



**2018/0193(COD)**

03.11.2020

## **OPINION**

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Fisheries

on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control  
(COM(2018)0368 – C8-0238/2018 – 2018/0193(COD))

Rapporteur for opinion: Pascal Canfin

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## SHORT JUSTIFICATION

According to the latest findings by the European Environment Agency (EEA) on the Status of marine fish and shellfish stocks in Europe<sup>1</sup>, the 2020 objective of having healthy fish and shellfish populations is unlikely to be met in Europe's seas. The EEA reports a marked difference in stocks recovery: in the North-East Atlantic Ocean and Baltic Sea the objectives are likely to be met, whilst for stocks in the Mediterranean and Black Seas the situation remains critical.

Without decisive action at EU, national and local level, climate change is only going to worsen the health of fish and fish stocks in European seas. The Special Report of the Intergovernmental Panel on Climate Change (IPCC) on "The Ocean and Cryosphere in a Changing Climate" of 24 September 2019 underlines how strengthening precautionary approaches, such as rebuilding overexploited or depleted fisheries, and responsiveness of existing fisheries management strategies reduces negative climate change impacts on fisheries, with benefits for regional economies and livelihoods. Fisheries management that regularly assesses and updates measures over time, informed by assessments of future ecosystem trends, reduces risks for fisheries. Confronting the challenge of climate change is thus directly in the interest of the fisheries sector and its medium and long-term economic perspectives.

Furthermore, Sustainable Development Goal 14 determines that by 2020, overfishing, illegal, unreported and unregulated fishing and destructive fishing practices should end. Science-based management plans should be implemented, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics.

A sustainable fishing policy is first and foremost in the interest of fishermen and it also stems from the Union and Member States' international obligations. The Common Fishery Policy (CFP) is nevertheless set to fail if not supported by an effective, transparent, fair and simplified enforcement system.

The rapporteur for opinion broadly welcomes the Commission's proposal as it recognizes that the existing enforcement framework for EU fisheries policy is marred by loopholes, uneven application, insufficient resources and staffing and weak deterrents. The rapporteur for opinion regrets that the legislative proposal could not be adopted in the previous legislature. The proposal was originally presented by the Commission in May 2018 and the impasse on the file means that the Common Fisheries Policies continues to be handicapped by an outdated framework which should be adapted as a matter of priority, strengthening further the ambition of the Commission's proposal.

The rapporteur for opinion introduces a number of amendments aimed at reinforcing sustainability and environmental provisions throughout the proposal: notably clarifying and strengthening the provisions for the oversight and collection of end-of-life fishing equipment to ensure that they do not contribute to marine pollution in line with the Single Use Plastics Directive; ensuring proportionality in the use of CCTV equipment on fishing vessels; a more

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<sup>1</sup> EEA, Indicator Assessment on the Status of marine fish and shellfish stocks in Europe, published on 10 October 2019

stringent percentage for Member States to alert the Commission in case of approaching the exhaustion of fishing opportunities; strengthening the provisions on traceability to the benefit of consumers; introducing minimum EU training requirements for Union Control observers; strengthening the Commission's reporting obligations and finally the possibility for the newly created European Public Prosecutor's Office to investigate crimes against the EU budget also with respect to IUU.

Furthermore the rapporteur is of the opinion that a strengthened enforcement system would increase the level playing field for law-abiding fishermen within the Union and would equally provide further clarity for third country fishing vessels operating in Union waters – an issue which may have a particular bearing for example with respect to future EU-UK relations with respect to fisheries.

## AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Fisheries, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a regulation

##### Recital 1

*Text proposed by the Commission*

(1) The common fisheries policy has been reformed by Regulation (EU) No 1380/2013 of the European Parliament and Council<sup>28</sup>. The objectives of the common fisheries policy and the requirements for fisheries control and enforcement are set out in Articles 2 and 36 of that Regulation. Its successful implementation depends on *the* effective and up-to-date control and enforcement system.

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

*Amendment*

(1) The common fisheries policy has been reformed by Regulation (EU) No 1380/2013 of the European Parliament and Council<sup>28</sup>. The objectives of the common fisheries policy and the requirements for fisheries control and enforcement are set out in Articles 2 and 36 of that Regulation. Its successful implementation depends on *a simplified, effective, transparent* and up-to-date control and enforcement system *which applies consistently in all Member States*.

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

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## Amendment 2

### Proposal for a regulation

#### Recital 3

*Text proposed by the Commission*

(3) Regulation (EC) No 1224/2009 was, however, designed prior to the adoption of the new common fisheries policy. It should therefore be amended in order to better address the requirements for the control and enforcement of the common fisheries policy in accordance with Regulation (EU) No 1380/2013 **and** to take advantage of modern and more cost-effective control technologies.

*Amendment*

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

## Amendment 3

### Proposal for a regulation

#### Recital 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(4a) The Special Report of the Intergovernmental Panel on Climate Change on “The Ocean and Cryosphere in a Changing Climate” of 24 September 2019 underlines how strengthening precautionary approaches, such as rebuilding overexploited or depleted fisheries, and the responsiveness of existing fisheries management strategies reduces negative climate change impacts on fisheries, with benefits for regional economies and livelihoods. Fisheries management that regularly assesses and updates measures over time, informed by assessments of future ecosystem trends, reduces risks for fisheries even if it has***

*limited ability to address ecosystem change.*

#### **Amendment 4**

##### **Proposal for a regulation Recital 4 b (new)**

*Text proposed by the Commission*

*Amendment*

***(4b) Sustainable Development Goal 14 determines that by 2020, overfishing, illegal, unreported and unregulated fishing and destructive fishing practices should end. Science-based management plans should be implemented, in order to restore fish stocks, in the shortest time feasible, at least to levels that can produce the maximum sustainable yield as determined by their biological characteristics. By 2020, at least 10 % of coastal and marine areas should be conserved, consistent with national and international law and based on the best available scientific information.***

#### **Amendment 5**

##### **Proposal for a regulation Recital 4 c (new)**

*Text proposed by the Commission*

*Amendment*

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

## Amendment 6

### Proposal for a regulation Recital 14

#### *Text proposed by the Commission*

(14) Regulation (EC) No 1224/2009 has been amended by Regulation (EU) 2015/812 of the Parliament and Council<sup>31</sup> in order to align certain of its provisions to the landing obligation set in Article 15 of Regulation (EU) No 1380/2013. In order to allow the proper control of the landing obligation, it is necessary to equip, on the basis of a risk assessment, a certain percentage of fishing vessels **should be equipped** with continuous recording electronic monitoring devices including Close Circuit Televisions (CCTV). CCTV data may be supplemented by data from other electronic monitoring devices. Data from these devices, including from CCTV, will provide Member State officials with means to control compliance with the landing obligation at sea. The CCTV footage should only concern the gears and the parts of the vessels where fishery products are brought on board, handled and stored. Footage from CCTVs should be recorded locally and should be made available exclusively to Member States officials or Union inspectors upon requests in particular in the context of inspections, investigations or audits.

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<sup>31</sup> Regulation (EU) 2015/812 of the European Parliament and of the Council of 20 May 2015 amending 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, and Regulations (EU) No 1379/2013 and (EU)

#### *Amendment*

(14) Regulation (EC) No 1224/2009 has been amended by Regulation (EU) 2015/812 of the Parliament and Council<sup>31</sup> in order to align certain of its provisions to the landing obligation set in Article 15 of Regulation (EU) No 1380/2013. In order to allow the proper control of the landing obligation, it is necessary to equip, on the basis of a risk assessment **performed by European Fisheries Control Agency**, a certain percentage of fishing vessels with continuous recording electronic monitoring devices including Close Circuit Televisions (CCTV). CCTV data may be supplemented by data from other electronic monitoring devices **such as fishing activity sensors or catch-mass estimation systems**. Data from these devices, including from CCTV, will provide Member State officials with means to control compliance with the landing obligation at sea. The CCTV footage should only concern the gears and the parts of the vessels where fishery products are brought on board, handled and stored. Footage from CCTVs should be recorded locally and should be made available exclusively to Member States officials or Union inspectors upon requests in particular in the context of inspections, investigations or audits. **Such CCTV equipment should not contain audio recording.**

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<sup>31</sup> Regulation (EU) 2015/812 of the European Parliament and of the Council of 20 May 2015 amending 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, and Regulations (EU) No 1379/2013 and (EU)

No 1380/2013 of the European Parliament and of the Council, as regards the landing obligation, and repealing Council Regulation (EC) No 1434/98 (OJ L 133, 29.5.2015, p. 1).

No 1380/2013 of the European Parliament and of the Council, as regards the landing obligation, and repealing Council Regulation (EC) No 1434/98 (OJ L 133, 29.5.2015, p. 1).

## Amendment 7

### Proposal for a regulation Recital 15 a (new)

*Text proposed by the Commission*

*Amendment*

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

## Amendment 8

### Proposal for a regulation Recital 16

*Text proposed by the Commission*

*Amendment*

(16) The submission of catch registration data on paper formats has led to incomplete and unreliable reporting and ultimately to inadequate catch reporting by operators to Member States and by Member States to the Commission, and has hampered the exchange of information between Member States. It is therefore considered necessary that masters record data concerning catches in a digital way and submit them electronically, in particular the logbooks, transshipment declarations and landing declarations.

