



2023/0206(COD)

6.12.2023

AMENDMENTS

6 - 86

Draft report

Francisco Guerreiro

(PE756.019v01-00)

Proposal for a regulation of the European Parliament and of the Council laying down conservation, management and control measures applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries, amending Regulation (EU) 2019/1241 of the European Parliament and of the Council and Council Regulation (EC) No 1224/2009, and repealing Council Regulation (EEC) No 1899/85 and Regulation (EU) No 1236/2010

Proposal for a regulation

(COM(2023)0362 – C9-0221/2023 – 2023/0206(COD))

AM_Com_LegReport

Amendment 6

Francisco José Millán Mon, Gabriel Mato

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) One of the objectives of the Common Fisheries Policy, as set out in Regulation (EU) No 1380/2013 of the European Parliament and of the Council²¹, is to ensure exploitation of marine biological resources in a way that provides sustainable economic, environmental and social conditions.

²¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

Amendment

(1) One of the objectives of the Common Fisheries Policy, as set out in Regulation (EU) No 1380/2013 of the European Parliament and of the Council²¹, is to ensure exploitation of marine biological resources in a way that provides sustainable economic, environmental and social conditions. ***Furthermore, according to Article 28 of the above-mentioned Regulation, the Union shall ensure that its fishing activities outside Union waters are based on the same principles and standards as those applicable under Union law in the area of the CFP, while promoting a level-playing field for Union operators vis-à-vis third-country operators.***

²¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

Or. en

Amendment 7

Francisco José Millán Mon, Gabriel Mato

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) In 2022, the Union, the Faroe Islands, Greenland, Iceland, Norway and the United Kingdom held consultations on control measures for certain pelagic fisheries in the North-East Atlantic. Those consultations were concluded in November 2022, on the basis of the Union position endorsed by the Council on 14 October 2022. The measures agreed in these consultations³² should be implemented into Union law. In accordance with the agreement of the Parties to these fisheries consultations, the application of certain measures should be deferred in order to provide for sufficient implementation time.

³² Agreed Record signed by Heads of Delegation of respective Parties in November 2022 (https://oceans-and-fisheries.ec.europa.eu/system/files/2022-12/2022-coastal-states-fisheries-consultations-control-measures_en.pdf).

Amendment

(11) In 2022, the Union, the Faroe Islands, Greenland, Iceland, Norway and the United Kingdom held consultations on control measures for certain pelagic fisheries in the North-East Atlantic. Those consultations were concluded in November 2022, on the basis of the Union position endorsed by the Council on 14 October 2022. The measures agreed in these consultations³² should be implemented into Union law. In accordance with the agreement of the Parties to these fisheries consultations, the application of certain measures should be deferred in order to provide for sufficient implementation time. ***These measures should not be applicable until all Parties to these fisheries consultations cease adopting unilateral fisheries measures, thus jeopardising the state of certain pelagic stocks, and honour their obligations vis-à-vis to each other.***

³² Agreed Record signed by Heads of Delegation of respective Parties in November 2022 (https://oceans-and-fisheries.ec.europa.eu/system/files/2022-12/2022-coastal-states-fisheries-consultations-control-measures_en.pdf).

Or. en

Amendment 8
Clara Aguilera, João Albuquerque

Proposal for a regulation
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) Regarding the obligation to ensure surveillance of landings of certain pelagic stocks through camera and sensor technologies at Union ports where more

than 3 000 tonnes of those stocks are weighed per calendar year, the surveillance measures should be applied to landings exceeding 10 tonnes so as to exclude small-scale coastal and artisanal fishing. The Member States will draw up a list of ports that meet such conditions, excluding ports that have no landings of more than 10 tonnes of those species or where those species are landed by vessels that already have such technologies, in line with Article 13 of the Fisheries Control Regulation. Article 13 of Regulation (EC) No 1224/2009 establishes that Union catching vessels of 18 metres in length overall which pose a high risk of non-compliance with the landing obligation should have an operating remote electronic monitoring system installed on board that includes closed-circuit television and may include other instruments or equipment.

