AMENDMENT
52 - 225

Draft opinion
Pascal Canfin
(PE647.141v01-00)


Proposal for a regulation
Amendment 52
Margrete Auken

Proposal for a regulation
Recital 15 a (new)

_text proposed by the Commission_

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

Or. en

Amendment 53
Sara Cerdas

Proposal for a regulation
Recital 16

_text proposed by the Commission_

(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, transhipment 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. It is therefore considered necessary that masters record data concerning catches in a digital way and submit them electronically, in particular the logbooks, transhipment declarations and landing declarations. It will be the responsibility of the Member States to provide training tools for masters, facilitating their online registration.

Or. pt
Amendment 54
Sara Cerdas

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

(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 no more than 24 hours.

Or. pt

Amendment 55
Sara Cerdas

Proposal for a regulation
Recital 40

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.

Or. pt

Amendment 56
Sara Cerdas
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. *These systems must comply with minimum requirements agreed between Member States with a view to standardising them throughout the Union.*

Or. pt

Amendment 57
Sara Cerdas

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

**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 must be made available to the competent authorities if public health and/or food safety is at risk.

Amendment 58
Sara Cerdas

Proposal for a regulation
Recital 58 a (new)

Text proposed by the Commission


Amendment

Or. pt

Amendment 59
Margrete Auken

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

3. ‘control’ means monitoring and surveillance;

Amendment

(ba) point 3 is replaced by the following:

“3. ‘control’ means monitoring and surveillance of any fishing and
amendment 60
manuel pizarro

proposal for a regulation
article 1 – paragraph 1 – point 1 – point b a (new)
regulation (ec) no 1224/2009
article 4 – paragraph 1 – point 6

present text

6. ‘official’ means a person authorised by a national authority, the commission or the community fisheries control agency to carry out an inspection;

amendment

(ba) 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 61
manuel pizarro

proposal for a regulation
article 1 – paragraph 1 – point 1 – point b b (new)
regulation (ec) no 1224/2009
article 4 – paragraph 1 – point 7
Present text

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;

Amendment

(bb) 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;”

Or. en

Amendment 62
Margrete Auken

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

(ka) the following point is added:

“34a. ‘traceability’ means the ability to trace and follow a food, feed, food-producing animal or substance intended to be, or expected to be incorporated into a food or feed, through all stages of production, processing and distribution.”

Or. en

Justification

The official definition of the term as in Regulation 178/2002 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.

Amendment 63
Jessica Polfjärd
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

(ka) the following point is added:

“34a. ‘service vessel’ means a vessel, that is operated by an undertaking offering services, including providing fishing equipment, transport and/or guidance, for the purpose of recreational fishing targeting species of specific union conservation measure.”

Amendment

Or. en

Amendment 64
César Luena

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.

Or. es
Justification

Vessel monitoring systems can be used to monitor fishing activity and its impact on the marine environment, as it will be possible to know from the position and movement information they transmit whether, for example, the vessel has fished in protected areas, closure areas or especially vulnerable habitats.

Amendment 65
Manuel Pizarro

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.

Or. en

Justification

Advances in technology make it possible to equip fishing vessels with tracking devices able to transmit data close to real-time, the 10 minutes interval is to reduce the communication costs.

Amendment 66
Manuel Pizarro

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

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.

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.

Justification

New technologies already available or being developed for vessel monitoring systems need to be considered to be used, all solutions shall assure secure and fast transmissions.

Amendment 67
Inese Vaidere

Proposal for a regulation
Article 1 – paragraph 1 – point 6
Regulation (EC) No 1224/2009
Article 9 – paragraph 3

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

3. By way of derogation from paragraph 2, the flag Member State may determine that Union fishing vessels below 12 metres’ length overall are exempted from requirements set out in paragraph 2.
Justification

Different requirements need to be set for large- and small-scale fishing vessels. Derogations should therefore be maintained for small segments of the coastal fleet with regard to the transmission of small scale fishing vessels locations, digital recording and transmission of landing data, which significantly increases the administrative burden for small scale fishing vessels (fishing vessels of less than 10 meters in length).

Amendment 68
Manuel Pizarro

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 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.

Or. en

Justification

Advances in technology make it possible to equip fishing vessels with tracking devices able to transmit data close to real-time, the 10 minutes interval is to reduce the communication costs.

Amendment 69
Margrete Auken
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 or at a maximum of every 10 minutes. 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.

Or. en

Amendment 70
Sirpa Pietikäinen

Proposal for a regulation
Article 1 – paragraph 1 – point 6
Regulation (EC) No 1224/2009
Article 9 – paragraph 4

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

Amendment

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

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.

**Justification**

*It is important that the Member State of landing or where the fishing activities will continue also has automatic access to the vessel position data.*

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**Amendment 71**  
Manuel Pizarro

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 6**  
Regulation (EC) No 1224/2009  
**Article 9 – paragraph 4**

**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 concerned fishing trip 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.

**Justification**

*The Member State where the fishing vessel land the captures or where the vessel is fishing should have access to all the positions of the concerned fishing trip for better control of the activity.*

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**Amendment 72**  
Sirpa Pietikäinen
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 shall also be made available by automatic transmission to the body designated by that country or organisation.

Or. en

Justification

If a regional fisheries management organisation or an agreement with a third country foresee that vessel position data of Union fishing vessels operating in their waters must be provided, that data shall be made available automatically, without waiting for a request from the third country or the regional fisheries management organisation.

Amendment 73
Anja Hazekamp

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

Amendment

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

be made automatically available to the body designated by that country or organisation.

Or. en

Justification

If a regional fisheries management organisation or an agreement with a third country foresee that vessel position data of Union fishing vessels operating in their waters must be provided, that data shall be made available automatically, without waiting for a request from the third country or the regional fisheries management organisation.

Amendment 74
Manuel Pizarro

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 concerned fishing trip shall also be made available to that country or organisation.

Or. en

Justification

The third country or regional fisheries management organisation where the fishing vessel land the captures or where the vessel is fishing should have access to all the positions of the concerned fishing trip for better control of the activity.

Amendment 75
Margrete Auken
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, thus ensuring monitoring and access 7 days a week and 24 hours a day.

Or. en

Amendment 76
Margrete Auken

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

Text proposed by the Commission


Amendment


Amendment 77
Margrete Auken

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 78
Sirpa Pietikäinen

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. automatic identification system which meets the performance standards drawn up by the International Maritime Organisation.

