regulation (EC) No 254/2002  
Article 2 – paragraph 2 – point b

*Present text*

*Amendment*

(b) the use of separator trawls shall be permitted provided that no other type of fishing gear is retained on board and that such nets:

(i) comply with the conditions laid down in subparagraph (a)(i) to (iv), and

(ii) are constructed in conformity with the technical details provided in the Annex.

Furthermore, separator trawls may also be used within an area enclosed by straight lines sequentially joining the following geographical coordinates:

53° 45\_ N, 06° 00\_ W

53° 45' N, 05° 30' W

53° 30' N, 05° 30' W

53° 30' N, 06° 00' W

53° 45' N, 06° 00' W.

***(-1a) In Article 2(2), point (b) is replaced by the following:***

"(b) the use of separator trawls ***and other highly selective gears as approved under the conditions laid down in Article 11(2) of Council Regulation (EC) No 1342/2008 (the Cod Plan)*** shall be permitted provided that no other type of fishing gear is retained on board and that such nets:

(i) comply with the conditions laid down in subparagraph (a)(i) to (iv), and

(ii) are constructed in conformity with the technical details provided in the Annex.

Furthermore, separator trawls ***and other highly selective gear*** may also be used within an area enclosed by straight lines sequentially joining the following geographical coordinates:

53° 45' N, 06° 00' W

53° 45' N, 05° 30' W

53° 30' N, 05° 30' W

53° 30' N, 06° 00' W

53° 45' N, 06° 00' W."

Or. en

*Justification*

*In addition to separator panels various highly selective gears have been approved under the process referred to. Their use should be permitted in the area defined.*

**Amendment 165**

**Isabelle Thomas**

**Proposal for a regulation**

**Article 6**

**Article 6**

***deleted***

***Amendments to Regulation (EC) No  
2347/2002***

***Regulation (EC) No 2347/2002 is hereby  
amended as follows:***

***(1) In Article 2, the following point (f) is  
added:***

***"(f) 'Unintended catches' means  
incidental catches of marine organisms  
the fishing for which is prohibited in the  
relevant circumstances."***

***(2) In Article 3(1), the second  
subparagraph is replaced by the  
following:***

***"Fishing vessels not holding a deep-sea  
permit shall be prohibited from fishing for  
deep-sea species in excess of 100 kg in  
each sea trip. Deep-sea species caught in  
excess of 100 kg by such vessels shall not  
be retained on board, transhipped or  
landed."***

***By way of derogation from the second  
subparagraph, the retention on board,  
transshipment and landing shall not be  
prohibited if the 100 kg limit established  
in that subparagraph is exceeded because  
of unintended catches of deep-sea species  
subject to the landing obligation set out in  
Article 15 of Regulation (EU) [xxxx].  
Those unintended catches shall be landed  
and counted against quotas."***

Or. fr

*Justification*

*This regulation does not concern the landing obligation from January 2015.*

**Amendment 166**  
**Diane Dodds, Ian Duncan**

**Proposal for a regulation**

**Article 6 – point 2**

Regulation (EC) No 2347/2002

Article 3 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

***By way of derogation from the second subparagraph, the retention on board, transhipment and landing shall not be prohibited if the 100 kg limit established in that subparagraph is exceeded because of unintended catches of deep-sea species subject to the landing obligation set out in Article 15 of Regulation (EU) [xxxx]. Those unintended catches shall be landed and counted against quotas.***

*Amendment*

***The first subparagraph shall not apply to catches of deep-sea species in fisheries subject to the landing obligation as set out in Article 15(1) of Regulation (EU) No 1380/2013.***

Or. en

*Justification*

*It needs to be clarified here that those vessels having unintended by-catch of deep-sea species would have to close down the fisheries as soon as the discard ban is introduced. Today, many vessels cannot obtain a deep-sea permit because they do not have a track record. This amendment is therefore necessary.*

**Amendment 167**  
**Brian Crowley**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 1**

Regulation (EC) No 1224/2009

Article 7 – paragraph 1

*Text proposed by the Commission*

*Amendment*

***(1) Article 7(1) is amended as follows:***

***deleted***

***(a) Point (e) is replaced by the following:***

***"(e) a landing obligation in part of the fisheries or in all fisheries as referred to***

*in Article 15 of Regulation (EU) [xxxx]."*

*(b) The following point (f) is inserted:*

*"(f) other cases laid down in Union legislation."*

Or. en

#### *Justification*

*The Commission is requiring that vessels whose fishing operations are subject in whole or in part to the landing obligation obtain specific authorisation to fish in zones where the landing obligation applies. Such authorisation would be additional to all the other authorisations already required and would increase administrative burdens for fishermen and the Member States.*

#### **Amendment 168** **Isabelle Thomas**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 1**

Regulation (EC) No 1224/2009

Article 7 – paragraph 1

*Text proposed by the Commission*

*Amendment*

*(1) Article 7(1) is amended as follows:*

*deleted*

*(a) Point (e) is replaced by the following:*

*"(e) a landing obligation in part of the fisheries or in all fisheries as referred to in Article 15 of Regulation (EU) [xxxx]."*

*(b) The following point (f) is inserted:*

*"(f) other cases laid down in Union legislation."*

Or. fr

#### *Justification*

*This change in fishing authorisations places an additional administrative burden on permit holders, which is unjustifiable given that it would have little impact in terms of improved control.*

**Amendment 169**  
**Liadh Ní Riada**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – point 1**  
Regulation (EC) No 1224/2009  
Article 7 – paragraph 1

*Text proposed by the Commission*

*Amendment*

*(1) Article 7(1) is amended as follows:* *deleted*

*(a) Point (e) is replaced by the following:*

*"(e) a landing obligation in part of the fisheries or in all fisheries as referred to in Article 15 of Regulation (EU) [xxxx]."*

*(b) The following point (f) is inserted:*

*"(f) other cases laid down in Union legislation."*

Or. en

*Justification*

*The Commission is requiring that vessels whose fishing operations are subject in whole or in part to the landing obligation obtain specific authorisation to fish in zones where the landing obligation applies. Such authorisation would be additional to all the other authorisations already required and would increase administrative burdens for fishermen and the Member States.*

**Amendment 170**  
**Diane Dodds, Ian Duncan**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – point 1**  
Regulation (EC) No 1224/2009  
Article 7 – paragraph 1

*Text proposed by the Commission*

*Amendment*

*(1) Article 7(1) is amended as follows:* *deleted*

*(a) Point (e) is replaced by the following:*

*"(e) a landing obligation in part of the fisheries or in all fisheries as referred to in Article 15 of Regulation (EU) [xxxx]."*

*(b) The following point (f) is inserted:*

*"(f) other cases laid down in Union legislation."*

Or. en

#### *Justification*

*The Commission requires that vessels whose fishing activities are subject to the landing obligation obtain a new fishing license. This license will be in addition to current licenses and will therefore increase the administrative costs of fishermen and Member States.*

#### **Amendment 171**

**Werner Kuhn, Remo Sernagiotto**

#### **Proposal for a regulation**

**Article 7 – paragraph 1 – point 1 – subpoint a**

Regulation (EC) No 1224/2009

Article 7 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

*(a) Point (e) is replaced by the following:* *deleted*

*"(e) a landing obligation in part of the fisheries or in all fisheries as referred to in Article 15 of Regulation (EU) [xxxx]."*

Or. de

#### **Amendment 172**

**Linnéa Engström**

#### **Proposal for a regulation**

**Article 7 – paragraph 1 – point 1 – subpoint a**

Regulation (EC) No 1224/2009

Article 7 – paragraph 1 – point e



*Text proposed by the Commission*

*Amendment*

"(e) a landing obligation in ***part of the fisheries or in all fisheries as*** referred to in Article 15 of Regulation (EU) [xxxx]."

"(e) a landing obligation in ***any fishery*** referred to in Article 15 of Regulation (EU) ***1380/2013***."