Or. es

Amendment 9
Izaskun Bilbao Barandica

Proposal for a regulation
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) Regarding the obligation to ensure surveillance of landings of certain pelagic stocks though camera and sensor technologies in landing and processing facilities where more than 3 000 tonnes of those stocks are weighed per calendar year, the surveillance measures should be applied to landings exceeding 10 tonnes. In the case of landing and processing facilities where landings above 10 tonnes do not occur but the total amount of landings amount to more than 3 000 tonnes per calendar year the obligation to use surveillance thought camera and

sensor technologies do not apply.

Or. en

Amendment 10

Francisco José Millán Mon, Gabriel Mato

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) The Parties to the above-mentioned consultations agreed that the measures shall apply to landings exceeding 10 tonnes. Therefore, the obligation to ensure surveillance of landings of certain pelagic stocks through camera and sensor technologies in landing and processing facilities should apply to ports where there is big concentration of landings exceeding 10 tonnes. Measures should not impose additional cost and burden to ports where small scale vessels land.

Or. en

Amendment 11

João Pimenta Lopes

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) Control measures applicable to certain pelagic fisheries should be adapted to the reality of the Member States and it should be guaranteed that the administrative costs and costs for operators resulting from those measures are proportional to the desired outcome.

Or. pt

Amendment 12
João Albuquerque

Proposal for a regulation
Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

For the purposes of this Regulation, the following definitions shall apply:

Amendment

For the purposes of this Regulation, the ***definitions set out in Article 4 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council and Article 4 of Regulation (EC) No 1224/2009 of the Council shall apply, unless otherwise provided for in this Regulation.*** The following definitions shall apply:

Or. en

Amendment 13
João Albuquerque

Proposal for a regulation
Article 3 – paragraph 1 – point 11

Text proposed by the Commission

11. ‘fishing vessel’ means any vessel used or intended for use for the purpose of commercial exploitation of fishery resources, including fish processing vessels and vessels engaged in transshipment;

Amendment

deleted

Or. en

Amendment 14
João Albuquerque

Proposal for a regulation
Article 3 – paragraph 1 – point 13

Text proposed by the Commission

13. ‘VMS’ means a ***satellite-based*** fishing vessel monitoring system providing the competent authorities with data at regular intervals on the position, course and speed of the fishing vessel;

Amendment

13. ‘VMS’ means a fishing vessel monitoring system providing the competent authorities with data at regular intervals on the position, course and speed of the fishing vessel;

Or. en

Amendment 15
João Albuquerque

Proposal for a regulation
Article 3 – paragraph 1 – point 21

Text proposed by the Commission

21. ‘electronic fishing logbook’ means the record by ***computerised*** means of fishing activity details recorded by the master of a fishing vessel and transmitted to the flag State from the prior notification of entry into the Regulatory Area until the exit from the Regulatory Area.

Amendment

21. ‘electronic fishing logbook’ means the record by ***electronic*** means of fishing activity details recorded by the master of a fishing vessel and transmitted to the flag State from the prior notification of entry into the Regulatory Area until the exit from the Regulatory Area.

Or. en

Amendment 16
João Albuquerque

Proposal for a regulation
Article 3 – paragraph 1 – point 22

Text proposed by the Commission

22. ‘FMC’ means a land-based fisheries monitoring centre of the flag State;

Amendment

22. ‘FMC’ means a land-based fisheries monitoring centre of the flag State ***as defined in Article 4, point (15), of Regulation (EC) 1224/2009 of the Council;***

Or. en

Amendment 17
João Albuquerque

Proposal for a regulation
Article 3 – paragraph 1 – point 26

Text proposed by the Commission

Amendment

26. ‘transshipment operation’ means the direct transfer of any quantity of fishery resources retained on board from one fishing vessel to another;

deleted

Or. en

Amendment 18
João Albuquerque

Proposal for a regulation
Article 4 – paragraph 6

Text proposed by the Commission

Amendment

6. Masters of Union fishing vessels shall implement temporary closures in the areas identified by NEAFC following information on encounters with possible VMEs until the NEAFC Secretariat notifies the re-opening of those areas.

6. Member States shall implement temporary closures in the areas identified by NEAFC following information on encounters with possible VMEs until the NEAFC Secretariat notifies the re-opening of those areas.

Or. en

Amendment 19
João Albuquerque

Proposal for a regulation
Article 5 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) provide a report of the results of the exploratory bottom fishing activities to ICES and the Commission, which shall

(d) provide a report of the results, ***including all raw data collected,*** of the exploratory bottom fishing activities to

forward it to the NEAFC Secretariat.