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 79
Stanislav Polčák

Proposal for a regulation
Article 1 – paragraph 1 – point 8
Regulation (EC) No 1224/2009
Article 10 – paragraph 1

Text proposed by the Commission
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."

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

Or. en

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 81
Sirpa Pietikäinen

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

(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 Articles 109 and 110.”

Or. en
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 82  
Inese Vaidere

Proposal for a regulation

Article 1 – paragraph 1 – point 11
Regulation (EC) No 1224/2009
Article 14 – paragraph 1

Text proposed by the Commission

1. The master of each Union catching vessel shall keep an electronic fishing logbook for the purpose of recording fishing activities.

Amendment

1. The master of Union catching vessel shall keep an electronic fishing logbook for the purpose of recording fishing activities.

Or. en

Justification

Proposed amendments concern an exception for a small fleet (coastal fleet fishing vessels) providing for the possibility to record fishing activities data in a paper logbook (in the same way that it is currently provided by the Regulation).

Amendment 83  
Stanislav Polčák

Proposal for a regulation

Article 1 – paragraph 1 – point 11
Regulation (EC) No 1224/2009
Article 14 – 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 caught species retained on board and its relevant geographical area in which the catches were taken;

Or. cs
Amendment 84  
César Luena

Proposal for a regulation  
Article 1 – paragraph 1 – point 11  
Regulation (EC) No 1224/2009  
Article 14 – paragraph 2 – point g

Text proposed by the Commission

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

Amendment

(g) the estimated quantities of each species in kilograms live weight or, where appropriate, the number of individuals, including the quantities or individuals below the applicable minimum conservation reference size, as a separate entry; for Union fishing vessels of 12 metres' length overall or more, this information shall be provided per haul or per fishing operation; in other cases, it may be gathered per fishing day;

Or. es

Justification

Information is needed on incidental catches of sensitive species.

Amendment 85  
Anja Hazekamp

Proposal for a regulation  
Article 1 – paragraph 1 – point 11  
Regulation (EC) No 1224/2009  
Article 14 – paragraph 2 – point g

Text proposed by the Commission

(g) the estimated quantities of each species in kilograms live weight or, where appropriate, the number of individuals, including the quantities or individuals below the applicable minimum conservation reference size, as a separate entry; for Union fishing vessels of 12 metres’ length overall or more, this information shall be provided per haul or

Amendment

(g) the number of individuals, including the quantities or individuals below the applicable minimum conservation reference size, as a separate entry; for Union fishing vessels of 12 metres’ length overall or more, this information shall be provided per haul or per fishing operation;
per fishing operation;

Amendment 86
Stanislav Polčák

Proposal for a regulation
Article 1 – paragraph 1 – point 11
Regulation (EC) No 1224/2009
Article 14 – paragraph 2 – point g

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

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

Or. cs

Amendment 87
Margrete Auken

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;

Or. en
Amendment 88
César Luena

Proposal for a regulation
Article 1 – paragraph 1 – point 11
Regulation (EC) No 1224/2009
Article 14 – paragraph 2 – point i a (new)

Text proposed by the Commission

(ia) Information on incidental catches of sensitive species per haul or per fishing operation (type of species, number of specimens, time of the fishing manoeuvre during which the catch took place, and any other relevant details);

Or. es

Justification

All masters of fishing vessels, including those smaller and bigger than 12 metres in length, should include in their fishing logs specific information on incidental catches of sensitive species, when this occurs. This will help create a database that administrators and experts can draw on to examine better the problem and put forward effective solutions based on existing scientific knowledge.

Amendment 89
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 11
Regulation (EC) No 1224/2009
Article 14 – paragraph 2 – point k a (new)

Text proposed by the Commission

(ka) data on the fishing impact on the wider ecosystem including incidental catches of sensitive species, reporting in particular on the species caught, the number of occurrences, the date and time of the occurrences, the type of gear used and whether the specimen survived, in order to comply with other Union legislation, in particular with Council Directive 92/43/EEC\(^{1a}\), Directives

\(^{1a}\)


Amendment 90
Anja Hazekamp

Proposal for a regulation
Article 1 – paragraph 1 – point 11
Regulation (EC) No 1224/2009
Article 14 – paragraph 2 – point k a (new)

Text proposed by the Commission

Amendment

(ka) data on bycatch of sensitive species, as defined in Regulation (EU) 2019/1241, in particular, reporting on the species, the number of occurrences, the time and date of the occurrences, the type of gear used, the sex, weight and the
health status of the animal.

Or. en

Amendment 91
Manuel Pizarro

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

3a. In the case 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;

Justification

The impact of fishing activities in sensitive species shall be recorded in logbooks when vessels are operating, in particular in some areas like it is defined in the 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.

Amendment 92
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 12
Regulation (EC) No 1224/2009
Article 15 – paragraph 1 – point a

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

Amendment
(a) at least once a day, and for vessels above 12 metres after each haul; and

Or. en

Amendment 93
Stanislav Polčák

Proposal for a regulation
Article 1 – paragraph 1 – point 12
Regulation (EC) No 1224/2009
Article 15 – paragraph 1 – point b

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

Amendment
(b) after the last fishing operation has been completed before entering port.

Or. cs

Amendment 94
Stanislav Polčák

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 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.

Amendment
deleted

Or. cs
Amendment 95
Inese Vaidere

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 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.

Amendment

2. Masters of Union catching vessels of less than 12 metres’ length overall shall record the information referred to in Article 14, after the last fishing operation has been completed and before entering port or immediately after returning to shore.

Or. en

Justification

Proposed amendments concern an exception for a small fleet (coastal fleet fishing vessels) providing for the possibility to submit fishing activities data in a paper logbook (in the same way that it is currently provided by the Regulation).

Amendment 96
Stanislav Polčák

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.

Or. cs
Amendment 97
Stanislav Polčák

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 authority of the coastal Member State."

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

Or. cs

Amendment 98
Stanislav Polčák

Proposal for a regulation
Article 1 – paragraph 1 – point 15 – point a
Regulation (EC) No 1224/2009
Article 17 – paragraph 1 – point f

Text proposed by the Commission

(f) the FAO alpha-3 code of each species;

Amendment

(f) the FAO alpha-3 code of each caught species retained on board;

Or. cs

Amendment 99
Stanislav Polčák

Proposal for a regulation
Article 1 – paragraph 1 – point 18
Regulation (EC) No 1224/2009
Article 19a – paragraph 3 – point f
Text proposed by the Commission

(f) the FAO alpha-3 code of each species;

Amendment

(f) the FAO alpha-3 code of each caught species retained on board;

Or. cs

Amendment 100
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 18
Regulation (EC) No 1224/2009
Article 19a – paragraph 3 – point g

Text proposed by the Commission

(g) the quantities of each species recorded in the fishing logbook.