(16) The submission of catch registration data on paper formats has led to incomplete and unreliable reporting and ultimately to inadequate catch reporting by operators to Member States and by Member States to the Commission, and has hampered the exchange of information between Member States ***and the transfer of information to the recognised scientific bodies responsible for issuing the opinions that are used to determine fishing opportunities.*** It is therefore considered necessary that masters record data concerning catches in a digital way and submit them ***on a regular basis*** electronically, in particular the logbooks, transshipment declarations and landing declarations. ***It should be the responsibility of the Member States to***



*provide training tools for masters of fishing vessels, facilitating the online registration of those data.*

## Amendment 9

### Proposal for a regulation

#### Recital 20

*Text proposed by the Commission*

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

*Amendment*

(20) When a fishing vessel departs, it should immediately start an electronic logbook and a unique fishing trip identifier number is assigned for that trip. The logbook, transshipment declarations and landing declarations should include a reference to this unique fishing trip identifier number to allow enhanced controls and to improve the validation of the data by Member States and the traceability of fishery products in the supply chain. In order to improve and simplify the transmission of information on fishing gear losses to Member State competent authorities, the logbook format should include *precise* information on lost gears *covering the position, date and time of the loss and the size and type of gear*.

## Amendment 10

### Proposal for a regulation

#### Recital 24

*Text proposed by the Commission*

(24) Rules on the submission of aggregated catch data and fishing efforts to the Commission should be simplified by providing for a single date for all submissions.

*Amendment*

(24) Rules on the submission of aggregated catch data and fishing efforts to the Commission should be simplified by providing for a single date for all submissions. *Such data should also be disseminated and made available to the public subject to the removal of sensitive data and in anonymised form.*

## Amendment 11

### Proposal for a regulation Recital 29

*Text proposed by the Commission*

(29) Fishing restricted areas are established under Union legislation, national legislation and international agreements. Therefore the provisions on the control of fishing restricted areas by Member States should apply to fishing restricted areas wherever they are located. Also recreational vessels fishing in restricted areas should be controlled, where appropriate.

*Amendment*

(29) ***Networks of protected areas help maintain ecosystem services, including carbon uptake and storage, and enable future ecosystem-based adaptation options by facilitating the movements of species, populations, and ecosystems that occur in response to global warming and sea level rise.*** Fishing restricted areas are established under Union legislation, national legislation and international agreements. Therefore the provisions on the control of fishing restricted areas by Member States should apply to fishing restricted areas wherever they are located. Also recreational vessels fishing in restricted areas should be controlled, where appropriate.

## Amendment 12

### Proposal for a regulation Recital 32 a (new)

*Text proposed by the Commission*

*Amendment*

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

## Amendment 13

### Proposal for a regulation Recital 34

*Text proposed by the Commission*

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

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

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

**Amendment 14**

**Proposal for a regulation**  
**Recital 37**

*Amendment*

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

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

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

*Text proposed by the Commission*

(37) The same rules should apply to fishery and aquaculture products imported from third countries. In the case of imported products, the mandatory traceability information should include a reference to the catch certificate provided for by Regulation (EC) No 1005/2008<sup>34</sup>.

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

*Amendment*

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

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

## **Amendment 15**

### **Proposal for a regulation Recital 38**

*Text proposed by the Commission*

(38) In order to ensure an effective and timely transmission of the traceability information concerning fishery and aquaculture products, that information should be recorded in a digitalized manner and transmitted electronically within in the supply chain and to competent authorities ***upon their request***.

## **Amendment 16**

### **Proposal for a regulation Recital 40**

*Amendment*

(38) In order to ensure an effective and timely transmission of the traceability information concerning fishery and aquaculture products, that information should be recorded in a digitalized manner and transmitted electronically within in the supply chain and to competent authorities ***within no more than 24 hours***.

*Text proposed by the Commission*

(40) In order to achieve the objectives of the common fisheries policy, the reliability and comprehensive collection of data on catches is of the utmost importance. In particular recording of catches at the time of landing should be carried out in the most reliable way possible. For that purpose, it is necessary to strengthen the procedures concerning the weighing of fishery products upon landing.

*Amendment*

(40) In order to achieve the objectives of the common fisheries policy, the reliability and comprehensive collection of data on catches is of the utmost importance. In particular recording of catches at the time of landing should be carried out in the most reliable way possible. For that purpose, it is necessary to strengthen the procedures concerning the weighing of fishery products upon landing ***and to invest in digitisation at landing sites, facilitating systematic and standardised data collection.***

**Amendment 17**

**Proposal for a regulation  
Recital 41**

*Text proposed by the Commission*

(41) The weighing should be performed on systems approved by the competent authorities and by operators registered by Member States to carry out that task. All products should be weighed per species upon landing as this will guarantee a more accurate reporting of the catches. Furthermore, weighing records should be recorded electronically and kept for three years.

*Amendment*

(41) The weighing should be performed on systems approved by the competent authorities and by operators registered by Member States to carry out that task. All products should be weighed per species upon landing as this will guarantee a more accurate reporting of the catches. Furthermore, weighing records should be recorded electronically and kept for three years. ***Those systems should comply with minimum requirements agreed between Member States with a view to standardising them throughout the Union.***

**Amendment 18**

**Proposal for a regulation  
Recital 49**

*Text proposed by the Commission*

(49) In order to ensure a level playing field in the Member States as regards the

*Amendment*

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judicial treatment of all offenders of the rules of the common fisheries policy, provisions concerning determination of behaviours that constitute serious infringements of such rules should be clarified and reinforced.

judicial treatment of all offenders of the rules of the common fisheries policy, provisions concerning determination of behaviours that constitute serious infringements of such rules should be clarified and reinforced ***to ensure their full and consistent application in all Member States.***

## Amendment 19

### Proposal for a regulation Recital 58

#### *Text proposed by the Commission*

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

#### *Amendment*

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

## Amendment 20

### Proposal for a regulation Recital 58 a (new)

*Text proposed by the Commission*

*Amendment*

***(58a) All personal data collected, transferred and stored must comply with Regulation (EU) 2016/679 of the European Parliament and the Council<sup>1a</sup>.***

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***<sup>1a</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).***

## Amendment 21

### Proposal for a regulation Article 1 – paragraph 1 – point 1 – point b a (new) Regulation (EC) No 1224/2009 Article 4 – paragraph 1 – point 3

*Present text*

*Amendment*

3. ‘control’ means monitoring and surveillance;

***(ba) point 3 is replaced by the following:***

***“3. ‘control’ means monitoring and surveillance of any fishing or aquaculture activities, markets or auctions covered by the common fisheries policy, including relevant environmental legislation;”***

## Amendment 22

### Proposal for a regulation Article 1 – paragraph 1 – point 1 – point b b (new) Regulation (EC) No 1224/2009 Article 4 – paragraph 1 – point 6

*Present text*

*Amendment*

6. ‘official’ means a person authorised by a national authority, the Commission or the **Community** Fisheries Control Agency to carry out an inspection;

**(bb) point 6 is replaced by the following:**

“6. ‘official’ means a person authorised by a national authority, the Commission or the **European** Fisheries Control Agency to carry out an inspection;”

*(Throughout the text all references to ‘Community Fisheries Control Agency’ should be changed to ‘European Fisheries Control Agency’. This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)*

## **Amendment 23**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 1 – point b c (new)**

Regulation (EC) No 1224/2009

Article 4 – paragraph 1 – point 7

*Present text*

*Amendment*

7. ‘Union inspectors’ means officials of a Member State *or* of the Commission or **the body designated by it**, whose names are contained in the list established in accordance with Article 79;

**(bc) point 7 is replaced by the following:**

“7. ‘Union inspectors’ means officials of a Member State, of the Commission or **of the European Fisheries Control Agency**, whose names are contained in the list established in accordance with Article 79;”

## **Amendment 24**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 1 – point k a (new)**

Regulation (EC) No 1224/2009

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

*Text proposed by the Commission*

*Amendment*

**(ka) the following point is added:**



***“34a. ‘traceability’ means traceability as defined in Article 3(15) of Regulation (EC) No 178/2002 of the European Parliament and of the Council<sup>1a</sup>.***

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

## **Amendment 25**

### **Proposal for a regulation**

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

Regulation (EC) No 1224/2009

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

*Text proposed by the Commission*

*Amendment*

***(fa) procedures for the notification of the end of use fishing gears in line with Directives (EU) 2019/883<sup>1a</sup> and 2019/904<sup>1b</sup> of the European Parliament and of the Council.***

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***<sup>1a</sup> Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships (OJ L 151, 7.6.2019, p. 116).***

***<sup>1b</sup> Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment (OJ L 155, 12.6.2019, p. 1).***

## Amendment 26

### Proposal for a regulation

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

Regulation (EC) No 1224/2009

Article 9 – paragraph 1

#### *Text proposed by the Commission*

1. Member States shall operate vessel monitoring systems for effective monitoring of position **and** movement of the fishing vessels flying their flag wherever those vessels may be, and of fishing vessels in the Member States' waters through the collection and analysis of vessel position data. Each flag Member State shall ensure the continuous and systematic monitoring and control of the accuracy of the vessel position data.

#### *Amendment*

1. Member States shall operate vessel monitoring systems for effective monitoring of position, movement **and fishing activity** of the fishing vessels flying their flag wherever those vessels may be, and of fishing vessels in the Member States' waters through the collection and analysis of vessel position data. Each flag Member State shall ensure the continuous and systematic monitoring and control of the accuracy of the vessel position data.

## Amendment 27

### Proposal for a regulation

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

Regulation (EC) No 1224/2009

Article 9 – paragraph 2 – subparagraph 1

#### *Text proposed by the Commission*

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

#### *Amendment*

Union fishing vessels shall have installed on board a fully functioning device which allows that vessel to be automatically located and identified by a vessel monitoring system through transmitting vessel position data at regular intervals **close to real-time with the possibility to send position every 10 minutes.**

## Amendment 28

### Proposal for a regulation

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

Regulation (EC) No 1224/2009

Article 9 – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

The vessel monitoring systems shall also allow the fisheries monitoring centre referred to in Article 9a of the flag Member State to poll the fishing vessel at all times. The transmission of vessel position data and the polling shall either pass through a satellite connection, or may use a land-based mobile network when in reach of such network.