Or. en

*Justification*

*Clarification of the wording.*

**Amendment 173**

**Werner Kuhn, Remo Sernagiotto**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 1 – subpoint b**

Regulation (EC) No 1224/2009

Article 7 – paragraph 1 – point f

*Text proposed by the Commission*

*Amendment*

***(b) The following point (f) is inserted:***

***deleted***

***"(f) other cases laid down in Union legislation."***

Or. de

**Amendment 174**

**Diane Dodds, Ian Duncan**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 2 – subpoint a**

Regulation (EC) No 1224/2009

Article 14 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 10 metres' length overall or more shall keep a fishing

1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 10 metres' length overall or more shall keep a fishing

logbook of their operations, indicating specifically all quantities of each species caught and kept on board.

logbook of their operations, indicating specifically all quantities of each species caught and kept on board ***above 50 kg of equivalent live weight. The threshold of 50 kg applies as soon as the catch of one species exceeds 50 kg.***

Or. en

### *Justification*

*The Commission here has proposed to alter the margins of tolerance and to make the recording in the logbook obligatory for the whole catch, increasing administrative costs.*

## **Amendment 175** **Werner Kuhn**

### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 2 – subpoint a**

Regulation (EC) No 1224/2009

Article 14 – paragraph 1

#### *Text proposed by the Commission*

1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 10 metres' length overall or more shall keep a fishing logbook of their operations, indicating specifically all quantities of each species caught and kept on board.

#### *Amendment*

1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 10 metres ' length overall or more shall keep a fishing logbook of their operations, indicating specifically all quantities of each species caught and kept on board ***above 50kg of live-weight equivalent. The 50kg threshold applies as soon as catches of a species exceed 50kg per haul.***

Or. de

### *Justification*

*Article 14 of the Fisheries Control Regulation (EC) No 1224/2009 provides for a logbook entry for catches above 50 kg of live-weight equivalent. This amendment seeks to clarify that the 50kg exemption from logbook entry relates to the individual haul.*

**Amendment 176**  
**Ole Christensen**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 2 – point a**

Regulation (EC) No 1224/2009

Article 14 – paragraph 1

*Text proposed by the Commission*

1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 10 metres' length overall or more shall keep a fishing logbook of their operations, indicating specifically all quantities of each species caught and kept on board.

*Amendment*

1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 10 metres' length overall or more shall keep a fishing logbook of their operations, indicating specifically all quantities of each species caught and kept on board ***above 50 kg of live weight equivalent. The 50 kg threshold applies as soon as catches of a species exceed 50 kg.***

Or. en

**Amendment 177**  
**Isabelle Thomas**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 2 – point a**

Regulation (EC) No 1224/2009

Article 14 – paragraph 1

*Text proposed by the Commission*

1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 10 metres' length overall or more shall keep a fishing logbook of their operations, indicating specifically all quantities of each species caught and kept on board.

*Amendment*

1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 10 metres' length overall or more shall keep a fishing logbook of their operations, indicating specifically all quantities of each species caught and kept on board ***above 50kg live weight.***

Or. fr

### *Justification*

*Given the total volume of fishing, this threshold would allow fishermen not to take into account tiny catches which have no scientific value but which would nevertheless mean considerable extra work for them.*

#### **Amendment 178**

**Renata Briano**

#### **Proposal for a regulation**

##### **Article 7 – paragraph 1 – point 2 – point a**

Regulation (EC) No 1224/2009

Article 14 – paragraph 1

#### *Text proposed by the Commission*

1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 10 metres' length overall or more shall keep a fishing logbook of their operations, indicating specifically all quantities of each species caught and kept on board.

#### *Amendment*

1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 10 metres' length overall or more shall keep a fishing logbook of their operations, indicating specifically all quantities of each species caught and kept on board ***above 50kg of live-weight equivalent. The 50 kg threshold shall apply as soon as catches of a species exceed 50 kg.***

Or. it

### *Justification*

*A requirement to record all catches would be too much of a burden for fishermen. The 50 kg live-weight threshold provided for in Article 14 of Regulation 1224/2009 should apply here too.*

#### **Amendment 179**

**Ole Christensen**

#### **Proposal for a regulation**

##### **Article 7 – paragraph 1 – point 2 – point a a (new)**

Regulation (EC) No 1224/2009

Article 14 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) The following paragraph is inserted:***

***"1a. By way of derogation from paragraph 1, masters of Union fishing vessels having caught pelagic or industrial species and keeping such catches on board fresh and unsorted may alternatively in their fishing logbook indicate all quantities of each species in these catches caught and kept on board above [10 %] of live-weight equivalent of the total catch caught and kept on board fresh and unsorted."***

Or. en

*Justification*

*For fisheries where the catch is stored fresh and unsorted in bulk on board the vessels, e.g. catches of pelagic and industrial species, it is due to the size of these catches not possible for the masters to register the catches of each species in the logbook complying with the 50 kg threshold and the tolerance on the logbook estimate. The rules violate the principle of proportionality and the fisherman's legal rights as he is forced to comply with impossible requirements. Therefore another threshold is introduced for the pelagic and industrial species stored fresh and unsorted in bulk.*

## **Amendment 180**

**Isabelle Thomas**

### **Proposal for a regulation**

**Article 7 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1224/2009

Article 14 – paragraph 3

*Text proposed by the Commission*

*Amendment*

***(c) Paragraph 3 is replaced by the following:***

***deleted***

***"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 % for all species. Where for one or more species,***

*the respective total catch is below 50 kilograms, the permitted margin of tolerance shall be 20%."*

Or. fr

*Justification*

*There is no scientific value in recording catches of a given species below 50 kilograms and no justification for changing the existing thresholds.*

**Amendment 181**

**Renata Briano**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 2 – subpoint c**

Regulation (EC) No 1224/2009

Article 14 – paragraph 3

*Text proposed by the Commission*

*Amendment*

*(c) Paragraph 3 is replaced by the following:*

*deleted*

*“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 % for all species. Where for one or more species, the respective total catch is below 50 kilograms, the permitted margin of tolerance shall be 20%.”*

Or. it

**Amendment 182**

**Izaskun Bilbao Barandica**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1224/2009

Article 14 – paragraph 3

*Text proposed by the Commission*

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%** for all species. ***Where for one or more species, the respective total catch is below 50 kilograms, the permitted margin of tolerance shall be 20%.***

*Amendment*

The permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board shall be **25%** for all species.

Or. es

**Amendment 183**

**Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 2 – point c**

Regulation (EC) No 1224/2009

Article 14 – paragraph 3

*Text proposed by the Commission*

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 % for all species. ***Where for one or more species, the respective total catch is below 50 kilograms, the permitted margin of tolerance shall be 20%.***

*Amendment*

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 % for all species, ***except in the following cases:***

- (a) 10% globally for a trip, in the case of vessels engaged in tropical tuna fisheries and trips over 100 tonnes of total catches;***
- (b) 20% for catches of bluefin tuna (bft) with individual specimens over 150 kg and in total less than 1 tonne of bft per trip;***
- (c) 20% for catches of Atlantic halibut (hal) stored unprocessed.***

Or. en

### *Justification*

*The experience on the application of Control Regulation during has shown that for these specific fisheries the margin of tolerance of 10% is not adequate. In the first case scientific studies indicate that it is really difficult to estimate accurately and differentiate some tropical tuna species. In the second case, these are species with individuals with big weights, which are difficult to be estimated under the margin of tolerance of 10%.*

#### **Amendment 184**

**Brian Crowley**

#### **Proposal for a regulation**

**Article 7 – paragraph 1 – point 2 – point d**

Regulation (EC) No 1224/2009

Article 14 – paragraph 4

*Text proposed by the Commission*

*Amendment*

*(d) Paragraph 4 is replaced by the following:*

*deleted*

*"4. Masters of Union fishing vessels shall also record in their fishing logbook all estimated discards in volume for any species."*

Or. en

### *Justification*

*The Commission is proposing that the entire catch retained on board, including any actual discards, now be recorded in the logbook, regardless of catch volumes. This change cannot be justified under the scope of this regulation, since it is not strictly connected with implementation of the landing obligation.*

#### **Amendment 185**

**Liadh Ní Riada**

#### **Proposal for a regulation**

**Article 7 – paragraph 1 – point 2 – point d**

Regulation (EC) No 1224/2009

Article 14 – paragraph 4



*Text proposed by the Commission*

*Amendment*

*(d) Paragraph 4 is replaced by the following:* *deleted*

*"4. Masters of Union fishing vessels shall also record in their fishing logbook all estimated discards in volume for any species."*

Or. en

*Justification*

*The Commission is proposing that the entire catch retained on board, including any actual discards, now be recorded in the logbook, regardless of catch volumes. This change cannot be justified under the scope of this regulation, since it is not strictly connected with implementation of the landing obligation.*

#### **Amendment 186**

**Renata Briano**

#### **Proposal for a regulation**

**Article 7 – paragraph 1 – point 2 – point d**

Regulation (EC) No 1224/2009

Article 14 – paragraph 4

*Text proposed by the Commission*

*Amendment*

*(d) Paragraph 4 is replaced by the following:* *deleted*

*"4. Masters of Union fishing vessels shall also record in their fishing logbook all estimated discards in volume for any species."*