Amendment

(g) the quantities of each species recorded in the fishing logbook, including, as a separate entry, those below the applicable minimum conservation reference size;

Or. en

Amendment 101
Anja Hazekamp

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

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
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. 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.

Justification

EU fishing vessels operating outside EU waters not only have to respect the rules of the Common Fisheries policy, but also the rules applicable in the waters of the third country they operate in or in the high seas, when relevant.

Amendment 102
Stanislav Polčák

Proposal for a regulation
Article 1 – paragraph 1 – point 19
Regulation (EC) No 1224/2009
Article 20 – paragraph 2b – point c

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c) the FAO alpha-3 code of each species and its relevant geographical area in which the catches were taken;</td>
<td>(c) the FAO alpha-3 code of each transshipped species and its relevant geographical area in which the catches were taken;</td>
</tr>
</tbody>
</table>

Amendment 103
Stanislav Polčák

Proposal for a regulation
Article 1 – paragraph 1 – point 19
Regulation (EC) No 1224/2009
Article 20 – paragraph 2b – point d

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(d) the estimated quantities of each species in kilograms in product weight and</td>
<td>(d) the estimated quantities of each transshipped species in kilograms in</td>
</tr>
</tbody>
</table>
in live weight, broken down by type of product presentation;

product weight and in live weight, broken down by type of product presentation;

Amendment 104
Stanislav Polčák

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;

Or. cs

Amendment 105
Stanislav Polčák

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;

Or. cs
Amendment 106
Inese Vaidere

Proposal for a regulation
Article 1 – paragraph 1 – point 21
Regulation (EC) No 1224/2009
Article 23 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

By way of derogation from the first subparagraph, the master of a Union catching vessel of less than 12 metres’ length overall operating within coastal waters may complete a paper landing declaration.

Or. en

Justification

Proposed amendments concern an exception for a small fleet (coastal fleet fishing vessels) providing for the possibility to complete landing declaration data in a paper landing declaration (in the same way that it is currently provided by the Regulation)

Amendment 107
Inese Vaidere

Proposal for a regulation
Article 1 – paragraph 1 – point 21
Regulation (EC) No 1224/2009
Article 24 – paragraph 1

Text proposed by the Commission

Amendment

1. The master of a Union fishing vessel or their representative shall submit the landing declaration referred to in Article 23 to the competent authority of their flag Member State within 48 hours after completion of the landing.

Or. en
Justification

Proposed amendments concern an exception for a small fleet (coastal fleet fishing vessels) providing for the possibility to submit landing declaration in a paper form (in the same way that it is currently provided by the Regulation). Proposed deadline for submission of the declaration – 48 hours - has been taken from the current regulation.

Amendment 108
Inese Vaidere

Proposal for a regulation
Article 1 – paragraph 1 – point 23
Regulation (EC) No 1224/2009
Article 25a – paragraph 1

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Member States shall ensure effective control of the landing obligation.</td>
<td>1. Member States shall ensure effective control of the landing obligation.</td>
</tr>
<tr>
<td>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.</td>
<td>Member States may require the use of electronic monitoring systems for the purpose of controlling the landing obligation.</td>
</tr>
</tbody>
</table>

Or. en

Justification

Considering mentioned above, requirement to use of remote systems, even for a certain percentage of vessels, will rise an additional burden that is not economically proportional to conservation effect, particularly for the smaller Member States.

Amendment 109
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 23
Regulation (EC) No 1224/2009
Article 25a – paragraph 1
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.

Amendment
1. Member States shall ensure the effective control of the landing obligation, incidental catches of sensitive species and the reliability of catch data. For this purpose, all vessels over 12 meters in length shall be equipped with remote electronic monitoring systems, consisting of continuously recording Closed-Circuit Television (CCTV), net sensors, and the required systems incorporating data storage.

Or. en

Amendment 110
Sirpa Pietikäinen

Proposal for a regulation
Article 1 – paragraph 1 – point 23
Regulation (EC) No 1224/2009
Article 25a – paragraph 1

Text proposed by the Commission

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.

Amendment
1. Member States shall ensure the effective control of the landing obligation, the reliability of catch data and the bycatch of sensitive species. For this purpose, all Union fishing vessels over 12 metres in length shall be equipped with remote electronic monitoring systems, consisting of a continuously recording Closed-Circuit Television (CCTV), net sensors and the required systems incorporating data storage.

Or. en

Justification

It is necessary to equip fishing vessels at high risk of non-compliance with the common fisheries policy rules with effective monitoring systems that are proven and capable of facilitating the enforcement of the landing obligation, data collection and sensitive species bycatch.
Amendment 111
Anja Hazekamp

Proposal for a regulation  
Article 1 – paragraph 1 – point 23  
Regulation (EC) No 1224/2009  
Article 25a – paragraph 1

Text proposed by the Commission

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.

Amendment

1. Member States shall ensure effective control of the landing obligation, the reliability of catch data and the bycatch of sensitive species. For this purpose all fishing vessels shall be equipped with remote electronic monitoring systems, consisting of continuously recording Closed-Circuit Television (CCTV), net systems and systems incorporating data storage.

Or. en

Amendment 112
Sirpa Pietikäinen

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 requirements regarding remote electronic monitoring systems referred to in paragraph 1 shall also apply to a minimum percentage of fishing vessels under 12 metres in length. That percentage shall be established according to the number of vessels that are identified under specific control and inspection programmes, adopted pursuant to Article 95, as being of high or very high risk of non-compliance with the rules of the common fisheries policy.
Amendment 113
Inese Vaidere

Proposal for a regulation
Article 1 – paragraph 1 – point 23
Regulation (EC) No 1224/2009
Article 25a – paragraph 3

Text proposed by the Commission

3. In addition to the CCTV systems referred to in paragraph 1, Member States may require the use of other electronic monitoring systems for the purpose of controlling the landing obligation.

Amendment 114
Sirpa Pietikäinen

Proposal for a regulation
Article 1 – paragraph 1 – point 23
Regulation (EC) No 1224/2009
Article 25a – paragraph 3

Text proposed by the Commission

3. In addition to the CCTV systems referred to in paragraph 1, Member States may require the use of other electronic monitoring systems for the purpose of controlling the landing obligation.