*Amendment*

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

**Amendment 29**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 9 – paragraph 3

*Text proposed by the Commission*

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

*Amendment*

3. By way of derogation from paragraph 2, masters of Union fishing vessels below 12 metres' length overall may carry on board a ***fully functioning*** mobile device which allows the vessel to be automatically located and identified by a vessel monitoring system through recording and transmitting vessel position data at regular intervals, ***close to real-time with the possibility to send position every 10 minutes.*** In case the device is not within reach of a ***communication*** network, the vessel position data shall be recorded during that period of time and shall be transmitted as soon as the vessel is in reach of such network and at the latest ***upon*** entering port.

**Amendment 30**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

*Text proposed by the Commission*

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

*Amendment*

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

**Amendment 31**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 1224/2009

Article 9 – paragraph 5

*Text proposed by the Commission*

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

*Amendment*

5. If a Union fishing vessel operates in the waters of a third country or in waters where the fishing resources are managed by a regional fisheries management organisation as referred to in Article 3(1), and if the agreement with that third country or the applicable rules of that organisation so provide, vessel position data **of the fishing trip concerned** shall also be made available **by automatic transmission to the body designated by** that country or organisation.

**Amendment 32**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 7**

*Text proposed by the Commission*

1. Member States shall establish and operate fisheries monitoring centres which shall monitor fishing activities and fishing effort. The fisheries monitoring centre of a particular Member State shall monitor the fishing vessels flying its flag, whatever the waters in which they are operating or the port they are in, as well as Union fishing vessels flying the flag of other Member States and fishing vessels of third countries to which vessel monitoring system provisions applies operating in the waters under the sovereignty or the jurisdiction of that particular Member State.

*Amendment*

1. Member States shall establish and operate fisheries monitoring centres which shall monitor fishing activities and fishing effort. The fisheries monitoring centre of a particular Member State shall monitor the fishing vessels flying its flag, whatever the waters in which they are operating or the port they are in, as well as Union fishing vessels flying the flag of other Member States and fishing vessels of third countries to which vessel monitoring system provisions applies operating in the waters under the sovereignty or the jurisdiction of that particular Member State. ***Fisheries monitoring centres shall also report on the number of abandoned, lost or otherwise discarded fishing gear (ALDFG) and actions to prevent and mitigate the presence of ALDFG.***

**Amendment 33**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 7**

Regulation (EC) No 1224/2009

Article 9a – paragraph 3

*Text proposed by the Commission*

3. Flag Member States shall ensure that fisheries monitoring centres have access to all relevant data and in particular as listed in Articles 109 and 110 and operate 7 days a week and 24 hours a day.

*Amendment*

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

**Amendment 34**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 7**

*Text proposed by the Commission*

*Amendment*

**3a. Flag Member States shall use data collected by fisheries monitoring centres to evaluate the implementation of other Union legislation, in particular Council Directive 92/43/EEC<sup>1a</sup> and Directives 2008/56/EC<sup>1b</sup>, 2009/147/EC<sup>1c</sup> and 2014/89/EU<sup>1d</sup> of the European Parliament and of the Council.**

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<sup>1a</sup> **Directive 92/43/EEC of the European Parliament and of the Council of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).**

<sup>1b</sup> **Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).**

<sup>1c</sup> **Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).**

<sup>1d</sup> **Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning (OJ L 257, 28.8.2014, p. 135).**

## **Amendment 35**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 7**  
Regulation (EC) No 1224/2009  
Article 9a – paragraph 3 b (new)

*Text proposed by the Commission*

*Amendment*

**3b. Fisheries monitoring centres shall support real-time monitoring of vessels in order to enable immediate enforcement actions.**

### **Amendment 36**

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

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

Regulation (EC) No 1224/2009

Article 9a – paragraph 4 – point d a (new)

*Text proposed by the Commission*

*Amendment*

**(da) measures to be taken to prevent, mitigate and eliminate the presence of ALDFG.”**

### **Amendment 37**

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

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

Regulation (EC) No 1224/2009

Article 10 – paragraph 1

*Text proposed by the Commission*

*Amendment*

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

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

### **Amendment 38**

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

##### **Article 1 – paragraph 1 – point 8 a (new)**

Regulation (EC) No 1224/2009

Article 10 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**(8a) in Article 10, the following paragraph is inserted:**

**1a. By way of derogation from paragraph 1, if the master of a Union fishing vessel believes that the continuous operation of the automatic identification system might compromise safety or where security incidents are imminent, the automatic identification system may be switched off.**

**Where the automatic identification system is switched off in accordance with the first subparagraph, the master of a Union fishing vessel shall report that action and the reason for doing so to the competent authorities of its flag Member State and, when relevant, to the competent authorities of the coastal State. The master shall restart the automatic identification system as soon as the source of danger has disappeared.**

*Justification*

*There must be an obligation for the master of the fishing vessel to operate continuously AIS systems on board, unless security reasons oblige him to turn it off.*

### **Amendment 39**

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

#### **Article 1 – paragraph 1 – point 8 b (new)**

Regulation (EC) No 1224/2009

Article 10 – paragraph 1 b (new)

*Text proposed by the Commission*

*Amendment*

**(8b) in Article 10, the following paragraph is added:**

**“1b. Member States shall ensure that data from the automatic identification system is made available to their national fisheries control authorities, for control purposes, including cross-checks of automatic identification system data with other available data, in accordance with**



## **Amendment 40**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 11**

Regulation (EC) No 1224/2009

Article 14 – paragraph 2 – point h

*Text proposed by the Commission*

(h) estimated discards of live-weight equivalent in volume for any species not subject to the landing obligation;

*Amendment*

(h) estimated discards of live-weight equivalent in volume, **and number**, for any species not subject to the landing obligation;

## **Amendment 41**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 11**

Regulation (EC) No 1224/2009

Article 14 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3a. For the purpose of compliance with other Union legislation, in particular with Council Directive 92/43/EEC<sup>1a</sup>, Directives 2008/56/EC<sup>1b</sup>, 2009/147/EC<sup>1c</sup> and 2014/89/EU<sup>1d</sup> and Regulation (EU) 2017/1004<sup>1e</sup> of the European Parliament and of the Council<sup>1e</sup>, in the event of the capture of sensitive species, the logbook shall also contain the following information:**

- (a) the species captured;**
- (b) the number of individuals captured;**
- (c) the date and geographic position of the capture;**
- (d) the number of individuals killed;**
- (e) the number of individuals released;**
- (f) the number of individuals injured and released;**

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*<sup>1a</sup> Directive 92/43/EEC of the European Parliament and of the Council of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).*

*<sup>1b</sup> Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).*

*<sup>1c</sup> Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).*

*<sup>1d</sup> Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning (OJ L 257, 28.8.2014, p. 135).*

*<sup>1e</sup> Regulation (EU) 2017/1004 of the European Parliament and of the Council of 17 May 2017 on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008 (OJ L 157, 20.6.2017, p. 1).*

## **Amendment 42**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 12**

Regulation (EC) No 1224/2009

Article 15 – paragraph 2

*Text proposed by the Commission*

2. Masters of Union catching vessels of less than 12 metres' length overall shall submit by electronic means the information

*Amendment*

2. Masters of Union catching vessels of less than 12 metres' length overall shall submit by electronic means the information

referred to in Article 14, to the competent authority of their flag Member State after the last fishing operation has been completed and before entering port.

referred to in Article 14, to the competent authority of their flag Member State after the last fishing operation has been completed and before entering port.

***The first subparagraph shall apply from ... [18 months after the date of application of Article 15]. Before that date, masters of Union catching vessels of less than 12 metres' length overall may continue to submit the information referred to in Article 14 on paper.***

#### **Amendment 43**

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

##### **Article 1 – paragraph 1 – point 12**

Regulation (EC) No 1224/2009

Article 15 – paragraph 4

*Text proposed by the Commission*

4. The competent authorities of a coastal Member State shall accept electronic reports received from the flag Member State containing the data from fishing vessels referred to in paragraphs 1, 2 and 3.

*Amendment*

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

#### **Amendment 44**

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

##### **Article 1 – paragraph 1 – point 12**

Regulation (EC) No 1224/2009

Article 15 – paragraph 5

*Text proposed by the Commission*

5. Masters of third country catching vessels operating in Union waters shall submit by electronic means the information referred to in Article 14 to the competent

*Amendment*

5. Masters of third country catching vessels operating in Union waters shall submit by electronic means the information referred to in Article 14 ***under the same***

authority of the coastal Member State."

*conditions as apply to masters of Union fishing vessels* to the competent authority of the coastal Member State."