ICES and the Commission, which shall forward it to the NEAFC Secretariat.

Or. en

Amendment 20
João Albuquerque

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. Member States shall send by electronic means to the Commission the information of all fishing vessels flying their flag and registered in the Union which they intend to authorise to conduct fishing activities in the Regulatory Area. This information shall be sent by 15 December each year for the following year or in any case before the vessel's entry into the Regulatory Area.

Amendment

1. Member States shall send by electronic means to the Commission the information of all fishing vessels flying their flag and registered in the Union which they intend to authorise to conduct fishing activities in the Regulatory Area. This information shall be sent by 15 December each year for the following year or in any case **15 days** before the vessel's entry into the Regulatory Area.

Or. en

Amendment 21
João Albuquerque

Proposal for a regulation
Article 8 – paragraph 5 – point c

Text proposed by the Commission

(c) ensure that fishing vessels flying its flag comply with ***applicable recommendations adopted by NEAFC***; and

Amendment

(c) ensure that fishing vessels flying its flag comply with ***this Regulation***; and

Or. en

Amendment 22
João Albuquerque

Proposal for a regulation
Article 8 – paragraph 6 – point b

Text proposed by the Commission

(b) IMO number (*where available*);

Amendment

(b) IMO number *or, if not applicable, other unique vessel identifier*;

Or. en

Amendment 23
João Albuquerque

Proposal for a regulation
Article 9 – paragraph 2 – point d

Text proposed by the Commission

(d) IMO number if subject to IMO Resolution A.1078(28);

Amendment

(d) IMO number if subject to IMO Resolution A.1078(28) *or, if not applicable, other unique vessel identifier*;

Or. en

Amendment 24
João Albuquerque

Proposal for a regulation
Article 9 – paragraph 3

Text proposed by the Commission

3. The documents referred to in Article 7(2) and (3) of Implementing Regulation (EU) 404/2011 *for Union fishing vessels of 17 metres length overall or more with fish rooms and for Union vessels with chilled or refrigerated seawater tanks shall be checked at regular intervals by the competent authority of the flag Member State.*

Amendment

3. The documents referred to in Article 7(2) and (3) of Implementing Regulation (EU) 404/2011.

Or. en

Amendment 25
João Albuquerque

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. It shall be prohibited to deploy fishing gear that is not marked, if marking is required, or if the marking contravenes the requirements referred to in paragraph 1. NEAFC fisheries inspectors may remove and dispose of a fishing gear with non-compliant marking, **as well as** fish that are found in the gear.

Amendment

2. It shall be prohibited to deploy fishing gear that is not marked, if marking is required, or if the marking contravenes the requirements referred to in paragraph 1. NEAFC fisheries inspectors may remove and dispose of a fishing gear with non-compliant marking. ***The*** fish that are found in the gear ***shall be donated to charitable organisations or organisations that benefit public interest and if not proper for human consumption disposed in accordance with national law consistent with Union law.***

Or. en

Amendment 26
João Albuquerque

Proposal for a regulation
Article 11 – title

Text proposed by the Commission

Garbage at sea and retrieval of lost gear

Amendment

Marine litter and retrieval of lost gear

Or. en

Amendment 27
João Albuquerque

Proposal for a regulation
Article 11 – paragraph 2 – introductory part

Text proposed by the Commission

2. ***In addition to*** the information referred to in Article 48 of Council Regulation (EC) 1224/2009 required in those cases where the lost gear cannot be retrieved, Union fishing vessels shall notify the competent authorities of its flag Member State within 24 hours ***of the following***:

Amendment

2. The information referred to in Article ***14(7) and*** 48 of Council Regulation (EC) 1224/2009 required in those cases where the lost gear cannot be retrieved, Union fishing vessels shall notify the competent authorities of its flag Member State within 24 hours:

Or. en

Amendment 28
João Albuquerque

Proposal for a regulation
Article 11 – paragraph 2 – point a

Text proposed by the Commission

(a) ***the call sign of the vessel;***

Amendment

deleted

Or. en

Amendment 29
João Albuquerque

Proposal for a regulation
Article 11 – paragraph 2 – point b

Text proposed by the Commission

(b) ***the quantity of lost gear; and***

Amendment

deleted

Or. en

Amendment 30
João Albuquerque

Proposal for a regulation
Article 11 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) if the vessel has tried to retrieve the gear or not.