Amendment 115
Margrete Auken

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.

Or. en

Amendment 116
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 27
Regulation (EC) No 1224/2009
Article 33 – paragraph 4

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

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.

Or. en

Amendment 117
Anja Hazekamp

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.

Or. en

Justification

The information on lost gears must be reported as soon as possible, in order for the competent authorities of the flag or coastal Member State to be able to take action, if still possible, in order to prevent damage to the marine environment.

Amendment 118
Margrete Auken

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 the information on the lost gear in the logbook pursuant to Article 14(3). The competent authority of the flag Member State shall immediately inform the competent authority of the coastal Member State.

Or. en

Amendment 119
Margrete Auken
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 120
Manuel Pizarro

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

Justification
Member States shall have special attention to the control of fishing vessels not only to fishing restricted areas but also marine protected areas

Amendment 121
Anja Hazekamp

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 jurisdiction or sovereignty.

Amendment

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

Or. en

Justification

The requirements under Article 50 are explicitly extended to marine protected areas.

Amendment 122
Manuel Pizarro

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 jurisdiction or sovereignty.

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

Or. en

Amendment 123
Anja Hazekamp
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, including in marine protected areas, located in high seas or in third country waters shall be controlled by the flag Member States.

Or. en

Justification

The requirements under Article 50 are explicitly extended to marine protected areas. In addition, the frequency of data transmission in fisheries protected areas, including marine protected areas, should be reduced, as cost-effective means to monitor fishing vessels on a real-time basis have now been developed.

Amendment 124
Stanislav Polčák

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 located in **areas beyond national jurisdiction** or in third country waters shall be controlled by the flag Member States.

Or. cs

Amendment 125
Manuel Pizarro
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 marine protected areas located in high seas or in third country waters shall be controlled by the flag Member States.

Or. en

Amendment 126
Anja Hazekamp

Proposal for a regulation
Article 1 – paragraph 1 – point 43
Regulation (EC) No 1224/2009
Article 50 – paragraph 2 a (new)

Text proposed by the Commission
2a. The frequency of data transmissions intervals shall be close to real-time and of a maximum of 3 minutes when a fishing vessel enters a fishing restricted area, including marine protected areas.

Amendment

Justification

The requirements under Article 50 are explicitly extended to marine protected areas. In addition, the frequency of data transmission in fisheries protected areas, including marine protected areas, should be reduced, as cost-effective means to monitor fishing vessels on a real-time basis have now been developed.

Amendment 127
Margrete Auken
Proposal for a regulation
Article 1 – paragraph 1 – point 43
Regulation (EC) No 1224/2009
Article 50 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The position of any fishing vessel shall be transmitted every 2 minutes following the entry in a fishing restricted area.

Or. en

Amendment 128
Anja Hazekamp

Proposal for a regulation
Article 1 – paragraph 1 – point 43
Regulation (EC) No 1224/2009
Article 50 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

The requirements under Article 50 are explicitly extended to marine protected areas. In addition, the frequency of data transmission in fisheries protected areas, including marine protected areas, should be reduced, as cost-effective means to monitor fishing vessels on a real-time basis have now been developed.

Amendment 129
Manuel Pizarro

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:

Or. en

Amendment 130
Stanislav Polčák

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 is allowed for all Union fishing vessels that are not authorised to fish in such areas subject to the following conditions:

Or. cs

Amendment 131
Stanislav Polčák

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 cases, the master shall immediately inform

Amendment

(b) the speed during transit is not less than six knots except in case of force 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 132
Manuel Pizarro

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

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

Amendment

Or. en

Justification

In some fishing restricted areas and marine protected areas even the transit of vessels of any kind is forbidden, in other cases in some periods of the day or of the year this could also be forbidden.

Amendment 133
Manuel Pizarro

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

3a. The frequency of vessel monitoring data transmission interval 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.

Justification

During the transit even if there are no decrease in the vessel speed the transmission rate shall be as closer to real-time as possible, since in normal activity the transmission rate is of every 2 hours.

Amendment 134
Anja Hazekamp

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. Member States shall ensure that recreational fisheries on their territory and in Union waters are conducted in a manner compatible with the objectives and rules of the common fisheries policy.

Amendment

1. Member States shall ensure that recreational fisheries are conducted in a manner compatible with the objectives and rules of the common fisheries policy.

Justification

These measures aim to ensure that recreational fishers are aware of any conservation measure in place when carrying out fishing activities, as is already the case, for example, when hunting activities are conducted. They also aim at allowing coherence between conservation measures adopted for commercial fisheries and measures for recreational fisheries targeting the same stocks or species.

Amendment 135
Inese Vaidere

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 1 – subparagraph 2 – introductory part
Text proposed by the Commission

For this purpose Member States **shall**: For this purpose Member States **may**:

Or. en

**Justification**

*Creates an additional burden on Member States where the recreational fisheries has no great impact on the marine fish resources.*

**Amendment 136**
Jessica Polfjärd

**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**

Or. en

**Amendment 137**
Anja Hazekamp

**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**

(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**
Justification

These measures aim to ensure that recreational fishers are aware of any conservation measure in place when carrying out fishing activities, as is already the case, for example, when hunting activities are conducted. They also aim at allowing coherence between conservation measures adopted for commercial fisheries and measures for recreational fisheries targeting the same stocks or species.

Amendment 138
Jessica Polfjärd

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 1 – subparagraph 2 – point b

Text proposed by the Commission

(b) collect data on catches from *such* fisheries through *catch reporting or other* data collection mechanisms based on a methodology which shall be notified to the Commission.

Amendment

(b) collect data on catches from *recreational* fisheries through data collection mechanisms based on a methodology which shall be *determined by each Member State and* notified to the Commission. *Member States shall send those data to the Commission at least once a year. Member States may use the data collected under Regulation (EU) 2017/1004 to comply with the obligation set out in this subparagraph.*

Amendment 139
Jessica Polfjärd

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

Amendment

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

Amendment 140
Jessica Polfjärd

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 2 – point a

Text proposed by the Commission

(a) ensure that natural and legal persons involved in recreational fisheries for such stocks or species record and send catch declarations electronically to the competent authorities on a daily basis or after each fishing trip; and

Amendment

(a) ensure that the quantities of species, stocks or groups of stocks caught are recorded for service vessels and vessels of 12 metres’ length overall or more used in such recreational fishing; and

Amendment 141
Jessica Polfjärd

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 2 – point b

Text proposed by the Commission

(b) put in place a registration or licensing system for vessels used in such recreational fisheries, in addition to the registration or licencing system for natural and legal persons referred to in paragraph 1.