Or. it

#### **Amendment 187**

**Diane Dodds, Ian Duncan**

#### **Proposal for a regulation**

**Article 7 – paragraph 1 – point 2 – point d**

*Text proposed by the Commission*

*Amendment*

***(d) Paragraph 4 is replaced by the following:*** ***deleted***

***"4. Masters of Union fishing vessels shall also record in their fishing logbook all estimated discards in volume for any species."***

Or. en

*Justification*

*The Commission here has proposed to extend the obligation to register all species kept on board regardless of the catch volume. This change is not justified since it is not strictly linked to the implementation of the landing obligation.*

**Amendment 188**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – point 2 – point d**  
Regulation (EC) No 1224/2009  
Article 14 – paragraph 4

*Text proposed by the Commission*

*Amendment*

***(d) Paragraph 4 is replaced by the following:*** ***deleted***

***"4. Masters of Union fishing vessels shall also record in their fishing logbook all estimated discards in volume for any species."***

Or. fr

*Justification*

*This paragraph does not concern the landing obligation from January 2015.*

## Amendment 189

Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné

### Proposal for a regulation

#### Article 7 – paragraph 1 – point -3 (new)

Regulation (EC) No 1224/2009

Article 17 – paragraph 1 – introductory part

#### *Present text*

1. Masters of Community fishing vessels of 12 metres' length overall or more ***engaged in fisheries on stocks subject to a multiannual plan***, which are under the obligation to record fishing logbook data electronically in accordance with Article 15, shall notify 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*

***(-3) In Article 17(1) the introductory part is replaced by the following:***

1. Masters of Community fishing vessels of 12 metres' length overall or more, which are under the obligation to record fishing logbook data electronically in accordance with Article 15, shall notify the competent authorities of their flag Member State ***the information described in the second subparagraph in the following cases:***

***(a) Immediately when leaving the fishing ground and always at least one hour before estimated time of arrival to a port in their own flag Member state, in the cases of fishing vessels engaged in fisheries on stocks subject to multiannual plans and fishing only in the territorial seas of their flag state for that trip;***

***(b) At least four hours before estimated time of arrival to port in the rest of cases of fishing vessels engaged in fisheries on stocks subject to multiannual plans.***

***The following information shall be notified to the competent authorities of the flag state in the cases described in the first subparagraph:***

Or. en

#### *Justification*

*The experience on the application of Control Regulation during the last years has shown that,*

*for the case of vessels fishing close to the port, it is extremely difficult to comply with the obligation to notify in advance, so 1 hour only for the artisanal and coastal fleet would be enough, also taking into account the risk of being obliged to stay at sea waiting for long time to entry to port.*

## **Amendment 190**

**Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné**

### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 3 a (new)**

Regulation (EC) No 1224/2009

Article 20

#### *Present text*

1. Transshipments at sea shall be prohibited in Community waters. They shall be allowed only subject to an authorisation and to the conditions laid down in this Regulation in ports or places close to the shore of Member States designated for this purpose, and in accordance with the conditions laid down in Article 43(5).

2. If the transshipment operation is interrupted, permission may be required before the transshipment operation is resumed.

3. For the purposes of this Article, relocation, pair trawling activities and fishing operations involving joint action by two or more Community fishing vessels shall not be considered as transshipment.

#### *Amendment*

***(3a) Article 20 is replaced by the following:***

"1. Transshipments at sea shall be prohibited in Community waters, ***except in the fisheries described in paragraph 4.*** They shall be allowed only subject to an authorisation and to the conditions laid down in this Regulation in ports or places close to the shore of Member States designated for this purpose, and in accordance with the conditions laid down in Article 43(5).

2. If the transshipment operation is interrupted, permission may be required before the transshipment operation is resumed.

3. For the purposes of this Article, relocation, pair trawling activities and fishing operations involving joint action by two or more Community fishing vessels shall not be considered as transshipment.

***4. Transshipments are allowed exclusively between purse seine vessels in community waters when they are engaged in fisheries exploiting anchovy, mackerel, horse mackerel or sardine."***

Or. en

### *Justification*

*Purse seine vessels fishing anchovy, mackerel, horse mackerel or sardine are often fishing far from the port. As freshness is essential for marketing and in order to get a better price, it is not profitable for them if all vessels return to port at the same time. Allowing them to tranship would imply reducing fuel consumption and atmospheric pollution, while maintaining profitability without minimizing the control level, since each fishing vessel registers its catches and communicate transshipment data.*

#### **Amendment 191**

**Brian Crowley**

#### **Proposal for a regulation**

**Article 7 – paragraph 1 – point 4 – point c**

Regulation (EC) No 1224/2009

Article 21 – paragraph 3

*Text proposed by the Commission*

*Amendment*

***(c) Paragraph 3 is replaced by the following:***

***deleted***

***"The permitted margin of tolerance in estimates recorded in the transshipment declaration of the quantities in kilograms of fish transhipped on board shall be 10 % for all species. Where for one or more species, the respective total catch is below 50 kilograms, the permitted margin of tolerance shall be 20%."***

Or. en

### *Justification*

*Catches should be recorded in logbooks as from 50 kg live-weight equivalent, as established in Article 14 of Regulation (EU) No 1224/2009, and it is not necessary to alter this in the current regulation.*

#### **Amendment 192**

**Renata Briano**

#### **Proposal for a regulation**

**Article 7 – paragraph 1 – point 4 – point c**

*Text proposed by the Commission*

*Amendment*

***c) Paragraph 3 is replaced by the following:*** ***deleted***

***“The permitted margin of tolerance in estimates recorded in the transshipment declaration of the quantities in kilograms of fish transhipped on board shall be 10 % for all species. Where for one or more species, the respective total catch is below 50 kilograms, the permitted margin of tolerance shall be 20%.”***

Or. it

*Justification*

*The requirement to record in logbooks catches above 50 kg live weight that is provided for in Regulation 1224/2009 should apply here too.*

**Amendment 193**  
**Diane Dodds, Ian Duncan**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – point 4 – point c**  
Regulation (EC) No 1224/2009  
Article 21 – paragraph 3

*Text proposed by the Commission*

*Amendment*

***(c) Paragraph 3 is replaced by the following:*** ***deleted***

***"The permitted margin of tolerance in estimates recorded in the transshipment declaration of the quantities in kilograms of fish transhipped on board shall be 10 % for all species. Where for one or more species, the respective total catch is below 50 kilograms, the permitted margin of tolerance shall be 20%."***

*Justification*

*The Commission proposed to alter the margins of tolerance and to make the recording in the logbook obligatory for the whole catch, increasing administrative costs. This is linked to Article 14 and should therefore be deleted.*

**Amendment 194**

**Isabelle Thomas**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 4 – point c**

Regulation (EC) No 1224/2009

Article 21 – paragraph 3

*Text proposed by the Commission*

*Amendment*

*(c) Paragraph 3 is replaced by the following:* *deleted*

*"The permitted margin of tolerance in estimates recorded in the transshipment declaration of the quantities in kilograms of fish transhipped on board shall be 10 % for all species. Where for one or more species, the respective total catch is below 50 kilograms, the permitted margin of tolerance shall be 20%."*

Or. fr

*Justification*

*There is no justification for changing the existing provisions.*

**Amendment 195**

**Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 5 a (new)**

Regulation (EC) No 1224/2009

Article 24 – paragraph 1

*Present text*

1. The master of a Community fishing vessel of 12 metres' length overall or more, or his representative, shall record by electronic means the information referred to in Article 23, and shall send it by electronic means to the competent authority of the flag Member State within 24 hours after completion of the landing operation.