deleted

Or. en

Amendment 31
João Albuquerque

Proposal for a regulation
Article 11 – paragraph 4

Text proposed by the Commission

Amendment

4. Member States shall undertake to retrieve on a regular basis lost fixed gears belonging to vessels flying their flag.

4. Member States shall undertake to retrieve on a regular basis lost fixed gears belonging to vessels flying their flag. ***If gear is retrieved that has not been reported as lost, the Member State or other Contracting Party that retrieved the gear may recover the cost from the master of the vessel that has lost the gear.***

Or. en

Amendment 32
João Albuquerque

Proposal for a regulation
Article 13 – paragraph 2

Text proposed by the Commission

Amendment

2. The electronic fishing logbook data ***forwarded*** by the master and stored at the FMC shall be considered as the official data. These data and any changes thereof shall be notified to the NEAFC Secretariat by the FMC without delay.

2. The electronic fishing logbook data ***transmitted*** by the master and stored at the FMC shall be considered as the official data. These data and any changes thereof shall be notified to the NEAFC Secretariat by the FMC without delay.

Or. en

Amendment 33
João Albuquerque

Proposal for a regulation
Article 13 – paragraph 3 – point b – point iii

Text proposed by the Commission

iii. the list of codes of product form, type of packing **and type of** container shall be in accordance with **the NEAFC Master Data Register available on the NEAFC website**.

Amendment

iii. the list of codes of product form **or presentation, preservation state of the resource**, type of packing **or** container shall be in accordance with **Annex VI a (new)**.

Or. en

Amendment 34
João Albuquerque

Proposal for a regulation
Article 14 – paragraph 1 – point a

Text proposed by the Commission

(a) transmit the electronic fishing logbook data by electronic means to their FMC, including at a minimum the data set out in Annex VII including all catches when the vessel engaged in fishing activities **for fishery resources**;

Amendment

(a) transmit the electronic fishing logbook data by electronic means to their FMC, including at a minimum the data set out in Annex VII including all catches when the vessel engaged in fishing activities;

Or. en

Amendment 35
João Albuquerque

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

Text proposed by the Commission

(a) communicate reports of transhipments in accordance with the specification and format set out in Annex VII by electronic means to their FMC.

Amendment

(a) communicate reports of transhipments in accordance with the specification and format set out in Annex VII by electronic means to their FMC.

These reports shall include the quantities on-loaded and off-loaded for each transshipment. The master of a Union donor fishing vessels shall transmit a donor transshipment notification report at least 24 hours in advance of the transshipment. The master of a Union receiver fishing vessel shall make a receiver transshipment declaration report no later than 1 hour after transshipment. The reports shall include the date, time, geographical position of the planned transshipment and total round weight by species to be off-loaded or which have been on-loaded in kilograms and the identification of vessels transhipped to or from, respectively;

These reports shall include the quantities on-loaded and off-loaded for each transshipment. The master of a Union donor fishing vessels shall transmit a donor transshipment notification report at least 24 hours in advance of the ***starting time of*** transshipment. The master of a Union receiver fishing vessel shall make a receiver transshipment declaration report no later than 1 hour after ***the end time of the*** transshipment. The reports shall include the date, time, geographical position of the planned transshipment and total round weight by species to be off-loaded or which have been on-loaded in kilograms and the identification of vessels transhipped to or from, respectively;

Or. en

Amendment 36 **João Albuquerque**

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

Text proposed by the Commission

(b) transshipment operations may only commence after the authorisations have been given by the flag Contracting Party of the receiving vessel. In the case of EU receiver vessels, the flag Member State shall transmit the authorisation to tranship without delay to the NEAFC Secretariat with the Commission and EFCA in copy; and

Amendment

(b) transshipment operations may only commence after the authorisations have been given by the flag ***Member State or*** Contracting Party of the receiving vessel. In the case of EU receiver vessels, the flag Member State shall transmit the authorisation to tranship without delay to the NEAFC Secretariat with the Commission and EFCA in copy; and

Or. en

Amendment 37 **João Albuquerque**

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

Text proposed by the Commission

(c) without prejudice to the provisions in Section 5, subsequent to having been involved in a transshipment operation at sea involving fishery resources caught in the Regulatory Area, the master of a Union receiver fishing vessel shall send a port of landing notification report in the format set out in Annex VII, indicating the total catch onboard, total weight to be landed, the name of port and the date and time of landing, at least 24 hours in advance of any landing, regardless of whether the landing is to take place in a port inside or outside the Convention Area.