Amendment

(b) put in place a registration or licensing system for natural and legal persons engaged or service vessels and vessels of 12 metres’ length overall or more used in such recreational fisheries.
Amendment 142
Anja Hazekamp

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 2 a (new)

\[
\text{Text proposed by the Commission}
\]
\[
2a. \quad \text{The Commission shall adopt delegated acts in accordance with Article 119a in order to supplement this Regulation by establishing extra measures striving for ensuring coherence between the management of stocks, group of stocks and species subject to Union conservation measures and recreational fisheries of the same stocks, group of stocks and species. These measures shall include gears and catch limitations, minimum landing sizes, and restricted areas and times.}
\]

\[
\text{Or. en}
\]

Justification

These measures aim to ensure that recreational fishers are aware of any conservation measure in place when carrying out fishing activities, as is already the case, for example, when hunting activities are conducted. They also aim at allowing coherence between conservation measures adopted for commercial fisheries and measures for recreational fisheries targeting the same stocks or species.

Amendment 143
Anja Hazekamp

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 3

\[
\text{Text proposed by the Commission}
\]
\[
3. \quad \text{The sale of catches from recreational fisheries shall be prohibited.}
\]

\[
\text{Amendment}
\]
\[
3. \quad \text{The sale of catches from recreational fisheries shall be prohibited.}
\]
Member States shall adopt measures to make sure that species subject to Union conservation measures are not marketed and sold.

Justification

These measures aim to ensure that recreational fishers are aware of any conservation measure in place when carrying out fishing activities, as is already the case, for example, when hunting activities are conducted. They also aim at allowing coherence between conservation measures adopted for commercial fisheries and measures for recreational fisheries targeting the same stocks or species.

Amendment 144
Jessica Polfjärd

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 3

Text proposed by the Commission

3. The sale of catches from recreational fisheries shall be prohibited.

Amendment

3. The *marketing and* sale of catches from recreational fisheries shall be prohibited.

Or. en

Amendment 145
Jessica Polfjärd

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 4

Text proposed by the Commission

4. *National control programmes* referred to in Article 93a shall include specific control activities concerning the recreational fisheries.

Amendment

*deleted*

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Amendment 146
Jessica Polfjärd

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 5 – subparagraph 1 – introductory part

Text proposed by the Commission
The Commission may, by way of implementing acts, adopt detailed rules concerning:

Amendment
With regard to catches referred to in point (a) of paragraph 2, the Commission may, by means of implementing acts, lay down detailed rules on:

Amendment 147
Jessica Polfjärd

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 5 – subparagraph 1 – point a

Text proposed by the Commission
(a) the registration or licensing systems for recreational fisheries for specific species or stocks,

Amendment
deleted

Or. en

Amendment 148
Jessica Polfjärd

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 5 – subparagraph 1 – point b
(b) the collection of data and the recording and submission of the catch data, (b) the recording and submission of the catch data.

Amendment 149
Jessica Polfjärd

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 5 – subparagraph 1 – point c

Text proposed by the Commission

(c) the tracking of vessels used for recreational fisheries, and

Amendment 150
Jessica Polfjärd

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 5 – subparagraph 1 – point d

Text proposed by the Commission

(d) the control and marking of gears used for recreational fisheries.

Amendment 151
Jessica Polfjärd

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 6

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.

Text proposed by the Commission

Amendment

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

Or. en

Amendment 152
Manuel Pizarro

Proposal for a regulation
Article 1 – paragraph 1 – point 44
Regulation (EC) No 1224/2009
Article 55 – paragraph 6

Text proposed by the Commission

Amendment

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

6. This Article shall apply to any recreational fishing activities 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.

Or. en

Justification

It is important to clarify that this article applies to any recreational fishing activity on foot or with the support of a vessel and using any kind of fishing technic.

Amendment 153
Anja Hazekamp

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

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

Amendment

Justification

The new traceability requirements should allow the competent authorities to trace back the fishery products imported into the EU to the vessel which caught the fish.

Amendment 154
Manuel Pizarro

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 fishery product per consumer per day.

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 150 kg of fishery product per week per vessel.

Justification

The quantities sold directly shall be very limited, the 150 kg per week is based in the possibility of a vessel sell very limited quantities - 30 kg per day in 5 days of activity in one week in average, more than this quantity shall be presented to the normal commercial circuit.
Amendment 155
Anja Hazekamp

Proposal for a regulation
Article 1 – paragraph 1 – point 49
Regulation (EC) No 1224/2009
Article 60 – paragraph 5

Text proposed by the Commission

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:

(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.

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:

(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 156
Margrete Auken
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;

Or. en

Justification

As the description covers also the compliance of the activities with the rules of the CFP, discarding has to be covered as well, following the provisions of the respective discard plan.

Amendment 157
Margrete Auken

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 to in Article 48;

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 fishing gears as referred to in Article 48;

Or. en

Amendment 158
César Luena

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 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, **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.

**Justification**

Inspectors shall include incidental catches of sensitive species such as birds, mammals, turtles, skate and sharks in their normal control and inspection protocol, as well as the installation and proper functioning of mitigation measures implemented in the fleet concerned to minimise the number of incidental catches.

**Amendment 159**

Stanislav Polčák

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

**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, 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 160
César Luena

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.

Justification

Inspectors shall be given training so they can carry out their inspection work properly, to include discards and mitigation measures for incidental catches of sensitive species such as birds, mammals, turtles, skate and sharks. All fisheries inspectors must be equipped with the proper tools to carry out their control and inspection duties correctly, for example equipment to measure the size of nets or vehicles for their travel needs.
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 a publicly accessible 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.

Or. cs

Amendment 162
César Luena

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 a publicly available 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.

Or. es

Justification

The information shall be available electronically in a public so that the public in general, and scientists and experts in particular, can consult the data and conduct research and make management proposals they deem relevant, ensuring environmental information on EU fishing activity is transparent.
Amendment 163
Margrete Auken

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 a public 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.

Or. en

Amendment 164
César Luena

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

(ba) training for fisheries inspectors in third countries in order to support control of Union vessels outside EU waters.

Amendment

(ba) training for fisheries inspectors in third countries in order to support control of Union vessels outside EU waters.