#### **Amendment 45**

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

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

Regulation (EC) No 1224/2009

Article 19a – paragraph 4

##### *Text proposed by the Commission*

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

##### *Amendment*

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

#### **Amendment 46**

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

##### **Article 1 – paragraph 1 – point 19**

Regulation (EC) No 1224/2009

Article 20 – paragraph 2b – point c

##### *Text proposed by the Commission*

(c) the FAO alpha-3 code of each species and its relevant geographical area in which the catches were taken;

##### *Amendment*

(c) the FAO alpha-3 code of each ***transshipped*** species and its relevant geographical area in which the catches were taken;

## Amendment 47

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 19

Regulation (EC) No 1224/2009

Article 20 – paragraph 2b – point d

*Text proposed by the Commission*

(d) the estimated quantities of each species in kilograms in product weight and in live weight, broken down by type of product presentation;

*Amendment*

(d) the estimated quantities of each **transshipped** species in kilograms in product weight and in live weight, broken down by type of product presentation;

## Amendment 48

### Proposal for a regulation

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

Regulation (EC) No 1224/2009

Article 21 – paragraph 2 – point c

*Text proposed by the Commission*

(c) the FAO alpha-3 code of each species and its relevant geographical area in which the catches were taken;

*Amendment*

(c) the FAO alpha-3 code of each **transshipped** species and its relevant geographical area in which the catches were taken;

## Amendment 49

### Proposal for a regulation

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

Regulation (EC) No 1224/2009

Article 21 – paragraph 2 – point d

*Text proposed by the Commission*

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

*Amendment*

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

## Amendment 50

### Proposal for a regulation

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

Regulation (EC) No 1224/2009

Article 23 – paragraph 2 – point d a (new)

*Text proposed by the Commission*

*Amendment*

***(da) the quantity in cubic metres of marine litter retrieved through the fishing operations in accordance with Directive (EU) 2019/883 of the European Parliament and of the Council<sup>1a</sup>;***

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***<sup>1a</sup> Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships (OJ L 151, 7.6.2019, p. 116).***

## Amendment 51

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 23

Regulation (EC) No 1224/2009

Article 25a – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. Member States shall ensure effective control of the landing obligation. For this purpose a minimum percentage of fishing vessels fishing for species subject to the landing obligation and flying their flag established in accordance with paragraph 2, shall be equipped with continuously recording Closed-Circuit Television (CCTV) systems incorporating data storage.

1. Member States shall ensure effective control of the landing obligation ***incidental catches of sensitive species and the reliability of catch data***. For this purpose a minimum percentage of ***all*** fishing vessels fishing for species subject to the landing obligation and flying their flag established in accordance with paragraph 2, shall be equipped with continuously recording Closed-Circuit Television (CCTV), ***net sensors and the required*** systems incorporating data storage. ***Those CCTV systems shall not be required to record audio signal and audio signal shall not be used for monitoring***

*purposes.*

## **Amendment 52**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 23**

Regulation (EC) No 1224/2009

Article 25a – paragraph 2

*Text proposed by the Commission*

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

*Amendment*

2. The percentage of fishing vessels referred to in paragraph 1 shall be established ***on the basis of all fishing vessels subject to*** specific control and inspection programmes adopted pursuant to Article 95, ***and on the basis of the number of fishing vessels identified on the basis of a risk assessment performed by European Fisheries Control Agency as being of high or very high risk of non-compliance with the rules of the common fisheries policy.***

## **Amendment 53**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 27**

Regulation (EC) No 1224/2009

Article 33 – paragraph 1

*Text proposed by the Commission*

1. Each flag Member State shall record all data related to catches and fishing effort referred to in this Regulation, in particular data referred to in Articles 14, 21, 23, 55, 59a, 62, 66 and 68, and shall keep the originals of those data for a period of at least three years in accordance with national rules.

*Amendment*

1. Each flag Member State shall record all data related to catches and fishing effort referred to in this Regulation, in particular data referred to in Articles 14, 21, 23, ***25a***, 55, 59a, 62, 66 and 68, and shall keep the originals of those data for a period of at least three years in accordance with national rules.

## **Amendment 54**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 27**

*Text proposed by the Commission*

4. In the case where a Member State detects inconsistencies between the information submitted to the Commission in accordance with paragraphs 2 and 3 and the results of the validation performed in accordance with Article 109, the Member State shall provide to the Commission the corrected quantities established on the basis of that validation as soon as available and no later than **12** months after the date of landing.

**Amendment 55**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 28**

Regulation (EC) No 1224/2009  
Article 34 – paragraph 1

*Text proposed by the Commission*

The Commission may request a Member State to submit more detailed and more frequent information than provided for in Article 33 in the case it is established that **80** % of a quota for a stock or group of stocks is deemed to be exhausted.

**Amendment 56**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 31 – point a**

Regulation (EC) No 1224/2009  
Article 37 – paragraph 2

*Text proposed by the Commission*

2. If the prejudice suffered by the Member State for which fishing has been prohibited before its fishing opportunities were exhausted has not been removed, the Commission shall adopt measures with the

*Amendment*

4. In the case where a Member State detects inconsistencies between the information submitted to the Commission in accordance with paragraphs 2 and 3 and the results of the validation performed in accordance with Article 109, the Member State shall provide to the Commission the corrected quantities established on the basis of that validation as soon as available and no later than **six** months after the date of landing.

*Amendment*

The Commission may request a Member State to submit more detailed and more frequent information than provided for in Article 33 in the case it is established that **70** % of a quota for a stock or group of stocks is deemed to be exhausted.

*Amendment*

2. If the prejudice suffered by the Member State for which fishing has been prohibited before its fishing opportunities were exhausted has not been removed, the Commission shall adopt measures with the



aim of remedying in an appropriate manner the prejudice caused, by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). Those measures may involve making deductions from the fishing opportunities of any Member State which has overfished *and* allocating the quantities so deducted appropriately to the Member States whose fishing activities were prohibited before their fishing opportunities were exhausted.

aim of remedying in an appropriate manner the prejudice caused, by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). Those measures may involve making deductions from the fishing opportunities of any Member State which has overfished, *a fine proportionate to the value of the overfished stock or* allocating the quantities so deducted appropriately to the Member States whose fishing activities were prohibited before their fishing opportunities were exhausted.

## Amendment 57

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 31 – point b

Regulation (EC) No 1224/2009

Article 37 – paragraph 4 – point g

#### *Text proposed by the Commission*

(g) where appropriate, any other necessary measure on how to remedy the prejudice suffered.

#### *Amendment*

(g) where appropriate, any other necessary measure on how to remedy the prejudice suffered, *such as fines or financial compensation for the prejudiced Member State.*

## Amendment 58

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 42 – point a

Regulation (EC) No 1224/2009

Article 48 – paragraph 3

#### *Text proposed by the Commission*

3. If the lost gear cannot be retrieved, the Master of the vessel shall include the information on the lost gear in the logbook pursuant to Article 14(3). The competent authority of the flag Member State shall inform the competent authority of the coastal Member State.

#### *Amendment*

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

Member State.

## Amendment 59

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 42 – point b

Regulation (EC) No 1224/2009

Article 48 – paragraph 5

#### *Text proposed by the Commission*

5. Member States shall collect and record information concerning lost gears and provide this information to the Commission upon request.

#### *Amendment*

5. Member States shall collect and record ***all the*** information concerning lost gears ***that could not be retrieved as referred to in Article 48(3)*** and provide this information to the Commission upon request.

## Amendment 60

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 43

Regulation (EC) No 1224/2009

Article 50 – title

#### *Text proposed by the Commission*

Control of fishing restricted areas

#### *Amendment*

Control of fishing restricted areas ***and marine protected areas***

## Amendment 61

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 43

Regulation (EC) No 1224/2009

Article 50 – paragraph 1

#### *Text proposed by the Commission*

1. Fishing activities in fishing restricted areas located in Union waters shall be controlled by the coastal Member State. The coastal Member State shall have a system to detect and record the fishing vessels' entry into, transit through and exit from fishing restricted areas under its

#### *Amendment*

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

jurisdiction or sovereignty.

restricted areas **and marine protected areas** under its jurisdiction or sovereignty.

## Amendment 62

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 43

Regulation (EC) No 1224/2009

Article 50 – paragraph 2

#### *Text proposed by the Commission*

2. Fishing activities of Union fishing vessels in fishing restricted areas located in **high seas** or in third country waters shall be controlled by the flag Member States.

#### *Amendment*

2. Fishing activities of Union fishing vessels in fishing restricted areas **and in marine protected areas** located in **areas beyond national jurisdiction** or in third country waters shall be controlled by the flag Member States.

## Amendment 63

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 43

Regulation (EC) No 1224/2009

Article 50 – paragraph 3 – introductory part

#### *Text proposed by the Commission*

3. Transit through a fishing restricted area is allowed for all fishing vessels that are not authorised to fish in such areas subject to the following conditions:

#### *Amendment*

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

## Amendment 64

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 43

Regulation (EC) No 1224/2009

Article 50 – paragraph 3 – point b

#### *Text proposed by the Commission*

(b) the speed during transit is not less than six knots except in case of force majeure or adverse conditions. In such

#### *Amendment*

(b) **no stops are allowed during the transit and** the speed during transit is not less than six knots except in case of force

cases, the master shall immediately inform the fisheries monitoring centre of its flag Member State which shall then inform the competent authorities of the coastal Member State.

majeure or adverse conditions. In such cases, the master shall immediately inform the fisheries monitoring centre of its flag Member State which shall then inform the competent authorities of the coastal Member State.