Amendment

(c) without prejudice to the provisions in Section 5, subsequent to having been involved in a transshipment operation at sea involving fishery resources caught in the Regulatory Area, the master of a Union receiver fishing vessel shall send a port of landing notification report in the format set out in Annex VII, indicating the total catch onboard, total weight to be landed, the name of port and the date and time of landing, at least 24 hours in advance **to the start** of any landing, regardless of whether the landing is to take place in a port inside or outside the Convention Area.

Or. en

Amendment 38
João Albuquerque

Proposal for a regulation
Article 15 – paragraph 3

Text proposed by the Commission

3. It shall be prohibited to correct the port of landing notification report, but such a report may be cancelled. If a port of landing notification is cancelled and a new one is sent, the time limits specified in paragraph **1** shall apply.

Amendment

3. It shall be prohibited to correct the port of landing notification report, but such a report may be cancelled. If a port of landing notification is cancelled and a new one is sent, the time limits specified in paragraph **1(c)** shall apply.

Or. en

Amendment 39
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) establish and operate an FMC *to monitor the fishing activities of vessels flying their flag, which shall be equipped with computer hardware and software enabling automatic data processing and electronic data transmission and provide for back-up and recovery procedures in case of system failures;*

(a) establish and operate an FMC *in accordance to Article 9 and 9a of Regulation (EC) 1224/2009;*

Or. en

Amendment 40
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) *implement a VMS for its fishing vessels which conduct fishing activities, or plan to conduct fishing activities in the Regulatory Area;*

deleted

Or. en

Amendment 41
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) *require their fishing vessels conducting fishing activities in the Regulatory Area to be equipped with an autonomous system able to automatically transmit messages to the FMC, allowing a continuous tracking of the position of the fishing vessel;*

deleted

Amendment 42
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 1 – point d

Text proposed by the Commission

Amendment

- (d) ensure that the autonomous system enables a fishing vessel to communicate by satellite to the FMC reports including the following information:*
- i. the vessel identification;*
- ii. the most recent geographical position of the vessel (longitude, latitude) with a position error which shall be less than 500 metres, with a confidence interval of 99%;*
- iii. the date and time of the fixing of said position of the vessel; and*
- iv. the speed and course at the time of fixing of said position of the vessel.*
- deleted*

Amendment 43
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 1 – point d – point i

Text proposed by the Commission

Amendment

- i. the vessel identification;*
- deleted*

Amendment 44
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 1 – point d – point ii

Text proposed by the Commission

Amendment

ii. the most recent geographical position of the vessel (longitude, latitude) with a position error which shall be less than 500 metres, with a confidence interval of 99%; *deleted*

Or. en

Amendment 45
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 1 – point d – point iii

Text proposed by the Commission

Amendment

iii. the date and time of the fixing of said position of the vessel; and *deleted*

Or. en

Amendment 46
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 1 – point d – point iv

Text proposed by the Commission

Amendment

iv. the speed and course at the time of fixing of said position of the vessel. *deleted*

Or. en

Amendment 47
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 1 – point e

Text proposed by the Commission

(e) transmit to the NEAFC Secretariat the position reports ***in real time*** for vessels flying their flag upon entering into or exiting from the Regulatory Area and at least once every hour when operating in the Regulatory Area;

Amendment

(e) transmit to the NEAFC Secretariat the position reports ***as soon as received*** for vessels flying their flag upon entering into or exiting from the Regulatory Area and at least once every hour when operating in the Regulatory Area;

Or. en

Amendment 48
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 1 – point g

Text proposed by the Commission

(g) ensure that the data received from its fishing vessels ***to which VMS requirements apply*** are recorded in a computer readable form and stored for at least three years; and

Amendment

(g) ensure that the data received from its fishing vessels ***VMS*** are recorded in a computer readable form and stored for at least three years; and

Or. en

Amendment 49
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 1 – point h – point ii

Text proposed by the Commission

ii. ensure that delimitations of closed bottom fishing areas are ***installed*** in their VMS.