Or. es

Justification

EU vessels fishing outside EU waters must be inspected to ensure they comply with EU legislation. This often means that local authorities in third countries have to inspect EU vessels without knowing EU regulations. These officials must be trained therefore by EU inspectors in order to ensure controls on EU vessels fishing outside EU waters are carried out correctly.
Amendment 165
Stanislav Polčák

Proposal for a regulation
Article 1 – paragraph 1 – point 63
Regulation (EC) No 1224/2009
Article 82 – paragraph 2

*Text proposed by the Commission*

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.

*Amendment*

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.

Or. cs

Amendment 166
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 68
Regulation (EC) No 1224/2009
Article 88 – paragraph 1

*Text proposed by the Commission*

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.

*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 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 may be counted against the quota allocated to the Member State of landing or transhipment.

Or. en
Amendment 167
Anja Hazekamp

Proposal for a regulation
Article 1 – paragraph 1 – point 68
Regulation (EC) No 1224/2009
Article 88 – paragraph 1

Text proposed by the Commission

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.

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 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 shall be counted against the quota allocated to the Member State of landing or transhipment.

Or. en

Justification

According to the Control Regulation, in case of breach of the rules of the Common Fisheries Policy, appropriate follow-up and action must be taken by the Member States concerned. If they failed to do so, the Commission has the same responsibility to automatically count the fish caught, landed or transhipped in breach of the rules of the Common Fisheries Policy against the quota of the Member State of landing or transhipment if that Member State fails to take appropriate measures or to transfer the proceedings in the flag Member State.

Amendment 168
Margrete Auken

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

Amendment

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

Or. en

Amendment 169
Stanislav Polčák

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.

Or. cs

Amendment 170
Anja Hazekamp

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

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, any 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, or the accumulation of simultaneous infringements.

Amendment 171
Margrete Auken
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.

Or. en

Amendment 172
Margrete Auken
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

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.

Or. en

Amendment 173
Anja Hazekamp

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

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


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 benefitting from, supporting or engaging in IUU fishing including as operators, effective beneficiaries, owners, logistics and service providers, including insurance providers and other financial service provider; or

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

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

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\textsuperscript{1a} or Directive 2009/147/EC of the European Parliament and of the Council\textsuperscript{1b}; or


### Amendment 176
**Margrete Auken**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 69**
Regulation (EC) No 1224/2009

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

\textit{Text proposed by the Commission}

\textbf{Amendment}

(ia) deliberate catching (including as bycatch) of sensitive species protected under Union legislation, in particular under Council Directive 92/43/EEC\textsuperscript{1a} or Directive 2009/147/EC of the European Parliament and of the Council\textsuperscript{1b};


\textsuperscript{1b} Directive 2009/147/EC of the European Parliament and of the Council of 30

Or. en

Amendment 177
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 69
Regulation (EC) No 1224/2009
Article 90 – paragraph 2 – point i b (new)

Text proposed by the Commission

Amendment

(ib) removing the fins of sharks on board vessels in breach of Council Regulation (EC) No 1185/2003\(^a\), or the detachment of claws from crabs in accordance with Regulation (EU) 2019/1241 of the European Parliament or of the Council\(^b\); or


Or. en
Amendment 178
Margrete Auken

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


Or. en

Amendment 179
Stanislav Polčák

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

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

Or. cs
Amendment 180
Anja Hazekamp

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

Amendment
(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

Or. en

Justification
Currently, the fact for an operator to not fulfil his obligations under the technical measures regulation, especially when they relate to the implementation of measures to mitigate against the accidental catches of sensitive species is not considered as being a serious infringement of the rules of the Common Fisheries Policy. This should be corrected, as rules relating to technical measures are part of the Common Fisheries Policy.

Amendment 181
Margrete Auken

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

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

Amendment 182
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 69
Regulation (EC) No 1224/2009
Article 90 – paragraph 3 – point d a (new)

Text proposed by the Commission

Or. en

Amendment
(da) refusing a scientific observer on board a vessel without prior approval by the Member State;

Or. en

Amendment 183
Margrete Auken

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

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
investigation. complete their investigation.

Amendment 184
Stanislav Polčák

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

Or. cs

Amendment 185
Stanislav Polčák

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.

Or. cs

Amendment 186
Stanislav Polčák

Proposal for a regulation
Article 1 – paragraph 1 – point 69
Regulation (EC) No 1224/2009
Article 93 – paragraph 1

**Text proposed by the Commission**

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

**Amendment**

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

**Or. cs**

**Amendment 187**

**Margrete Auken**

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

**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. *These 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 188
Margrete Auken

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

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

Or. en

Amendment 189
Sirpa Pietikäinen

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

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

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

Or. en

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 190
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 71 a (new)
Regulation (EC) No 1224/2009
Article 101 – paragraph 4 a (new)

Justification

Similar reports are already the published in other policy areas such as for compliance with feed and food law or animal health.

Amendment 191
Anja Hazekamp

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

(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.”

Amendment

Or. en

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 192
Anja Hazekamp

Proposal for a regulation
Article 1 – paragraph 1 – point 73 – point a
Regulation (EC) No 1224/2009
Article 104 – paragraph 1

Text proposed by the Commission

1. Where a Member State does not respect its obligations for the

Amendment

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.

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.

**Justification**

This suggested amendment better encompass the scope of the new definition of “rules of the common fisheries policy” by allowing the Commission to close fisheries where technical measures are not respected and as a result threaten the conservation status of species (seabirds, turtles, marine mammals, etc.) or habitats.

**Amendment 193**

**Margrete Auken**

**Proposal for a regulation**

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

Regulation (EC) No 1224/2009

**Article 104 – paragraph 1**

**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 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 or the protection of the marine environment, the Commission may, by means of implementing acts, provisionally close the fisheries affected by those shortcomings for the Member State
Concerned.

Justification

Multi-annual Plans (MAPs) are supposed to be holistic management tools and not only about exploiting fish stocks, as outlined in Article 9 and 10 of the CFP.

Amendment 194
Margrete Auken

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 in writing to the satisfaction of the Commission that the fisheries can be safely exploited and the threat to the marine environment has been removed.

Amendment 195
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 74 – point b
Regulation (EC) No 1224/2009
Article 105 – paragraph 4

Text proposed by the Commission

4. In the case of an overfishing of a quota, allocation or share of a stock or a group of stocks available to a Member State in earlier years, the Commission, may, by means of implementing acts, deduct quotas from future quotas of that

Amendment

4. In the case of an overfishing of a quota, allocation or share of a stock or a group of stocks available to a Member State in earlier years, the Commission, shall, by means of implementing acts, deduct quotas from future quotas of that
Member State to take account of the level of overfishing.