*Amendment*

***5a. Article 24(1) is replaced by the following:***

"1. The master of a Community fishing vessel of 12 metres' length overall or more, or his representative, shall record by electronic means the information referred to in Article 23, and shall send it by electronic means to the competent authority of the flag Member State within 24 hours after completion of the landing operation, ***in cases where the landed weight is below 100 tonnes. For landings over 100 tonnes the time for the completion of the landing declaration shall be 72 hours.***"

Or. en

*Justification*

*In the case of landings of vessels after long trips, it is necessary to calculate the figures for the landing declaration to verify the data, taking into account different presentations, species, areas, conversion factors, etc., which is not so fast as smaller and simpler landings.*

**Amendment 196**

**Ian Duncan**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a

*Text proposed by the Commission*

***(6) The following Article 25a is inserted after Article 25:***

***"Article 25a***

***Remote electronic monitoring***

***1. Fishing vessels that, in accordance with Union legislation or a decision of a Member State, are subject to the***

*Amendment*

***deleted***



*utilisation of remote electronic monitoring for the purpose of monitoring of the landing obligation as established in Article 15 of Regulation (EU) [xxxx], shall have installed the devices of a remote electronic monitoring system. That system shall ensure the recording at all times of data of fishing activities and activities related to them by cameras, including the processing of the catch.*

*2. The fishing vessels referred to in paragraph 1 shall also be equipped with:*

*(a) removable data storage devices approved by the competent authorities where all images of the fishing activities shall be saved at all times; and*

*(b) sensors attached to the systems operating the fishing gear and to the winch or the net drum, recording all movements related to the setting and hauling of the fishing gear.*

*3. The remote electronic monitoring systems installed on board fishing vessels shall operate fully automatically, shall not permit the input or output of false positions and shall not be capable of being manually over-ridden.*

*4. Member States shall ensure that they have the technical capacity to analyse and make effective use of the information provided by the remote electronic monitoring system.*

*5. The Commission shall be empowered to adopt delegated acts in accordance with the Article 119a concerning:*

*(a) the data to be recorded and processed by the remote electronic monitoring systems;*

*(b) the responsibilities of masters concerning the remote electronic monitoring systems;*

*(c) the measures to be taken in case of a technical failure or non-functioning of*

*the remote electronic monitoring systems;*

*(d) reporting obligations of Member States on the use of remote electronic monitoring systems.*

**6. The Commission shall, by means of implementing acts, lay down detailed rules on:**

*(a) the requirements of remote electronic monitoring systems;*

*(b) the specifications of remote electronic monitoring systems;*

*(c) the control measures to be adopted by the flag Member State;*

*(d) the access of the Commission to data of the remote electronic monitoring systems.*

***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2)."***

Or. en

#### *Justification*

*Given regionalisation is a central component of the reformed CFP, electronic monitoring on vessels should be determined by individual Member States.*

#### **Amendment 197**

**Werner Kuhn, Remo Sernagiotto**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a

*Text proposed by the Commission*

*Amendment*

**6. The following Article 25a is *deleted* inserted after Article 25:**

#### ***Article 25a***

#### ***Remote electronic monitoring***

***1. Fishing vessels that, in accordance with Union legislation or a decision of a Member State, are subject to the utilisation of remote electronic monitoring for the purpose of monitoring of the landing obligation as established in Article 15 of Regulation (EU) [xxxx], shall have installed the devices of a remote electronic monitoring system. That system shall ensure the recording at all times of data of fishing activities and activities related to them by cameras, including the processing of the catch.***

***2. The fishing vessels referred to in paragraph 1 shall also be equipped with:***

***(a) removable data storage devices approved by the competent authorities where all images of the fishing activities shall be saved at all times; and***

***(b) sensors attached to the systems operating the fishing gear and to the winch or the net drum, recording all movements related to the setting and hauling of the fishing gear.***

***3. The remote electronic monitoring systems installed on board fishing vessels shall operate fully automatically, shall not permit the input or output of false positions and shall not be capable of being manually over-ridden.***

***4. Member States shall ensure that they have the technical capacity to analyse and make effective use of the information provided by the remote electronic monitoring system.***

***5. The Commission shall be empowered to adopt delegated acts in accordance with the Article 119a concerning:***

***(a) the data to be recorded and processed by the remote electronic monitoring systems;***

***(b) the responsibilities of masters concerning the remote electronic monitoring systems;***

*(c) the measures to be taken in case of a technical failure or non-functioning of the remote electronic monitoring systems;*

*(d) reporting obligations of Member States on the use of remote electronic monitoring systems.*

**6. The Commission shall, by means of implementing acts, lay down detailed rules on:**

*(a) the requirements of remote electronic monitoring systems;*

*(b) the specifications of remote electronic monitoring systems;*

*(c) the control measures to be adopted by the flag Member State;*

*(d) the access of the Commission to data of the remote electronic monitoring systems.*

***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2)."***

Or. de

## **Amendment 198**

**Diane Dodds**

### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a

#### *Text proposed by the Commission*

1. Fishing vessels ***that, in accordance with Union legislation or a decision of a Member State,*** are subject to the utilisation of remote electronic monitoring for the purpose of monitoring of the landing obligation as established in Article 15 of Regulation (EU) [xxxx], shall have installed the devices of a remote electronic monitoring system. That system shall

#### *Amendment*

1. ***If Union legislation or a decision of a Member State provide that*** fishing vessels are subject to the utilisation of remote electronic monitoring for the purpose of monitoring of the landing obligation as established in Article 15 of Regulation (EU) ***No 1380/2013, fishing vessels*** shall have installed the devices of a remote electronic monitoring system. That system

ensure the recording at all times of data of fishing activities and activities related to them by cameras, *including the processing of the catch*.

2. The fishing vessels referred to in paragraph 1 shall *also be equipped with:*

*(a) removable data storage devices approved by the competent authorities where all images of the fishing activities shall be saved at all times; and*

*(b) sensors attached to the systems operating the fishing gear and to the winch or the net drum, recording all movements related to the setting and hauling of the fishing gear.*

3. The remote electronic monitoring systems installed on board fishing vessels shall operate fully automatically, shall not permit the input or output of false positions and shall not be capable of being manually over-ridden.

4. Member States shall ensure that they have the technical capacity to analyse and make effective use of the information provided by the remote electronic monitoring system.

5. The Commission shall *be empowered to adopt delegated acts in accordance with the Article 119a concerning:*

*(a) the data to be recorded and processed by the remote electronic monitoring*

shall ensure the recording at all times of data of fishing activities and activities related to them, including the processing of the catch, by cameras *or other electronic devices which can record all movements related to the setting and hauling of the fishing gear*.

2. The *remote electronic monitoring systems installed on board* fishing vessels referred to in paragraph 1 shall *operate fully automatically, shall not permit the input or output of false positions and shall not be capable of being manually over-ridden*.

3. *Member States shall ensure that they have the technical capacity to analyse and make effective use of the information provided by the remote electronic monitoring system.*

4. *Data recorded shall be treated in conformity with the applicable data protection rules and principles.*

5. The Commission shall, *by means of implementing acts, lay down detailed rules on the requirements and the specifications of remote electronic monitoring systems as defined in paragraphs 1 and 2. In doing so, the Commission shall respect the principles of proportionality and efficiency.*

*systems;*

*(b) the responsibilities of masters concerning the remote electronic monitoring systems;*

*(c) the measures to be taken in case of a technical failure or non-functioning of the remote electronic monitoring systems;*

*(d) reporting obligations of Member States on the use of remote electronic monitoring systems.*

**6. The Commission shall, by means of implementing acts, lay down detailed rules on:**

*(a) the requirements of remote electronic monitoring systems;*

*(b) the specifications of remote electronic monitoring systems;*

*(c) the control measures to be adopted by the flag Member State;*

*(d) the access of the Commission to data of the remote electronic monitoring systems.*

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2)."

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2)."

Or. en

#### *Justification*

*The decision to implement and the details of such control should be left to the Member State. This amendment ensures a framework for the use of remote electronic monitoring (REM) if some fishermen in a specific region agree to some kind of management which uses REM. This secures a level playing field between Member States.*

**Amendment 199**  
**Renata Briano**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – point 6**

*Text proposed by the Commission*

**Remote electronic** monitoring

*Amendment*

Monitoring, **verification and recording of fishing activities**

Or. it

**Amendment 200**  
**Annie Schreijer-Pierik**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – point 6**  
Regulation (EC) No 1224/2009  
Article 25a – title and paragraphs 1 to 3

*Text proposed by the Commission*

**Remote electronic monitoring**

**1. Fishing vessels that, in accordance with Union legislation or a decision of a Member State, are subject to the utilisation of remote electronic monitoring for the purpose of monitoring of the landing obligation as established in Article 15 of Regulation (EU) [xxxx], shall have installed the devices of a remote electronic monitoring system. That system shall ensure the recording at all times of data of fishing activities and activities related to them by cameras, including the processing of the catch.**

**2. The fishing vessels** referred to in paragraph 1 **shall also be equipped with:**

**(a) removable data storage devices approved by the competent authorities where all images of the fishing activities shall be saved at all times; and**

*Amendment*

**Monitoring, verification and recording of data of fishing activities**

**1. Member States must ensure that they have at their disposal, in line with the timetable for implementation of the landing obligation as established in Article 15 of Regulation (EU) No 1380/2013, the requisite technical capacities and human resources to ensure the permanent recording of data of fishing activities and related activities, including the processing of catches.**

**2. The recording of data** referred to in paragraph 1 **shall be performed, in line with EU law or specific decisions adopted by Member States, using transparent data on catches and logbooks and:**