## **Amendment 65**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 43**

Regulation (EC) No 1224/2009

Article 50 – paragraph 3 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) there are no specific vessel transit prohibitions in the area or for a particular period of the day or the year.***

## **Amendment 66**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 43**

Regulation (EC) No 1224/2009

Article 50 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***3a. The frequency of vessel monitoring data transmission intervals shall automatically be increased to the closest to real-time possible from the entrance until the exit of the vessel into a fishing restricted area or a marine protected area.***

## **Amendment 67**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 44**

Regulation (EC) No 1224/2009

Article 55 – paragraph 1 – subparagraph 2 – point a

*Text proposed by the Commission*

(a) put in place a registration or a licensing system monitoring the number of natural and legal persons involved in recreational fisheries; and

*Amendment*

(a) put in place a registration or a licensing system monitoring the number of natural and legal persons involved in recreational fisheries ***and informing applicants of Union fisheries conservation measures in place***; and

**Amendment 68**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 44**

Regulation (EC) No 1224/2009

Article 55 – paragraph 2 – introductory part

*Text proposed by the Commission*

2. As regards stocks, groups of stocks ***and species*** that are subject to Union conservation measures applicable to recreational fisheries, Member States shall

*Amendment*

As regards ***species***, stocks ***or*** groups of stocks that are subject to Union conservation measures, ***such as quotas, catch-limits and bag limits***, applicable to recreational fisheries, Member States shall:

**Amendment 69**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 44**

Regulation (EC) No 1224/2009

Article 55 – paragraph 6

*Text proposed by the Commission*

6. This Article shall apply to any recreational fishing activities, including fishing activities organised by commercial entities in the tourism sector and in the sector of sport competition.

*Amendment*

6. This Article shall apply to any recreational fishing activities ***performed with the support of a vessel or on foot, and with the use of any catching or harvesting method***, including fishing activities organised by commercial entities in the tourism sector and in the sector of sport competition.

## Amendment 70

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 46

Regulation (EC) No 1224/2009

Article 58 – paragraph 3

*Text proposed by the Commission*

3. Lots of fishery and aquaculture products placed on the market or likely to be placed on the market in the Union, or exported or likely to be exported, shall be adequately marked or labelled to ensure the traceability of each lot.

*Amendment*

3. Lots of fishery and aquaculture products placed on the market or likely to be placed on the market in the Union, or exported or likely to be exported, shall be adequately marked or labelled to ensure the traceability of each lot ***and to allow consumers to clearly identify the origin of the fish.***

## Amendment 71

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 46

Regulation (EC) No 1224/2009

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

*Text proposed by the Commission*

*Amendment*

***(ha) for fishery products caught at sea, the IMO number or, if an IMO number is not applicable, another unique catching vessel identification number.***

## Amendment 72

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 46

Regulation (EC) No 1224/2009

Article 58 – paragraph 7

*Text proposed by the Commission*

7. Member States may exempt from the requirements set out in this Article small quantities of products sold directly from fishing vessels to consumers, provided that these do not exceed 5kg of

*Amendment*

7. Member States may exempt from the requirements set out in this Article small quantities of products sold directly from fishing vessels to consumers, provided that these do not exceed 5kg of fishery product per consumer per day ***and***

fishery product per consumer per day.

***150 kg of fishery products per week per vessel.***

### **Amendment 73**

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

##### **Article 1 – paragraph 1 – point 46**

Regulation (EC) No 1224/2009

Article 58 – paragraph 8 – point a

*Text proposed by the Commission*

*Amendment*

(a) digitalisation of the traceability information and its electronic transmission;

(a) digitalisation of the traceability information and its electronic transmission, ***including access to such information for consumers;***

### **Amendment 74**

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

##### **Article 1 – paragraph 1 – point 49**

Regulation (EC) No 1224/2009

Article 60 – paragraph 5

*Text proposed by the Commission*

*Amendment*

***5. By way of derogation from paragraph 1, Member States may permit fishery products to be weighed unsorted on landing if the following conditions are met:***

***deleted***

***(a) The weighing of the unsorted fishery product is performed upon landing on a system operated or controlled by the competent authorities before transport, storage or placing on the market;***

***(b) In the case of unsorted landings not destined for human consumption: the Member State has adopted a risk-based sampling plan and the Commission has approved that plan;***

***(c) In the case of fishery products destined for human consumption: a second weighing per species of fisheries products is performed by a registered***

***weigher. That second weighing may take place, after transport, at an auction centre, at the premises of a registered buyer or producer organisation. The result of that second weighing shall be transmitted to the master.***

*Justification*

*In order to ensure a level-playing field across all EU fisheries and in light of recent fraud cases to weighing requirements under the current Control Regulation, it is important to remove all derogations in Article 60.*

**Amendment 75**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 59 – point b a (new)**

Regulation (EC) No 1224/2009

Article 73 – paragraph 7

*Present text*

7. Masters of **Community** fishing vessels shall provide adequate accommodation for assigned control observers, facilitate their work and avoid interference with the discharge of their duties. Masters of **Community** fishing vessels shall also provide control observers access to relevant parts of the vessel, including the catch, and to the vessel's documents including electronic files.

*Amendment*

***(ba) paragraph 7 is replaced by the following:***

“7. Masters of **Union** fishing vessels shall provide adequate accommodation for assigned control observers, facilitate their work and avoid interference with the discharge of their duties. Masters of **Union** fishing vessels shall also provide control observers access to relevant parts of the vessel, including the catch, and to the vessel's documents including electronic files.”;

**Amendment 76**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 59 – point c**

Regulation (EC) No 1224/2009

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

*Text proposed by the Commission*

*Amendment*

***(fa) minimum Union training***



*requirements for Union control observers.*

## **Amendment 77**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 60**

Regulation (EC) No 1224/2009

Article 74 – paragraph 3 – introductory part

*Text proposed by the Commission*

3. Officials shall verify compliance of the activities carried out by the operators and the masters with the rules of the common fisheries policy, and in particular:

*Amendment*

3. Officials shall verify compliance of the activities carried out by the operators and the masters with the rules of the common fisheries policy **and Union environmental policy**, and in particular:

## **Amendment 78**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 60**

Regulation (EC) No 1224/2009

Article 74 – paragraph 3 – point a

*Text proposed by the Commission*

(a) the legality of the fisheries products kept on board, stored, transported, transhipped, transferred, landed, processed or marketed and the accuracy of the documentation or electronic transmissions relating to them;

*Amendment*

(a) the legality of the fisheries products kept on board, **discarded**, stored, transported, transhipped, transferred, landed, processed or marketed and the accuracy of the documentation or electronic transmissions relating to them;

## **Amendment 79**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 60**

Regulation (EC) No 1224/2009

Article 74 – paragraph 3 – point b

*Text proposed by the Commission*

(b) the legality of fishing gears used for the targeted species and for the catches kept on board and the equipment used for the retrieval of the fishing gears as referred

*Amendment*

(b) the legality of fishing gears used for the targeted **and bycatch** species and for the catches kept on board and the equipment used for the retrieval of the

to in Article 48;

fishing gears as referred to in Article 48;

## Amendment 80

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 60

Regulation (EC) No 1224/2009

Article 74 – paragraph 4

#### *Text proposed by the Commission*

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

#### *Amendment*

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

## Amendment 81

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 60

Regulation (EC) No 1224/2009

Article 74 – paragraph 4 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

**4a. Officials shall be given the training needed to carry out their inspection and control duties and shall be equipped with the resources needed to carry them out properly.**

## Amendment 82

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 60

Regulation (EC) No 1224/2009

Article 74 – paragraph 6 – point b

*Text proposed by the Commission*

(b) the adoption by Member States of a risk-based approach for the selection of inspection targets;

*Amendment*

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

## Amendment 83

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 60

Regulation (EC) No 1224/2009

Article 78 – paragraph 1

*Text proposed by the Commission*

1. Member States shall set up and keep up to date **an** electronic database where they upload all inspection reports and surveillance reports concerning the fishing vessels flying their flag drawn up by their officials or other Member States officials or third country officials, as well as other inspections reports and surveillance report drawn up by their officials.

*Amendment*

1. Member States shall set up and keep up to date electronic database **which shall be publicly accessible with respect to non-confidential and non-sensitive information** where they upload all inspection reports and surveillance reports concerning the fishing vessels flying their flag drawn up by their officials or other Member States officials or third country officials, as well as other inspections reports and surveillance report drawn up by their officials.

## Amendment 84

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 60

Regulation (EC) No 1224/2009

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

*Text proposed by the Commission*

*Amendment*

**(ba) training for fisheries inspectors in third countries in order to support control**

*of Union vessels outside Union waters.*

## **Amendment 85**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 60**

Regulation (EC) No 1224/2009

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

*Text proposed by the Commission*

*Amendment*

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

## **Amendment 86**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 63**

Regulation (EC) No 1224/2009

Article 82 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. In case of a detected serious infringement, officials shall be **able** remain on board a fishing vessel until the investigation as referred to in Article 85 has been carried out."

2. In case of a detected serious infringement, officials shall be **permitted to** remain on board a fishing vessel until the investigation as referred to in Article 85 has been carried out."

## **Amendment 87**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 68**

Regulation (EC) No 1224/2009

Article 88 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. If the Member State of landing or transhipment is not the flag Member State and its competent authorities do not take appropriate measures against the natural or legal persons responsible, or do not transfer

1. If the Member State of landing or transhipment is not the flag Member State and its competent authorities do not take appropriate measures against the natural or legal persons responsible, or do not transfer

proceedings in accordance with Article 86, the quantities of fish caught, landed or transhipped in the breach of the rules of the common fisheries policy *may* be counted against the quota allocated to the Member State of landing or transhipment.

proceedings in accordance with Article 86, the quantities of fish caught, *discarded*, landed or transhipped in the breach of the rules of the common fisheries policy *shall* be counted against the quota allocated to the Member State of landing or transhipment.

## Amendment 88

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 68

Regulation (EC) No 1224/2009

Article 88 – paragraph 3

#### *Text proposed by the Commission*

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

#### *Amendment*

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

## Amendment 89

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 69

Regulation (EC) No 1224/2009

Article 89 – paragraph 2

#### *Text proposed by the Commission*

2. Member States shall, by [**24 months from** date of entry into force of *the present* Regulation], notify national provisions referred to in paragraph 1 to the Commission and shall notify it without delay of any subsequent amendment thereof.