Member State to take account of the level of overfishing.

Amendment 196
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 74 – point b
Regulation (EC) No 1224/2009
Article 105 – paragraph 5

Text proposed by the Commission

5. If a deduction according to paragraphs 1 and 2 cannot be operated on the quota, allocation or share of a stock or group of stocks that was overfished as such because that quota, allocation or share of a stock or group of stocks is not or not sufficiently available to the Member State concerned, the Commission may, by means of implementing acts, deduct in the following year or years quotas for other stocks or groups of stocks available to that Member State in the same geographical area, or with the same commercial value in accordance with paragraph 1.

Amendment

5. If a deduction according to paragraphs 1 and 2 cannot be operated on the quota, allocation or share of a stock or group of stocks that was overfished as such because that quota, allocation or share of a stock or group of stocks is not or not sufficiently available to the Member State concerned, the Commission shall, by means of implementing acts, deduct in the following year or years quotas for other stocks or groups of stocks available to that Member State in the same geographical area, or with the same commercial value in accordance with paragraph 1.

Amendment 197
Margrete Auken

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

3. If a deduction according to paragraph 2 cannot be operated on the maximum allowable fishing effort for a

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.

Amendment 198
Margrete Auken

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

4. The Commission may, by means 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

4. The Commission shall, by means 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 199
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 76 – point a
Regulation (EC) 1224/2009
Article 107 – paragraph 1

Text proposed by the Commission

1. Where there is evidence that rules

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 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.

Or. en

Amendment 200
Margrete Auken

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

3a. Without prejudice to Regulation (EU) 2016/679 of the European Parliament and of the Council ¹a, 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.


Or. en
Enabling scientists and journalists to monitor fisheries data will foster independent scientific analysis and journalism. This acts as a deterrent and also helps authorities in identifying sustainable trends and red flags. The “Sprat and Herring” case shows the importance of cross checking fishing data, as inspections of Swedish commercial fisheries found around 50% more Sprat and 50% less herring catches than reported, providing a misleading picture of stock status and incorrect advice. The concept of legitimate interest is also used in the Anti-Money Laundering Directive.

Amendment 201
Sirpa Pietikäinen

Proposal for a regulation
Article 1 – paragraph 1 – point 78
Regulation (EC) No 1224/2009
Article 110 – paragraph 3a (new)

Text proposed by the Commission

Amendment

3a. Without prejudice to Regulation (EU) 2016/679 of the European Parliament and of the Council\(^a\), 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.


Or. en

Justification

Enabling scientists, journalists, third country inspectors and civil society to monitor key fisheries data would foster independent scientific analysis, investigative journalism and the identification of suspicious behaviour at sea. These activities do not only act as a deterrent but they also help competent authorities in identifying sustainable trends and red flags. The concept of “legitimate interest” has been used in other control frameworks - such as the Anti-Money Laundering Directive - to ensure that data can be made available when this is
proportionate and necessary to meet key objectives.

Amendment 202
Margrete Auken

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

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.

Amendment

Data listed in paragraph 1(a)(ii) and (iii) **shall** be provided 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.**

Or. en

Amendment 203
Margrete Auken

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

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

Amendment

Or. en

Amendment 204
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 81
Regulation (EC) No 1224/2009
Article 112 – paragraph 3

**Text proposed by the Commission**

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.

**Amendment**

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 one year, except for personal data that is necessary to allow the follow-up of a complaint, an infringement, an inspection, a verification or an audit or on-going judicial or administrative proceedings, which may be retained for 10 years. If the information listed in Article 110(1) and (2) is retained for a longer period of time, the data shall be anonymized.

Or. en

**Amendment 205**
Margrethe Auken

**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**

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

**Amendment**

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

Or. en


**Justification**

The European Commission carries out regular verifications and audit missions of the national control systems, though Member States can veto the publication of this information on the basis of article 113. This lack of transparency facilitates mismanagement because fishers and civil society organisations cannot participate in proposing better fisheries.
management solutions to identified challenges. Moreover, it is also a contradiction of the Aarhus Convention and the jurisprudence of the Court of Justice of the European Union.

Amendment 206
Anja Hazekamp

Proposal for a regulation
Article 1 – paragraph 1 – point 81 a (new)
Regulation (EC) No 1224/2009
Article 113 – paragraph 2

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(81a) in article 113, paragraph 2 is deleted.</td>
<td></td>
</tr>
</tbody>
</table>

Or. en

Justification
The authorship rule in article 113 should be removed to make room for increased transparency in the management of fisheries.

Amendment 207
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 81 b (new)
Regulation (EC) No 1224/2009
Article 113 – paragraph 3

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(81b) in article 113, paragraph 3 is deleted.</td>
<td></td>
</tr>
</tbody>
</table>

Or. en


Justification
The European Commission carries out regular verifications and audit missions of the national control systems, though Member States can veto the publication of this information on the basis of article 113. This lack of transparency facilitates mismanagement because
fishers and civil society organisations cannot participate in proposing better fisheries management solutions to identified challenges. Moreover, it is also a contradiction of the Aarhus Convention and the jurisprudence of the Court of Justice of the European Union.

Amendment 208
Sirpa Pietikäinen

Proposal for a regulation
Article 1 – paragraph 1 – point 81 a (new)
Regulation (EC) No 1224/2009
Article 113 – paragraph 4 – point b

Text proposed by the Commission Amendment

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

Or. en

Justification
The European Commission carries out regular verifications and audit missions of the national control systems, though Member States can veto the publication of this information on the basis of article 113. This lack of transparency facilitates mismanagement because fishers and civil society organisations cannot participate in proposing better fisheries management solutions to identified challenges. Moreover, it is also a contradiction of the Aarhus Convention and the jurisprudence of the Court of Justice of the European Union.

Amendment 209
Sirpa Pietikäinen

Proposal for a regulation
Article 1 – paragraph 1 – point 81 b (new)
Regulation (EC) No 1224/2009
Article 113 – paragraph 4 – point c

Text proposed by the Commission Amendment

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

Or. en

Justification
The European Commission carries out regular verifications and audit missions of the national control systems, though Member States can veto the publication of this information
on the basis of article 113. This lack of transparency facilitates mismanagement because fishers and civil society organisations cannot participate in proposing better fisheries management solutions to identified challenges. Moreover, it is also a contradiction of the Aarhus Convention and the jurisprudence of the Court of Justice of the European Union.