**(a) an ‘on-board observer’ system; or**

(b) *sensors attached to the systems operating the fishing gear and to the winch or the net drum, recording all movements related to the setting and hauling of the fishing gear.*

3. The remote electronic monitoring systems *installed on board fishing vessels shall operate fully automatically, shall not permit the input or output of false positions and shall not be capable of being manually over-ridden.*

(b) *an ‘inspection at sea’ system, by means of aircraft or patrol vessels; or*

(c) *a remote electronic monitoring system; or*

(d) *any other equivalent monitoring system.*

3. *The Commission shall be empowered to adopt delegated acts, in accordance with Article 119a, in respect of the common requirements and criteria for the remote electronic monitoring systems referred to in paragraph 2(c) in order to ensure, enforce and legally safeguard a level playing field at all times throughout the Union.*

Or. nl

## **Amendment 201**

**Werner Kuhn, Remo Sernagiotto**

### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a – title and paragraphs 1 to 3

#### *Text proposed by the Commission*

##### ***Remote electronic monitoring***

1. *Fishing vessels that, in accordance with Union legislation or a decision of a Member State, are subject to the utilisation of remote electronic monitoring for the purpose of monitoring of the landing obligation as established in Article 15 of Regulation (EU) [xxxx], shall have installed the devices of a remote electronic monitoring system. That system shall ensure the recording at all times of data of fishing activities and activities related to them by cameras, including the*

#### *Amendment*

##### ***Monitoring, verification and recording of data of fishing activities***

(1) *Member States must ensure that they have at their disposal, in line with the timetable for implementation of the landing obligation as established in Article 15 of Regulation (EU) No 1380/2013, the requisite technical capacities and human resources to ensure the permanent recording of data of fishing activities and related activities, including the processing of catches.*



processing of the catch.

2. *The fishing vessels* referred to in paragraph 1 *shall also be equipped with:*

(a) *removable data storage devices approved by the competent authorities where all images of the fishing activities shall be saved at all times; and*

(b) *sensors attached to the systems operating the fishing gear and to the winch or the net drum, recording all movements related to the setting and hauling of the fishing gear.*

3. The remote electronic monitoring systems *installed on board fishing vessels shall operate fully automatically, shall not permit the input or output of false positions and shall not be capable of being manually over-ridden.*

(2) *The recording of data* referred to in paragraph 1 *shall be performed, in line with EU law or specific decisions adopted by Member States, using transparent data on catches and logbooks and:*

(a) *an ‘on-board observer’ system; or*

(b) *an ‘inspection at sea’ system, by means of aircraft or patrol vessels; or*

(c) *a remote electronic monitoring system; or*

(d) *any other equivalent monitoring system.*

(3) *The Commission shall be empowered to adopt delegated acts, in accordance with Article 119a, in respect of the common requirements and criteria for the remote electronic monitoring systems referred to in paragraph 2(c).*

Or. de

## **Amendment 202**

### **Renata Briano**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – point 6**  
Regulation (EC) No 1224/2009  
Article 25a – paragraph 1

*Text proposed by the Commission*

*1. Fishing vessels that, in accordance with Union legislation or a decision of a Member State, are subject to the utilisation of remote electronic monitoring for the purpose of monitoring*

*Amendment*

*1. Member States shall ensure that, in line with the timetable for implementing the landing obligation as provided for in Article 15 of Regulation (EU) No 1380/2013, they have the requisite*

*of the landing obligation as **established** in Article 15 of Regulation (EU) [xxxx], **shall have installed the devices of a remote electronic monitoring system. That system shall** ensure the recording **at all times** of data of fishing activities and activities related to them by cameras, including the processing of the catch.*

***technical capacities and human resources to** ensure the recording of data of fishing activities and related activities, including the processing of the catch.*

Or. it

#### *Justification*

*A single monitoring system cannot be imposed. Member States must be able to choose their own monitoring systems.*

#### **Amendment 203**

**Isabelle Thomas**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a – paragraph 1

#### *Text proposed by the Commission*

1. Fishing vessels that, in accordance with Union legislation or a decision of a Member State, ***are subject to the utilisation of*** remote electronic monitoring for the purpose of monitoring of the landing obligation as established in Article 15 of Regulation (EU) [xxxx], ***shall have installed*** the devices of a remote electronic monitoring system. ***That system shall ensure the recording at all times of data of fishing activities and activities related to them by cameras, including the processing of the catch.***

#### *Amendment*

1. Fishing vessels that, in accordance with Union legislation or a decision of a Member State, ***may use*** remote electronic monitoring for the purpose of monitoring of the landing obligation as established in Article 15 of Regulation (EU) [xxxx], ***may install*** the devices of a remote electronic monitoring system, ***subject to observance of the rights of the crew under labour law and with regard to personal portrayal and the protection of privacy. Member States may also use human resources for such monitoring purposes.***

Or. fr

**Amendment 204**  
**Renata Briano**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a – paragraph 2 – introductory part

*Text proposed by the Commission*

2. *The fishing vessels* referred to in paragraph 1 shall *also* be *equipped with*:

*Amendment*

2. *The recording of data* referred to in paragraph 1 shall be *performed, in accordance with Union legislation or a decision of a Member State, using logbooks and*:

Or. it

**Amendment 205**  
**Renata Briano**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a – paragraph 2 – point a

*Text proposed by the Commission*

(a) *removable data storage devices approved by the competent authorities where all images of the fishing activities shall be saved at all times; and*

*Amendment*

(a) *an on-board observation system;*

Or. it

**Amendment 206**  
**Renata Briano**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a – paragraph 2 – point b

*Text proposed by the Commission*

*Amendment*

**(b) sensors attached to the systems operating the fishing gear and to the winch or the net drum, recording all movements related to the setting and hauling of the fishing gear.**

**(b) an inspection at sea system;**

Or. it

#### **Amendment 207**

**Renata Briano**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a – paragraph 2 – points ba and bb (new)

*Text proposed by the Commission*

*Amendment*

**(ba) a remote electronic monitoring system; or**

**(bb) any other equivalent monitoring system.**

Or. it

#### **Amendment 208**

**Renata Briano**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a – paragraph 3

*Text proposed by the Commission*

*Amendment*

**3. The remote electronic monitoring systems installed on board fishing vessels shall operate fully automatically, shall not permit the input or output of false positions and shall not be capable of**

**3. The Commission shall be empowered to adopt, in accordance with Article 119a, delegated acts laying down common criteria for the remote electronic monitoring systems referred to in**

*being manually over-ridden.*

*paragraph 2(ba).*

Or. it

**Amendment 209**

**Renata Briano**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a – paragraph 4

*Text proposed by the Commission*

*Amendment*

*4. Member States shall ensure that they have the technical capacity to analyse and make effective use of the information provided by the remote electronic monitoring system.*

*deleted*

Or. it

**Amendment 210**

**Nils Torvalds**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

*(4a) To respect and insure the privacy of the fishermen, the handling of the information from the remote electronic monitoring system must be in accordance with Union and Member State data protection law.*

Or. en

**Amendment 211**  
**Renata Briano**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – point 6**  
Regulation (EC) No 1224/2009  
Article 25a – paragraph 5

*Text proposed by the Commission*

*Amendment*

**5. The Commission shall be empowered to adopt delegated acts in accordance with the Article 119a concerning:** **deleted**

**(a) the data to be recorded and processed by the remote electronic monitoring systems;**

**(b) the responsibilities of masters concerning the remote electronic monitoring systems;**

**(c) the measures to be taken in case of a technical failure or non-functioning of the remote electronic monitoring systems;**

**(d) reporting obligations of Member States on the use of remote electronic monitoring systems.**

Or. it

**Amendment 212**  
**Linnéa Engström**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – point 6**  
Regulation (EC) No 1224/2009  
Article 25a – paragraph 5 – point a

*Text proposed by the Commission*

*Amendment*

**(a) the data to be recorded and processed by the remote electronic monitoring systems;**

**(a) the data to be recorded and processed by the remote electronic monitoring systems *and the length of time that the data must be conserved;***

Or. en

*Justification*

*It is necessary that the COM specify the period of time for which the data must be conserved.*

**Amendment 213**

**Isabelle Thomas**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a – paragraph 5 – point a

*Text proposed by the Commission*

(a) the data to be recorded and processed by the remote electronic monitoring systems;

*Amendment*

(a) the data to be recorded and processed by the remote electronic monitoring systems, ***provided that the latter are consistent with observance of the rights of the crew under labour law and with regard to personal portrayal and the protection of privacy;***