#### *Amendment*

2. Member States shall, by ... [**18 months after the** date of entry into force of *this* Regulation], notify national provisions referred to in paragraph 1 to the Commission and shall notify it without delay of any subsequent amendment thereof.

## Amendment 90

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 69

Regulation (EC) No 1224/2009

Article 89a – paragraph 1

#### *Text proposed by the Commission*

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

#### *Amendment*

1. Member States shall ensure that a natural person having committed or a legal person held liable for infringements of rules of common fisheries policy is punishable by effective, proportionate and dissuasive administrative sanctions.  
***Member States may also, or alternatively, use effective, proportionate and dissuasive criminal sanctions.***

## Amendment 91

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 69

Regulation (EC) No 1224/2009

Article 89a – paragraph 3

#### *Text proposed by the Commission*

3. When determining these sanctions the Member States shall take into account, in particular, the gravity of the infringement, including the level of environmental damage done, the value of the prejudice to the fishing resources, the nature and extent of the infringement, its duration or repetition, **or** the accumulation of simultaneous infringements.

#### *Amendment*

3. When determining these sanctions the Member States shall take into account, in particular, the gravity of the infringement, including the level of environmental damage done, ***adverse effects on animal welfare or conservation,*** the value of the prejudice to the fishing resources, the nature and extent of the infringement, its duration or repetition, ***and*** the accumulation of simultaneous infringements.

## Amendment 92

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 69

Regulation (EC) No 1224/2009

Article 89a – paragraph 4

*Text proposed by the Commission*

4. Member States **may** apply a system whereby a fine is proportionate to the turnover of the legal person, or to the economic benefit achieved or envisaged by committing the infringement.

### **Amendment 93**

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

#### **Article 1 – paragraph 1 – point 69**

Regulation (EC) No 1224/2009

Article 90 – paragraph 2 – f a (new)

*Text proposed by the Commission*

*Amendment*

4. Member States **shall** apply a system whereby a fine is proportionate to the turnover of the legal person, or to the economic benefit achieved or envisaged by committing the infringement.

*Amendment*

***(fa) removing the fins of sharks on board vessels in contravention of Council Regulation (EC) No 1185/2003<sup>1a</sup>, or the detachment of claws from crabs in accordance with Regulation (EU) No 2019/1241 of the European Parliament and of the Council<sup>1b</sup>; or***

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<sup>1a</sup> ***Council Regulation (EC) No 1185/2003 of 26 June 2003 on the removal of fins of sharks on board vessels (OJ L 167, 4.7.2003, p. 1).***

<sup>1b</sup> ***Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.7.2019, p. 105).***

## Amendment 94

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 69

Regulation (EC) No 1224/2009

Article 90 – paragraph 2 – point h

#### *Text proposed by the Commission*

(h) being involved in the operation, management, ownership of, or being hired on, a vessel engaged in IUU fishing as defined under Council Regulation (EC) No 1005/2008, in particular those listed in the IUU vessel list of the Union or of a regional fisheries management organisation as referred to in Articles 29 and 30 of Council Regulation (EC) No 1005/2008 or supplying services to operators connected to a vessel engaged in IUU fishing; or

#### *Amendment*

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

## Amendment 95

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 69

Regulation (EC) No 1224/2009

Article 90 – paragraph 2 – point i

#### *Text proposed by the Commission*

(i) fishing in a restricted or closed area, or a fish stock recovery area, or during a closed season, or without or after attainment of a quota or beyond a closed depth; or

#### *Amendment*

(i) fishing in a restricted or closed area, or a fish stock recovery area, or during a closed season, or without or after attainment of a quota or beyond a closed depth, ***including restricted or closed areas for the protection of sensitive species and sensitive habitats under Council Directive 92/43/EEC<sup>1a</sup> or Directive 2009/147/EC of the European Parliament and of the Council<sup>1b</sup>***; or



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*<sup>1a</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).*

*<sup>1b</sup> Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).*

## **Amendment 96**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 69**

Regulation (EC) No 1224/2009

Article 90 – paragraph 2 – point i a (new)

*Text proposed by the Commission*

*Amendment*

*(ia) deliberate catching (including as bycatch) of sensitive species protected under Union legislation, in particular under Directive 92/43/EEC or 2009/147/EC;*

## **Amendment 97**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 69**

Regulation (EC) No 1224/2009

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

*Text proposed by the Commission*

*Amendment*

*(ja) engaging in direct fishing of sensitive species protected under Union legislation, in particular under Directive 92/43/EEC or 2009/147/EC; or*

## **Amendment 98**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 69**

Regulation (EC) No 1224/2009

Article 90 – paragraph 2 – point l

*Text proposed by the Commission*

- (l) using prohibited fishing gear; or

*Amendment*

- (l) using prohibited fishing gear ***or prohibited fishing methods***; or

## **Amendment 99**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 69**

Regulation (EC) No 1224/2009

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

*Text proposed by the Commission*

*Amendment*

- (qa) intentionally discarding of fishing gears and marine litter at sea from fishing vessels.***

## **Amendment 100**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 69**

Regulation (EC) No 1224/2009

Article 90 – paragraph 3 – point d

*Text proposed by the Commission*

*Amendment*

- (d) not fulfilling obligations related to the use of fishing gears as set in the rules of the common fisheries policy; or

- (d) not fulfilling obligations related to the use, ***identification, recovery and disposal*** of fishing gears as set in the rules of the common fisheries policy ***or not fulfilling obligations related to technical measures and the protection of marine ecosystems and in particular the obligation to implement measures to mitigate the accidental catches of sensitive species***; or

## **Amendment 101**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 69**

Regulation (EC) No 1224/2009

Article 91 – paragraph 2

*Text proposed by the Commission*

2. The immediate enforcement measures referred to in paragraph 1 shall be of such nature as to prevent the continuation of the detected serious infringement concerned, to take all necessary action to ensure safekeeping of the evidence pertaining to such suspected serious infringement and to allow the competent authorities to complete their investigation.

*Amendment*

2. The immediate enforcement measures referred to in paragraph 1 shall be of such nature as to prevent the continuation of the detected serious infringement concerned, **to prevent any additional environmental damage**, to take all necessary action to ensure safekeeping of the evidence pertaining to such suspected serious infringement and to allow the competent authorities to complete their investigation.

**Amendment 102**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 69**

Regulation (EC) No 1224/2009

Article 91a – paragraph 2 – indent 1

*Text proposed by the Commission*

– the minimum shall be at least **five** times the value of the fishery products obtained by committing the serious infringement, and

*Amendment*

– the minimum shall be at least **six** times the value of the fishery products obtained by committing the serious infringement, and

**Amendment 103**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 69**

Regulation (EC) No 1224/2009

Article 91a – paragraph 2 – indent 2

*Text proposed by the Commission*

– the maximum shall be at least **eight** times the value of the fishery products obtained by committing the serious infringement.

*Amendment*

– the maximum shall be at least **10** times the value of the fishery products obtained by committing the serious infringement.

## Amendment 104

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 69

Regulation (EC) No 1224/2009

Article 92 – paragraph 12

*Text proposed by the Commission*

12. **Member States** shall ensure that the application of national proceedings does not render the point system ineffective.

*Amendment*

12. **The Commission** shall ensure that the application of national proceedings **by Member States** does not render the point system ineffective.

## Amendment 105

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 69

Regulation (EC) No 1224/2009

Article 93 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

**4a. The information contained in the national register shall be provided in open source format and rendered anonymous by Member States and the Commission for the purpose of allowing access to the public and Member States and for analysis inter alia by the scientific community of the impact of this Regulation on the attainment of the objectives of fisheries control and the sustainability of fish stocks in the Union.**

## Amendment 106

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 70

Regulation (EC) No 1224/2009

Article 93a – paragraph 2

*Text proposed by the Commission*

2. By 30 June every year, Member States shall submit to the Commission a report on inspections and controls

*Amendment*

2. By 30 June every year, Member States shall submit to the Commission a report on inspections and controls

performed in the previous year, in accordance with the national control programmes and in compliance with the present Regulation.

performed in the previous year, in accordance with the national control programmes and in compliance with the present Regulation. ***Those reports shall be made public on the official website of the Member State submitting the report and on the public website of the Commission.***

## **Amendment 107**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 70**

Regulation (EC) No 1224/2009

Article 93a – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***2a. The reports referred to in paragraph 2 shall contain at least the following information:***

***(a) total budget allocated to fisheries control;***

***(b) number and type of inspections and controls performed;***

***(c) number and type of suspected and confirmed infringements, including serious infringements;***

***(d) type of follow-up actions to confirmed infringements (simple warning, administrative sanction, criminal sanction, immediate enforcement measure, number of penalty points administered); and***

***(e) number, place and type of lost fishing gears.***

## **Amendment 108**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 70**

Regulation (EC) No 1224/2009

Article 93a – paragraph 2 b (new)

*Text proposed by the Commission*

*Amendment*

**2b. By 1 September every year, the Commission shall compile a report on the findings of the reports referred to in paragraph 2. That report shall also analyse the application of this Regulation by fishing vessels registered in third countries fishing in Union waters and especially in the Union's neighbouring countries. The report shall be made publicly accessible on the website of the Commission.**

## **Amendment 109**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 71 a (new)**

Regulation (EC) No 1224/2009

Article 101 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

**(71a) in Article 101, the following paragraph is added:**

**“4a. The Commission shall, no later than one month after their finalisation, make public a version of the verification, autonomous inspection or audit reports on its website.”**

### *Justification*

*In order to increase transparency and general awareness of decision-makers on the real status of implementation of fisheries control rules in the EU, a version of the verification, autonomous inspection or audit reports of the Commission shall be published on its website. This is already the case, for example, in the area of compliance with feed and food law, animal health and animal welfare rules.*

## **Amendment 110**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 73 – point a**

Regulation (EC) No 1224/2009

Article 104 – paragraph 1

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*Text proposed by the Commission*

1. Where a Member State does not respect its obligations for the implementation of ***a multiannual plan***, and where the Commission has evidence that the failure to respect those obligations constitutes a serious threat to the conservation of a stock or group of stocks, the Commission may, by means of implementing acts, provisionally close the fisheries affected by those shortcomings for the Member State concerned.