**Amendment 210**

Sirpa Pietikäinen

**Proposal for a regulation**

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

Regulation (EC) No 1224/2009

Article 115 – paragraph 1 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a. On their websites, Member States shall publish on an annual basis the annual reports of their national control programmes. Those reports shall contain the following information:</td>
<td></td>
</tr>
<tr>
<td>(a) total budget allocated to fisheries control;</td>
<td></td>
</tr>
<tr>
<td>(b) number and type of inspections and controls performed;</td>
<td></td>
</tr>
<tr>
<td>(c) number and type of suspected and confirmed infringements, including serious infringements;</td>
<td></td>
</tr>
<tr>
<td>(d) type of follow-up actions to confirmed infringements (simple warning, administrative sanction, criminal sanction, immediate enforcement measure, number of penalty points administered); and</td>
<td></td>
</tr>
<tr>
<td>(e) number, place and type of lost fishing gears.</td>
<td></td>
</tr>
</tbody>
</table>

**Or. en**

**Justification**

Decision-makers and fishers lack information on the implementation of control rules by Member States. There needs to be a clear understanding and knowledge on the implementation of the control regulation to create a level playing field across EU Member States. This can in addition allow governments and stakeholders, including the civil society, to precisely identify and support countries and fishers when there is a lack of capacity to
implement the regulation.

Amendment 211
Sirpa Pietikäinen

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.”

Or. en

(32019R1241)

Amendment 212
Anja Hazekamp

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.”

Or. en

Justification

There is currently a lack of transparency on the implementation of the Control Regulation by competent authorities in EU Member States. As a result, decision-makers and the public are lacking information on the real status of implementation of control rules in the EU. Before
2009, this information was publicly available, as the Commission was reporting regularly to the European Parliament and to the Council on the behaviours which seriously infringed the rules of the Common Fisheries Policy.

Amendment 213
Margrete Auken

Proposal for a regulation
Article 1 – paragraph 1 – point 84 a (new)
Regulation (EC) No 1224/2009
Article 118 – paragraph 1

Present text

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

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

Amendment

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

Or. en


Justification

Decision-makers and civil society organisations do not have sufficient information on the status of the implementation of the Control Regulation. This current lack of transparency facilitates misinformation in which neither success stories nor existing loopholes are shared and recorded. Public bi-annual reports would restore the practice that existed before 2009 when the Commission was reporting regularly to the European Parliament and the Council on the implementation of the Control Regulation.

Amendment 214
Sirpa Pietikäinen

Proposal for a regulation
Article 1 – paragraph 1 – point 84 b (new)
Regulation (EC) No 1224/2009
Article 118 – paragraph 2

Present text

(84b) in Article 118, paragraph 2 is

(84b) in Article 118, paragraph 2 is
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.

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.”

Amendment 215
Anja Hazekamp

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.”

Justification

There is currently a lack of transparency on the implementation of the Control Regulation by competent authorities in EU Member States. As a result, decision-makers and the public are lacking information on the real status of implementation of control rules in the EU. Before 2009, this information was publicly available, as the Commission was reporting regularly to the European Parliament and to the Council on the behaviours which seriously infringed the rules of the Common Fisheries Policy.

Amendment 216
Margrete Auken
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.”

Or. en


Justification

Decision-makers and civil society organisations do not have sufficient information on the status of the implementation of the Control Regulation. This current lack of transparency facilitates misinformation in which neither success stories nor existing loopholes are shared and recorded. Public bi-annual reports would restore the practice that existed before 2009 when the Commission was reporting regularly to the European Parliament and the Council on the implementation of the Control Regulation.

Amendment 217
Sirpa Pietikäinen

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

(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.”

Or. en

Amendment 218
Anja Hazekamp

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

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

“2a. These biannual reports will be made publicly available on the website of the European Commission within two months of submission by the Member States.”

Or. en

Justification

There is currently a lack of transparency on the implementation of the Control Regulation by competent authorities in EU Member States. As a result, decision-makers and the public are lacking information on the real status of implementation of control rules in the EU. Before 2009, this information was publicly available, as the Commission was reporting regularly to the European Parliament and to the Council on the behaviours which seriously infringed the rules of the Common Fisheries Policy.

Amendment 219
Margrete Auken

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

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

“2a. These biannual reports will be made publicly available on the website of the European Commission within two months of submission by the Member States.”

Justification

Decision-makers and civil society organisations do not have sufficient information on the status of the implementation of the Control Regulation. This current lack of transparency facilitates misinformation in which neither success stories nor existing loopholes are shared and recorded. Public bi-annual reports would restore the practice that existed before 2009 when the Commission was reporting regularly to the European Parliament and the Council on the implementation of the Control Regulation.

Amendment 220
Manuel Pizarro

Proposal for a regulation
Article 2 – point 4 a (new)
Regulation (EC) No 768/2005
Article 17g

Present text

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.

Amendment

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

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 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)

Or. en

(32005R0768)

Justification

The European Parliament shall also be informed.

Amendment 221
Manuel Pizarro

Proposal for a regulation
Article 2 – point 5 – point a a (new)
Regulation (EC) No 768/2005
Article 23 – paragraph 2 – point c – subparagraph 1

Present text

(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.)

Or. en

(32005R0768)

Justification

The opinion of the European Parliament shall also be taken into account in the programme of the Agency.
Amendment 222  
Manuel Pizarro

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;”


Or. en

(32005R0768)

Justification

The European Parliament should also have the possibility to express its disagreement to the proposed programme of the Agency.

Amendment 223  
Manuel Pizarro
1. The Administrative Board shall be composed of representatives of Member States and six representatives of the Commission. Each Member State shall be entitled to appoint one member. The Member States and the Commission shall appoint one alternate to each member who will represent the member in his/her absence.

(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 shall be entitled to appoint one member. Each political group of the European Parliament shall be entitled to appoint one member. 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.”


Or. en

(32005R0768)

Justification

Each political group of the European Parliament should also have the possibility to appoint one representative of the administrative body of the Agency.

Amendment 224
Manuel Pizarro

Proposal for a regulation
Article 2 – point 7
Regulation (EC) No 768/2005
Article 29 – paragraph 3 – point a
(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;


Justification

Once again the European Parliament should also be consulted in the preparation of the Agency annual and multiannual work programme.

Amendment 225
Stanislav Polčák

Proposal for a regulation
Article 4 – paragraph 1 – point 12
Regulation (EC) No 1005/2008
Article 42 – paragraph 1

“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."