Or. fr

**Amendment 214**

**Renata Briano**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 25a – paragraph 6

*Text proposed by the Commission*

***6. The Commission shall, by means of implementing acts, lay down detailed rules on:***

***(a) the requirements of remote electronic monitoring systems;***

***(b) the specifications of remote electronic monitoring systems;***

***(c) the control measures to be adopted by the flag Member State;***

*Amendment*

***deleted***

*(d) the access of the Commission to data of the remote electronic monitoring systems.*

*Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).*

Or. it

**Amendment 215**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – point 6**  
Regulation (EC) No 1224/2009  
Article 25a – paragraph 6 – point a

*Text proposed by the Commission*

(a) the requirements of remote electronic monitoring systems;

*Amendment*

(a) the requirements of remote electronic monitoring systems, ***provided that the latter are consistent with observance of the rights of the crew under labour law and with regard to personal portrayal and the protection of privacy;***

Or. fr

**Amendment 216**  
**Diane Dodds, Ian Duncan**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – point 7 – point -a (new)**  
Regulation (EC) No 1224/2009  
Article 33 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(-a) In Article 33, the following paragraph is inserted:***

***"1a. By way of derogation from paragraph 1, masters of Union fishing vessels having caught pelagic or***



***industrial species and keeping such catches on board fresh and unsorted may alternatively in their fishing logbook indicate all quantities of each species in these catches caught and kept on board above [10 %] of live-weight equivalent of the total catch caught and kept on board fresh and unsorted."***

Or. en

#### *Justification*

*For fisheries where the catch is stored fresh and unsorted in bulk on board the fishing vessels, e.g. catches of pelagic and industrial species, it is not considered possible for the masters to estimate the catches of each species in mixed fresh fish in order to comply with this threshold and the tolerance on the logbook estimate, even if sampling is carried out on board the vessel. Sampling at sea is seldom used by the inspection authorities as it is known to be less accurate than sampling at port and during landing. It will, in most cases, not reflect the actual catch composition. (This is also reflected in the Regulation (EC) No 954/87, cf. Article 6. For example, in a catch of 500.000 kg herring the 50 kg threshold means that the master must be able to estimate down 1/10000 of the catch with a precision of +/- 10 %. Adding to this that the master is also obliged to estimate whether the quantity of a species is over or under the minimum conservation reference size, this is clearly beyond what is possible even for a fully professional fisherman. In fact, the obligation tends to violate the fundamental principle of proportionality as well as the fisherman's legal rights as he is forced to comply with almost impossible requirements with very limited benefits. For these reasons, a different threshold should be introduced for the master's estimate in the logbook of each species when pelagic and industrial species are stored fresh and unsorted in bulk on board the fishing vessel.)*

#### **Amendment 217** **Linnéa Engström**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – point 7 – subpoint a**  
Regulation (EC) No 1224/2009  
Article 33 – paragraph 2 – point a

#### *Text proposed by the Commission*

(a) for the quantities of each stock or group of stocks subject to TACs or quotas landed during the preceding month, including, as a separate information, those below the applicable minimum conservation

#### *Amendment*

(a) for the quantities of each stock or group of stocks subject to TACs or quotas landed during the preceding month, including, as a separate information, those below the applicable minimum conservation

reference size; and

reference size, *as well as the quantities of all stocks discarded at sea*; and

Or. en

*Justification*

*Since one of the benefits of the landing obligation is a better understanding of the size and composition of the total catch, including discards, such data should be reported.*

**Amendment 218**

**Ian Duncan, Diane Dodds**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 8**

Regulation (EC) No 1224/2009

Article 49a

*Text proposed by the Commission*

*Amendment*

**"Article 49a**

***deleted***

***Separate stowage of catches below the minimum conservation reference sizes***

***1. All catches below the applicable minimum conservation reference size retained on board a Union fishing vessel shall be placed in boxes, compartments or containers separately for each stock in such a way that they are identifiable from other boxes, compartments or containers.***

***2. It shall be prohibited to retain on board a Union fishing vessel in any box, compartment or container any quantity of catches below the applicable minimum conservation reference size mixed with any other fisheries product.***

***3. Paragraphs 2 and 3 shall not apply:***

***– where the catches contain more than 80% of Norway pout and sand eel caught for non-human consumption purposes or of one or more of the following species:***

***– mackerel;***

- *herring*;
  - *horse mackerel*;
  - *blue whiting*;
  - *boarfish*;
  - *anchovy*;
  - *argentine*;
  - *sardine*;
  - *sprat*.
  - *to fishing vessels of less than 12 metres' length overall where catches below the minimum conservation reference size have been sorted, weighed and recorded in the logbook.*
- 4. For the cases referred to in paragraph 3, Member States shall monitor the catch composition by way of sampling."**

Or. en

## **Amendment 219**

### **Linnéa Engström**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 8**

Regulation (EC) No 1224/2009

Art 49a – paragraph 1

#### *Text proposed by the Commission*

1. All catches below the applicable minimum conservation reference size retained on board a Union fishing vessel shall be placed in boxes, compartments or containers ***separately for each stock*** in such a way that they are identifiable from other boxes, compartments or containers.

#### *Amendment*

1. All catches below the applicable minimum conservation reference size retained on board a Union fishing vessel shall be placed in boxes, compartments or containers in such a way that they are identifiable from other boxes, compartments or containers.

Or. en

### *Justification*

*Small quantities of fish that are required to be landed should be allowed to be stored together, rather than separately by species, as long as they are not stored with the commercial catch.*

#### **Amendment 220**

**Isabelle Thomas**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 8**

Regulation (EC) No 1224/2009

Article 49 a – paragraph 1

#### *Text proposed by the Commission*

1. All catches below the applicable minimum conservation reference size retained on board a Union fishing vessel shall be placed in boxes, compartments or containers ***separately for each stock*** in such a way that they are identifiable from other boxes, compartments or containers.

#### *Amendment*

1. All catches below the applicable minimum conservation reference size retained on board a Union fishing vessel shall be placed in boxes, compartments or containers in such a way that they are identifiable from other boxes, compartments or containers.

Or. fr

### *Justification*

*It is both time-wasting and pointless to ask fishermen to separate out each stock of undersized catch. Landing undersized catches is not part of normal commercial fishing activity but rather an obligation placed on the fishermen by regulation in the interests of conservation. It is therefore unfair to impose the additional burden of this work without remuneration.*

#### **Amendment 221**

**Renata Briano**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 8**

Regulation (EC) No 1224/2009

Article 49a – paragraph 1

#### *Text proposed by the Commission*

1. All catches below the applicable

#### *Amendment*

1. All catches below the applicable

minimum conservation reference size retained on board a Union fishing vessel shall be placed in boxes, compartments or containers *separately for each stock* in such a way that they are identifiable from other boxes, compartments or containers.

minimum conservation reference size retained on board a Union fishing vessel shall be placed in boxes, compartments or containers in such a way that they are identifiable from other boxes, compartments or containers.

Or. it

## **Amendment 222**

**Diane Dodds, Ian Duncan**

### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 8**

Regulation (EC) No 1224/2009

Article 49a – paragraph 1

#### *Text proposed by the Commission*

1. All catches below the applicable minimum conservation reference size retained on board a Union fishing vessel shall be placed in boxes, compartments or containers *separately for each stock* in such a way that they are identifiable from other boxes, compartments or containers.

#### *Amendment*

1. All catches below the applicable minimum conservation reference size retained on board a Union fishing vessel shall be placed in boxes, compartments or containers in such a way that they are identifiable from other boxes, compartments or containers.

Or. en

#### *Justification*

*This obligation constitutes a heavy burden, especially for small-scale fishing companies who will have less space for storing the catches destined for human consumption.*

## **Amendment 223**

**Werner Kuhn, Remo Sernagiotto**

### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 8**

Regulation (EC) No 1224/2009

Article 49a – paragraph 1

*Text proposed by the Commission*

1. All catches below the applicable minimum conservation reference size retained on board a Union fishing vessel shall be placed in boxes, compartments or containers ***separately for each stock*** in such a way that they are identifiable from other boxes, compartments or containers.

*Amendment*

1. All catches below the applicable minimum conservation reference size retained on board a Union fishing vessel shall be placed in boxes, compartments or containers in such a way that they are identifiable from other boxes, compartments or containers.