*Amendment*

1. Where a Member State does not respect its obligations for the implementation of ***rules on the common fisheries policy including rules on technical measures for the conservation of fishery resources and the protection of the marine ecosystems and rules under this Regulation***, and where the Commission has evidence that the failure to respect those obligations constitutes a serious threat to the conservation of a stock or group of stocks ***or conservation status to a species or habitat***, the Commission may, by means of implementing acts, provisionally close the fisheries affected by those shortcomings for the Member State concerned.

**Amendment 111**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 73 – point b**

Regulation (EC) No 1224/2009

Article 104 – paragraph 4

*Text proposed by the Commission*

4. The Commission shall, by means of implementing acts, lift the closure after the Member State has demonstrated ***in writing*** to the satisfaction of the Commission that the fisheries can be safely exploited.

*Amendment*

4. The Commission shall, by means of implementing acts, lift the closure after the Member State has demonstrated to the satisfaction of the Commission that the fisheries can be safely exploited ***and the threat to the marine environment has been removed. The Commission may require demonstration of compliance of a Member State with its obligations under a multiannual plan in writing or may task the European Fisheries Control Agency to carry out an inspection.***

**Amendment 112**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 73 – point b a (new)**

Regulation (EC) No 1224/2009  
Article 104 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

**(ba) the following paragraph is added:**

**“4a. Every year in the first trimester, the Commission shall report to the European Parliament and Council on the application of Article 104 during the preceding year, unless no closures of fisheries have occurred in the Union.”**

### **Amendment 113**

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

#### **Article 1 – paragraph 1 – point 75 – point c**

Regulation (EC) No 1224/2009

Article 106 – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. If a deduction according to paragraph 2 cannot be operated on the maximum allowable fishing effort for a stock that was exceeded as such because such maximum allowable fishing effort for that stock is not or not sufficiently available to the Member State concerned, the Commission, by means of implementing acts, **may** deduct in the following year or years fishing effort available to that Member State in the same geographical area in accordance with paragraph 2.

3. If a deduction according to paragraph 2 cannot be operated on the maximum allowable fishing effort for a stock that was exceeded as such because such maximum allowable fishing effort for that stock is not or not sufficiently available to the Member State concerned, the Commission, by means of implementing acts, **shall** deduct in the following year or years fishing effort available to that Member State in the same geographical area in accordance with paragraph 2.

### **Amendment 114**

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

#### **Article 1 – paragraph 1 – point 75 – point c**

Regulation (EC) No 1224/2009

Article 106 – paragraph 4

*Text proposed by the Commission*

*Amendment*

4. The Commission **may**, by means of

4. The Commission **shall**, by means



implementing acts, lay down detailed rules concerning the assessment of the maximum available effort against which the excess of utilisation shall be calculated. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).

of implementing acts, lay down detailed rules concerning the assessment of the maximum available effort against which the excess of utilisation shall be calculated. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).

## **Amendment 115**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 76 – point a**  
Regulation (EC) No 1224/2009  
Article 107 – paragraph 1

#### *Text proposed by the Commission*

1. Where there is evidence that rules on the common fisheries policy are not being complied with by a Member State and that this may lead to a serious threat to the conservation of stocks subject to fishing opportunities, the Commission **may, by means of implementing acts**, operate deductions in the following year or years from the annual quotas, allocations or shares of a stock or group of stocks available to that Member State, applying the proportionality principle by taking into account the damage caused to the stocks.

#### *Amendment*

1. Where there is evidence that rules on the common fisheries policy are not being complied with by a Member State and that this may lead to a serious threat to the conservation of stocks subject to fishing opportunities, the Commission **shall operate deductions or bans by means of implementing acts** in the following year or years from the annual quotas, allocations or shares of a stock or group of stocks available to that Member State, applying the proportionality principle by taking into account the damage caused to the stocks.

## **Amendment 116**

### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 76 – point b**  
Regulation (EC) No 1224/2009  
Article 107 – paragraph 4 – introductory part

#### *Text proposed by the Commission*

4. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning the deadline for Member States to demonstrate that the fisheries can be safely exploited, the material to be included by Member States in their reply and the determination of the

#### *Amendment*

4. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning the deadline for Member States to demonstrate that the fisheries can be safely exploited, the material to be included by Member States in their reply and the determination of the

quantities to be deducted by taking into account:

quantities to be deducted *or bans* by taking into account:

#### **Amendment 117**

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

##### **Article 1 – paragraph 1 – point 78**

Regulation (EC) 1224/2009

Article 110 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3a. Without prejudice to Regulation (EU) No 2016/679, Member States shall grant access to any natural or legal person that can demonstrate a legitimate interest to the data referred to in paragraph 1 of this Article.**

#### **Amendment 118**

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

##### **Article 1 – paragraph 1 – point 78**

Regulation (EC) No 1224/2009

Article 110 – paragraph 4 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

Data listed in paragraph 1(a)(ii) and (iii) may be provided to scientific bodies of Member States, scientific bodies of the Union and Eurostat.

Data listed in paragraph 1(a)(ii) and (iii) may be provided ***in anonymised and open-source format to the public and specifically sent*** to scientific bodies of Member States, scientific bodies of the Union and Eurostat ***and to any natural or legal person that can demonstrate a legitimate interest.***

#### **Amendment 119**

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

##### **Article 1 – paragraph 1 – point 78**

Regulation (EC) No 1224/2009

Article 110 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

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

## **Amendment 120**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 81**

Regulation (EC) No 1224/2009

Article 112 – paragraph 3

*Text proposed by the Commission*

*Amendment*

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

3. Personal data contained in information referred to in Article 110(1) and (2) shall not be stored for a period longer than **eight** years **while data stemming from CCTV shall not be stored for a period longer than three years**, except for personal data that is necessary to allow the follow up of a complaint, an infringement, an inspection, a verification or an audit or on-going judicial or administrative proceedings, which may be retained for 10 years. If the information listed in Article 110(1) and (2) is retained for a longer period of time, the data shall be anonymized.

## **Amendment 121**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 81 a (new)**

Regulation (EC) No 1224/2009

Article 113 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**(81a) in Article 113, paragraph 2 is deleted.**

## **Amendment 122**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 81 b (new)**

Regulation (EC) No 1224/2009

Article 113 – paragraph 3

*Text proposed by the Commission*

*Amendment*

***(81b) in Article 113, paragraph 3 is deleted.***

## **Amendment 123**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 81 c (new)**

Regulation (EC) No 1224/2009

Article 113 – paragraph 4 – point b

*Text proposed by the Commission*

*Amendment*

***(81c) in Article 113(4), point (b) is deleted.***

## **Amendment 124**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 81 d (new)**

Regulation (EC) No 1224/2009

Article 113 – paragraph 4 – point c

*Text proposed by the Commission*

*Amendment*

***(81d) in Article 113(4), point (c) is deleted.***

## **Amendment 125**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 82**

Regulation (EC) No 1224/2009

Article 115 – point h

*Text proposed by the Commission*

*Amendment*

(h) a list of the fishing restricted areas

(h) a list of the fishing restricted areas

and corresponding restrictions

and corresponding restrictions *and a calendar for future planned restricted areas*;

## Amendment 126

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 84 a (new)

Regulation (EC) No 1224/2009

Article 118 – paragraph 1

*Present text*

1. Every *five* years, Member States shall transmit a report to the Commission on the application of this Regulation.

*Amendment*

*(84a) in Article 118, paragraph 1 is replaced by the following:*

“1. Every *two* years, Member States shall transmit a report to the Commission on the application of this Regulation.”

(32019R1241)

## Amendment 127

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 84 b (new)

Regulation (EC) No 1224/2009

Article 118 – paragraph 2

*Present text*

2. On the basis of the reports submitted by the Member States and its own observations, the Commission shall draw up a report every *five* years to be submitted to the European Parliament and the Council.

*Amendment*

*(84b) in Article 118, paragraph 2 is replaced by the following:*

“2. On the basis of the reports submitted by the Member States and its own observations, the Commission shall draw up a report every *two* years to be submitted to the European Parliament and the Council.”

(32019R1241)

## Amendment 128

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 84 c (new)

Regulation (EC) No 1224/2009  
Article 118 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**(84c) in Article 118, the following paragraph is inserted:**

**“2a. The reports referred to in paragraph 1 shall be made publicly available on the website of the Commission within two months of submission by the Member States.”**

## **Amendment 129**

### **Proposal for a regulation**

#### **Article 2 – point 2 point a**

Regulation (EC) No 768/2005

Article 3 – point e

*Text proposed by the Commission*

*Amendment*

(e) to assist Member States and the Commission in harmonising the application of the common fisheries policy;

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

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

## **Amendment 130**

### **Proposal for a regulation**

#### **Article 2 – point 4 a (new)**

Regulation (EC) No 768/2005

Article 17g

*Present text*

*Amendment*

**(4a) Article 17g is replaced by the following:**

*Article 17g*

*Article 17g*

### *Cooperation in maritime affairs*

The Agency shall contribute to the implementation of the EU Integrated Maritime Policy, and in particular conclude administrative agreements with other bodies in matters covered by this Regulation after approval by the Administrative Board. The Executive Director shall inform the Commission and the Member States thereof at an early stage of such negotiations.