Or. de

**Amendment 224**

**Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 8**

Regulation (EC) No 1224/2009

Article 49a – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. By way of derogation from paragraph 1, vessels having caught pelagic species are no longer obliged to implement the separate stowage of catches below the minimum conservation reference sizes. However, this exception shall not apply to those vessels that have allowed the use of devices for automatic classification.***

Or. en

**Amendment 225**

**Ian Duncan, Diane Dodds**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 8**

Regulation (EC) No 1224/2009

Article 49a – paragraph 2

*Text proposed by the Commission*

*Amendment*

**2. It shall be prohibited to retain on board a Union fishing vessel in any box, compartment or container any quantity of catches below the applicable minimum conservation reference size mixed with any other fisheries product.**

**deleted**

Or. en

**Amendment 226**

**Alain Cadec**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 8**

Regulation (EC) No 1224/2009

Article 49a – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**2a. Paragraph 2 shall not apply within a limit of 10% by live weight of the total catches retained on board of each of the following species: sardine, anchovy, herring, horse mackerel and mackerel.**

**The percentage of undersized sardine, anchovy, herring, horse mackerel and mackerel shall be calculated by live weight of all marine organisms on board after sorting or on landing. These catches shall, in the case of species subject to quota, be counted against quotas.**

**The percentage may be calculated on the basis of one or more representative samples. The limit of 10% shall not be exceeded during transshipment, landing, transportation, storage, display or sale.**

Or. fr

## Justification

*The flexibility afforded by the 10% limit, which already applies, allows staff to sort on the dock instead of on board. It matters because sorting on board is very complicated in the case of undersized catches of certain pelagic species. This derogation applies only to sorting and should never result in juveniles being placed on sale.*

### Amendment 227

Diane Dodds, Ian Duncan

### Proposal for a regulation

#### Article 7 – paragraph 1 – point 8

Regulation (EC) No 1224/2009

Article 49a – paragraph 3

#### *Text proposed by the Commission*

3. **Paragraphs 2 and 3** shall not apply:

– where the catches contain more than 80% of *Norway pout and sand eel caught for non-human consumption purposes or of one or more of the following species*:

- *mackerel*;
- *herring*;
- *horse mackerel*;
- *blue whiting*;
- *boarfish*;
- *anchovy*;
- *argentine*;
- *sardine*;
- *sprat*.

– to fishing vessels of less than 12 metres length overall where catches below the minimum conservation reference size have been sorted, *weighed* and recorded in *the logbook*.

#### *Amendment*

3. **Paragraph 1** shall not apply:

(a) where the catches contain more than 80% of *one or more small pelagic or industrial species, as defined in Article 15(1)(a) of Regulation (EU) No 1380/2013*:

(b) to fishing vessels of less than 12 metres length overall where catches below the minimum conservation reference size have been sorted, *estimated* and recorded in *accordance with Article 14*.

Or. en



*Justification*

*This derogation is necessary as separate storage will be extremely costly and in practice impossible for the pelagic and industrial fisheries to comply with.*

**Amendment 228**

**Diane Dodds, Ian Duncan**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 8**

Regulation (EC) No 1224/2009

Article 49c

*Text proposed by the Commission*

Where catches below the applicable minimum conservation reference size are landed the competent authorities shall ensure that these catches are stored in such a way to make them distinguishable from fisheries products destined for human consumption.

*Amendment*

Where catches below the applicable minimum conservation reference size are landed the competent authorities shall ***endeavour to*** ensure that these catches are stored in such a way to make them distinguishable from fisheries products destined for human consumption.

Or. en

*Justification*

*This obligation is vague and ambiguous given that it could refer to labelling the product or storing the product in different containers. It is also not clear who would have to bear the costs related to this.*

**Amendment 229**

**Werner Kuhn**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 10 a (new)**

Regulation (EC) No 1224/2009

Article 59 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***(10a.) in Article 59, the following paragraph is inserted:***

*‘(3a) By derogation from Article 15(11) of Regulation (EU) No 1380/2013, catches of species below the minimum conservation reference size up to a quantity of 30 kg caught by fishing vessels less than 12m in length may be sold to local registered purchasers or producers’ organisations for immediate human consumption.’*

Or. de

*Justification*

*An exemption from the prohibition on selling very small quantities of undersized fish (e.g. 30 kg) could avoid the need for small-scale coastal fisheries (vessels under 12m in length) to use costly collection systems.*

**Amendment 230**

**Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 10 a (new)**

Regulation (EC) No 1224/2009

Article 60 – paragraph 5

*Present text*

5. The figure resulting from the weighing shall be used for the completion of landing declarations, transport document, sales notes and take-over declarations.

*Amendment*

***(10a) In Article 60, paragraph 5 is replaced by the following:***

***"5. The figure resulting from the weighing shall be used for the completion of landing declarations, transport document, sales notes and take-over declarations. In the case of a transportation or storage over 1 day, the figure in the sales notes could be the result of the weighing at the time of the first sale, with a margin of tolerance of 10% per day compared with the weighing at landing, and a maximum of 20%."***

Or. en

### *Justification*

*The experience on the application of Control Regulation during these years has shown that it is not logic to fix the weight of the fish at the time of landing for the rest of the chain, in the case of a long transportation or storage, and especially with the sampling plans at landing. Nevertheless, the weight at landing would continue being used for quota consumption figures.*

#### **Amendment 231**

**Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 12 a (new)**

Regulation (EC) No 1224/2009

Article 68 – paragraph 1

#### *Present text*

1. Fisheries products landed into the Community, either unprocessed or after having been processed on board, for which neither a sales note nor a take-over declaration has been submitted in accordance with Articles 62, 63, 66 and 67 and which are transported to a place other than that of landing, shall be accompanied by a document drawn up by the **transporter** until the first sale has taken place. The **transporter** shall submit, within 48 hours after the loading, a transport document to the competent authorities of the Member State in whose territory the landing has taken place or other bodies authorised by it.

#### *Amendment*

***(12a) In Article 68, paragraph 1 is replaced by the following:***

"1. Fisheries products landed into the Community, either unprocessed or after having been processed on board, for which neither a sales note nor a take-over declaration has been submitted in accordance with Articles 62, 63, 66 and 67 and which are transported to a place other than that of landing, shall be accompanied by a document drawn up by the **owner of the fishing vessel (the owner of the fish) or the master** until the first sale has taken place. The **owner of the fishing vessel** shall submit, within 48 hours after the loading, a transport document to the competent authorities of the Member State in whose territory the landing has taken place or other bodies authorised by it."

Or. en

### *Justification*

*The experience on the application of Control Regulation during these years has shown that transporter is a person or a company who generally unknowns the Control Regulation, transporting other goods in different voyages. Who owns the fish before sale is the owner of*

*the fishing vessel, so he should be the responsible for all the obligations related to the management and communication of the transport document, maintaining the obligation of the transporter to have it during the transport.*

## **Amendment 232**

**Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné**

### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 12 b (new)**

Regulation (EC) No 1224/2009

Article 68 – paragraph 3

#### *Present text*

3. In the event that the products are transported to a Member State other than the Member State of landing, the **transporter** shall also transmit, within 48 hours following the loading of the fisheries products, a copy of the transport document to the competent authorities of the Member State in whose territory the first marketing is declared to take place. The Member State of first marketing may require further information in this regard from the Member State of landing.

#### *Amendment*

***(12b) In Article 68, paragraph 3 is replaced by the following:***

"3. In the event that the products are transported to a Member State other than the Member State of landing, the **owner of the fishing vessel** shall also transmit, within 48 hours following the loading of the fisheries products, a copy of the transport document to the competent authorities of the Member State in whose territory the first marketing is declared to take place. The Member State of first marketing may require further information in this regard from the Member State of landing."

Or. en

#### *Justification*

*The experience on the application of Control Regulation during these years has shown that transporter is a person or a company who generally unknowns the Control Regulation, transporting other goods in different voyages. Who owns the fish before sale is the owner of the fishing vessel, so he should be the responsible for all the obligations related to the management and communication of the transport document, maintaining the obligation of the transporter to have it during the transport.*

**Amendment 233**  
**Isabelle Thomas**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 15**

Regulation (EC) No 1224/2009

Article 90 – paragraph 1 – point c

*Text proposed by the Commission*

(c) the failure to bring and retain on board the fishing vessel and to land any catches of species subject to quota or subject to the landing obligation as referred to in Article 15 of Regulation (EU) [xxxx], unless the bringing and retention on board and the landing of such catches would be contrary to obligations provided for in the rules of the common fisheries policy in fisheries or fishing zones where such rules apply.

*Amendment*

(c) ***as of [xx xx xxxx]\**** the failure to bring and retain on board the fishing vessel and to land any catches of species subject to quota or subject to the landing obligation as referred to in Article 15 of Regulation (EU) [xxxx], unless the bringing and retention on board and the landing of such catches would be contrary to obligations provided for in the rules of the common fisheries policy in fisheries or fishing zones where such rules apply. ***Until that date, the above-mentioned actions shall constitute ordinary infringements.***

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***\*OJ: please insert the date: two years after the date of publication of Regulation (EU) No [xxxx] in the OJ.***

Or. fr

*Justification*

*The industry needs time to adapt. It should be borne in mind that people working in the industry may make unintended mistakes during the two-year period.*

**Amendment 234**  
**Ulrike Rodust**

**Proposal for a regulation**

**Article 7 – paragraph 1 – point 17 – point a**

Regulation (EC) No 1224/2009

Article 105 – paragraph 2 – table – row 1

<i>Text proposed by the Commission</i>		<i>Amendment</i>	
Extent of overfishing relative to the permitted landings	Multiplying factor	Extent of overfishing relative to the permitted landings	Multiplying factor
Up to 10 %	Excess * <b>1,0</b>	Up to 10 %	Excess * <b>1,1</b>

Or. de

### *Justification*

*The overarching aim of the CFP reform is to put an end to overfishing. There should also be penalties for overfishing quota by up to 10%. Since sanctions are within the remit of the Member States, this will lead to equal conditions throughout EU fisheries.*

## **Amendment 235**

**Renata Briano**

### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 19**

Regulation (EC) No 1224/2009

Article 119a – paragraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
2. The delegation of powers referred to in Article 25a(5) shall be conferred for <b>an indeterminate</b> period of <b>time</b> .	2. The delegation of powers referred to in Article 25a(5) shall be conferred for <b>a</b> period of <b>three years</b> .

Or. it

## **Amendment 236**

**Werner Kuhn, Remo Sernagiotto**

### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – point 19**

Regulation (EC) No 1224/2009

Article 119a – paragraph 2

*Text proposed by the Commission*

2. The delegation of powers referred to in Article 25a(5) shall be conferred ***for an indeterminate period of time***.

*Amendment*

2. The delegation of powers referred to in Article 25a(5) shall be conferred ***for a period of three years***.

Or. de

**Amendment 237**

**Nils Torvalds**

**Proposal for a regulation**

**Article 7 a (new)**

Regulation (EC) No 1005/2008

Article 42 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***Article 7a***

***Amendment to Regulation (EC) No 1005/2008***

***Regulation (EC) No 1005/2008 is amended as follows:***

***In Article 42, the following paragraph is inserted:***

***"1a. The Commission shall be empowered to adopt a delegated act to sanction a Member State by freezing and/or decreasing funds from the European Maritime and Fisheries Fund (EMFF) if a Member State fails to apply a point system for serious infringements."***

Or. en

**Amendment 238**

**Brian Crowley**

**Proposal for a regulation**

**Article 9 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***By way of derogation from paragraph 1, points (15) and (16) of Article 7 shall enter into force two years after the landing obligation takes effect in each fishery, in line with the stepwise timetable for the entry into force of the landing obligation established in Article 15 of Regulation (EU) No 1380/2013, or in other words:***

***- as from 1 January 2017 for the fisheries referred to in Article 15(1)(a) of Regulation (EU) No 1380/2013;***

***- as from 1 January 2019 for the fisheries and species referred to in Article 15(1)(b) and (c) of Regulation (EU) No 1380/2013;***

***- as from 1 January 2021 for the fisheries and species referred to in Article 15(1)(d) of Regulation (EU) No 1380/2013.***

Or. en

*Justification*

*The landing obligation constitutes a major change for fisheries. In order to ensure its successful implementation, fisheries operators should be allowed sufficient flexibility to ensure that this can be done on a gradual basis.*

#### **Amendment 239**

**Werner Kuhn, Remo Sernagiotto**

#### **Proposal for a regulation**

#### **Article 9 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. By way of derogation from paragraph 1, Article 7(15) and (16) of this regulation shall enter into force two years after the landing obligation takes effect in each fishery, in line with the stepwise timetable***



*for the entry into force of the landing obligation established in Article 15 of Regulation (EU) No 1380/2013, or in other words:*

*- as from 1 January 2017 for the fisheries referred to in Article 15(1)(a) of Regulation (EU) No 1380/2013;*

*- as from 1 January 2019 for the fisheries and species referred to in Article 15(1)(b) and (c) of Regulation (EU) No 1380/2013;*

*- as from 1 January 2021 for the fisheries and species referred to in Article 15(1)(d) of Regulation (EU) No 1380/2013.*

Or. de

**Amendment 240**  
**Liadh Ní Riada**

**Proposal for a regulation**  
**Article 9 – paragraph 1a (new)**

*Text proposed by the Commission*

*Amendment*

*1a. By way of derogation from paragraph 1, points (15) and (16) of Article 7 shall enter into force two years after the landing obligation takes effect in each fishery, in line with the stepwise timetable for the entry into force of the landing obligation established in Article 15 of Regulation (EU) No 1380/2013, or in other words:*

*- as from 1 January 2017 for the fisheries referred to in Article 15(1)(a) of Regulation (EU) No 1380/2013;*

*- as from 1 January 2019 for the fisheries and species referred to in Article 15(1)(b) and (c) of Regulation (EU) No 1380/2013;*

*- as from 1 January 2021 for the fisheries and species referred to in Article 15(1)(d) of Regulation (EU) No 1380/2013.*

**Amendment 241**  
**Isabelle Thomas**

**Proposal for a regulation**  
**Annex I**  
 Regulation (EC) No 850/98  
 Annex XII – row 24

*Text proposed by the Commission*

*Amendment*

ANNEX XII

ANNEX XII

[...]

[...]

Short-necked  
clam

**35 mm**

***deleted***

Or. fr

*Justification*

*The STECF agrees on the importance of setting different minimum sizes for each shellfish bed if growth rates and sizes on reaching maturity differ from one bed to another, which is the case with this species. The South Western Waters Regional Advisory Council (CCR S) has pointed out that this is a matter of urgency: in six years the number of operators fishing for short-necked clams in the Arcachon basin has declined by 45% and the remaining operators' economic viability is at risk in the immediate future. The minimum sizes must be fixed at regional level.*

**Amendment 242**  
**Gabriel Mato, Miguel Arias Cañete, Francisco José Millán Mon, Verónica Lope Fontagné**

**Proposal for a regulation**  
**Annex I**  
 Regulation (CE) n 850/ 98  
 Annex XII – rows 5, 16, 17 and 38 a (new)

*Text proposed by the Commission*

*Amendment*

ANNEX XII

ANNEX XII

Species

Minimum Conservation  
reference Size

Species

Minimum Conservation  
reference Size

	Regions 1 to 5, except Skagerra k/Kattega t	Skagerra k/Kattega t		Regions 1 to 5, except Skagerra k/Kattega t	Skagerra k/Kattega t
[...]			[...]		
Hake	<b>27 cm</b>	30 cm	Hake	<b>20 cm</b>	30 cm
[...]			[...]		
Horse mackerel	<b>15 cm</b>	<b>15 cm</b>	Horse mackerel	<b>12 cm</b>	<b>12 cm</b>
Anchovy	<b>12 cm or 90 individua ls per kilo</b>	-	Anchovy	<b>9 cm in the Golf of Cadiz and Canary Island.</b>	-
[...]			[...]		
			<b>Red Sea Bream</b>	<b>25 cm</b>	<b>25 cm</b>

Or. en

### *Justification*

*It is necessary to ensure the coherence between Minimum Reference Sizes for conservation and for commercial purposes. The amendment takes into account scientific knowledge on the conservation sizes. For Red Sea Bream, the objective is to apply in the Atlantic the same size as in the Mediterranean Sea.*

**Amendment 243**  
**Clara Eugenia Aguilera García**

**Proposal for a regulation**  
**Annex I**  
Regulation (CE) n 850/ 98  
Annex XII – rows 5 and 17

*Text proposed by the Commission*

ANNEX XII		
Species	Minimum Conservation reference Size	
	Regions 1 to 5, except Skagerrak/Kattegat	Skagerrak/Kattegat
[...]		
Hake	<b>27 cm</b>	<b>30 cm</b>
[...]		
Anchovy	<b>12 cm</b> or 90 individuals per kilo	-

*Amendment*

ANNEX XII		
Species	Minimum Conservation reference Size	
	Regions 1 to 5, except Skagerrak/Kattegat	Skagerrak/Kattegat
[...]		
Hake	<b>20 cm</b>	<b>20 cm</b>
[...]		
Anchovy	<b>9 cm</b> or 90 individuals per kilo	-

Or. es