### *Cooperation in maritime affairs*

“The Agency shall contribute to the implementation of the EU Integrated Maritime Policy, and in particular conclude administrative agreements with other bodies in matters covered by this Regulation after approval by the Administrative Board. The Executive Director shall inform the **European Parliament**, the Commission and the Member States thereof at an early stage of such negotiations.”

*(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 17g of Regulation (EC) No 768/2005 corresponds to Article 25 of Regulation (EU) 2019/473.)*

## **Amendment 131**

### **Proposal for a regulation**

#### **Article 2 – point 5 – point a (new)**

Regulation (EC) No 768/2005

Article 23 – paragraph 2 – point c – subparagraph 1

#### *Present text*

(c) adopt by 31 October each year, and taking into account the opinion of the Commission and the Member States, the work programme of the Agency for the coming year and forward it to the European Parliament, the Council, the Commission and the Member States.

#### *Amendment*

**(aa) the first subparagraph of point (c) is replaced by the following:**

“(c) adopt by 31 October each year, and taking into account the opinion of **the European Parliament**, the Commission and the Member States, the work programme of the Agency for the coming year and forward it to the European Parliament, the Council, the Commission and the Member States.”

*(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 23 of Regulation (EC) No 768/2005 corresponds to Article 32 of Regulation (EU) 2019/473.)*

## Amendment 132

### Proposal for a regulation

#### Article 2 – point 5 – point a b (new)

Regulation (EC) No 768/2005

Article 23 – paragraph 2 – point c – subparagraph 2

#### *Present text*

The work programme shall contain the priorities of the Agency. It shall give priority to the duties of the Agency relating to control and surveillance programmes. It shall be adopted without prejudice to the annual Community budgetary procedure. In case the Commission expresses, within 30 days from the date of adoption of the work programme, its disagreement with that programme, the Administrative Board shall re-examine the programme and adopt it, possibly amended, within a period of two months, in a second reading;

#### *Amendment*

***(ab) the second subparagraph of point (c) is replaced by the following:***

“The work programme shall contain the priorities of the Agency. It shall give priority to the duties of the Agency relating to control and surveillance programmes. It shall be adopted without prejudice to the annual Community budgetary procedure. In case ***the European Parliament or*** the Commission expresses, within 30 days from the date of adoption of the work programme, its disagreement with that programme, the Administrative Board shall re-examine the programme and adopt it, possibly amended, within a period of two months, in a second reading;”

*(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 23 of Regulation (EC) No 768/2005 corresponds to Article 32 of Regulation (EU) 2019/473.)*

## Amendment 133

### Proposal for a regulation

#### Article 2 – point 5 a (new)

Regulation (EC) No 768/2005

Article 24 – paragraph 1

#### *Present text*

1. The Administrative Board shall be composed of representatives of Member States ***and*** six representatives of the Commission. Each Member State shall be entitled to appoint one member. The

#### *Amendment*

***(5a) in Article 24, paragraph 1 is replaced by the following:***

“1. The Administrative Board shall be composed of representatives of Member States, six representatives of the Commission ***and representatives of the European Parliament.*** Each Member State



Member States **and** the Commission shall appoint one alternate to each member who will represent the member in his/her absence.

shall be entitled to appoint one member. ***The European Parliament shall be entitled to appoint two representatives.*** The Member States, the Commission **and the European Parliament** shall appoint one alternate to each member who will represent the member in his/her absence.”

*(Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 24(1) of Regulation (EC) No 768/2005 corresponds to Article 33(1) of Regulation (EU) 2019/473.)*

## **Amendment 134**

### **Proposal for a regulation**

#### **Article 2 – point 7**

Regulation (EC) No 768/2005

Article 29 – paragraph 3 – point a

#### *Text proposed by the Commission*

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

#### *Amendment*

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

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

## **Amendment 135**

### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point 12**

Regulation (EC) No 1005/2008

Article 42 – paragraph 1

*Text proposed by the Commission*

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

*Amendment*

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

**Amendment 136**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point 14**

Regulation (EC) No 1005/2008

Article 43 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3a. The European Public Prosecutor’s Office may investigate, prosecute and bring to judgment crimes against the Union budget, such as fraud, corruption or serious cross-border VAT fraud, including with respect to IUU fishing.**

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Fisheries control
<b>References</b>	COM(2018)0368 – C8-0238/2018 – 2018/0193(COD)
<b>Committee responsible</b> Date announced in plenary	PECH 10.9.2018
<b>Opinion by</b> Date announced in plenary	ENVI 10.9.2018
<b>Rapporteur</b> Date appointed	Pascal Canfin 22.7.2019
<b>Discussed in committee</b>	10.9.2020
<b>Date adopted</b>	11.9.2020
<b>Result of final vote</b>	+: 71 -: 9 0: 1
<b>Members present for the final vote</b>	Nikos Androulakis, Bartosz Arłukowicz, Margrete Auken, Simona Baldassarre, Marek Paweł Balt, Traian Băsescu, Aurelia Beigneux, Monika Beňová, Sergio Berlato, Alexander Bernhuber, Malin Björk, Simona Bonafè, Delara Burkhardt, Pascal Canfin, Sara Cerdas, Mohammed Chahim, Tudor Ciuhodaru, Nathalie Colin-Oesterlé, Miriam Dalli, Esther de Lange, Christian Doleschal, Marco Dreosto, Bas Eickhout, Eleonora Evi, Agnès Evren, Fredrick Federley, Pietro Fiocchi, Andreas Glück, Catherine Griset, Jytte Guteland, Martin Hojsik, Pär Holmgren, Jan Huitema, Yannick Jadot, Adam Jarubas, Petros Kokkalis, Athanasios Konstantinou, Joanna Kopcińska, Ryszard Antoni Legutko, Peter Liese, Sylvia Limmer, Javi López, César Luena, Fulvio Martusciello, Liudas Mažylis, Joëlle Mélin, Tilly Metz, Silvia Modig, Dolors Montserrat, Alessandra Moretti, Dan-Ștefan Motreanu, Ville Niinistö, Ljudmila Novak, Jutta Paulus, Stanislav Polčák, Jessica Polfjård, Luisa Regimenti, Frédérique Ries, María Soraya Rodríguez Ramos, Rob Rooken, Silvia Sardone, Christine Schneider, Günther Sidl, Ivan Vilibor Sinčić, Linea Sogaard-Lidell, Nicolae Ștefănuță, Nils Torvalds, Edina Tóth, Véronique Trillet-Lenoir, Alexandr Vondra, Mick Wallace, Pernille Weiss, Michal Wiezik, Tiemo Wölken, Anna Zalewska
<b>Substitutes present for the final vote</b>	Michael Bloss, Manuel Bompard, Laura Huhtasaari, Christel Schaldemose, Inese Vaidere
<b>Substitutes under Rule 209(7) present for the final vote</b>	Johan Danielsson

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

71	+
EPP	Bartosz ARLUKOWICZ, Traian BĂSESCU, Alexander BERNHUBER, Nathalie COLIN-OESTERLÉ, Christian DOLESCHAL, Agnès EVREN, Adam JARUBAS, Esther de LANGE, Peter LIESE, Fulvio MARTUSCIELLO, Liudas MAŽYLIS, Dolores MONTSERRAT, DanȘtefan MOTREANU, Ljudmila NOVAK, Stanislav P OLČÁK, Jessica POLFJÄRD, Christine SCHNEIDER, Edina TÓTH, Inese VAIDERE, Pernille WEISS, Michal WIEZIK
S&D	Nikos ANDROULAKIS, Marek Paweł BALT, Monika BEŇOVÁ, Simona BONAFÈ, Delara BURKHARDT, Sara CERDAS, Mohammed CHAHIM, Tudor CIUHODARU, Miriam DALLI, Johan DANIELSSON, Jytte GUTELAND, Javi LÓPEZ, César LUENA, Alessandra MORETTI, Christel SCHALDEMOSE, Günther SIDL, Tiemo WÖLKEN
RENEW	Pascal CANFIN, Fredrick FEDERLEY, Andreas GLÜCK, Martin HOJSÍK, Frédérique RIES, María Soraya RODRÍGUEZ RAMOS, Nicolae ȘTEFĂNUȚĂ, Linea SØGAARD-LIDELL, Nils TORVALDS, Véronique TRILLET-LENOIR
GREENS/EFA	Margrete AUKEN, Michael BLOSS, Bas EICKHOUT, Pär HOLMGREN, Yannick JADOT, Tilly METZ, Ville NIINISTÖ, Jutta PAULUS
ECR	Sergio BERLATO, Pietro FIOCCHI, Joanna KOPCIŃSKA, Ryszard Antoni LEGUTKO, Rob ROOKEN, Alexandr VONDRA, Anna ZALEWSKA
GUE/NGL	Malin BJÖRK, Manuel BOMPARD, Petros KOKKALIS, Silvia MODIG, Mick WALLACE
NI	Eleonora EVI, Athanasios KONSTANTINOU, Ivan Vilibor SINČIĆ

  

9	-
ID	Simona BALDASSARRE, Aurelia BEIGNEUX, Marco DREOSTO, Catherine GRISSET, Laura HUHTASAARI, Sylvia LIMMER, Joëlle MÉLIN, Luisa REGIMENTI, Silvia SARDONE

  

1	0
RENEW	Jan HUITEMA

### Key to symbols:

+ : in favour

- : against

0 : abstention