Amendment

ii. ensure that delimitations of closed bottom fishing areas are ***included and, when needed, updated*** in their VMS.

Amendment 50
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 2

Text proposed by the Commission

2. Masters of Union fishing vessels shall ensure that the **satellite** tracking devices are fully operational at all times and that the information in paragraph 1 is transmitted to the FMC. In the event of a technical failure or non-operation of the **satellite** tracking device fitted on board a fishing vessel, the device shall be repaired or replaced within one month of that event. After this period, it shall be prohibited to commence a fishing trip with a defective **satellite** tracking device. Where a device stops functioning and a fishing trip lasts more than one month, the repair or the replacement has to take place as soon as the vessel enters a port, and the fishing vessel shall not be authorised to continue or commence a fishing trip without the **satellite** tracking device having been repaired or replaced.

Amendment

2. Masters of Union fishing vessels shall ensure that the tracking devices are fully operational at all times and that the information in paragraph 1 is transmitted to the FMC. In the event of a technical failure or non-operation of the tracking device fitted on board a fishing vessel, the device shall be repaired or replaced within one month of that event. After this period, it shall be prohibited to commence a fishing trip with a defective tracking device. Where a device stops functioning and a fishing trip lasts more than one month, the repair or the replacement has to take place as soon as the vessel enters a port, and the fishing vessel shall not be authorised to continue or commence a fishing trip without the tracking device having been repaired or replaced.

Amendment 51
João Albuquerque

Proposal for a regulation
Article 16 – paragraph 3

Text proposed by the Commission

3. The master of a fishing vessel with a defective VMS tracking device shall communicate, at least every 4 hours, reports containing the information in

Amendment

3. The master of a fishing vessel with a defective VMS tracking device shall communicate, at least every 4 hours, reports containing the information in

paragraph ***1(d)*** to the FMC in accordance with the format set out in Annex IX.

paragraph ***1(a)*** to the FMC in accordance with the format set out in Annex IX.

Or. en

Amendment 52
João Albuquerque

Proposal for a regulation
Article 17 – paragraph 4

Text proposed by the Commission

4. The ***master of a Union fishing vessel who has not received a positive acknowledgment on a fishing activity report from*** the NEAFC Secretariat shall ***immediately make appropriate amendments and*** resubmit ***the*** fishing activity report to the flag FMC. If ***the master*** still ***does not receive*** a positive acknowledgment, or if it is no longer possible to amend or resubmit fishing activity reports due to time limits, the master shall ***contact*** the flag Member State FMC ***to receive*** the necessary guidance on follow-up procedures, to ensure that the data referred to in Articles 14 and 15 is submitted.

Amendment

4. The ***flag Member State FMC, when*** the NEAFC Secretariat ***status report is not received or with negative acknowledge***, shall ***request to the master of the Union fishing vessel to*** resubmit ***an amended*** fishing activity report to the flag FMC. If still ***not received*** a positive acknowledgment, or if it is no longer possible to amend or resubmit fishing activity reports due to time limits, the master shall ***receive from*** the flag Member State FMC the necessary guidance on follow-up procedures, to ensure that the data referred to in Articles 14 and 15 is submitted.

Or. en

Amendment 53
João Albuquerque

Proposal for a regulation
Article 17 – paragraph 6 – introductory part

Text proposed by the Commission

6. Union fishing vessels shall be equipped with an electronic recording and reporting system on board, ***fully operational at all times. In the event of a technical malfunction of the electronic***

Amendment

6. Union fishing vessels shall be equipped with an electronic recording and reporting system on board ***as set in Articles 13, 14, 15 and 15b of Regulation (EC)***

***recording and reporting system on board
a Union fishing vessel:***

1224/2009.

Or. en

**Amendment 54
João Albuquerque**

**Proposal for a regulation
Article 17 – paragraph 6 – point a**

Text proposed by the Commission

Amendment

***(a) the system shall be repaired or
replaced within one month and as soon as
the fishing vessel enters a port, whichever
is the earlier; and***

deleted

Or. en

**Amendment 55
João Albuquerque**

**Proposal for a regulation
Article 17 – paragraph 6 – point b**

Text proposed by the Commission

Amendment

***(b) the fishing vessel shall not be
authorised to leave port to commence
fishing without the system having been
repaired or replaced.***

deleted

Or. en

**Amendment 56
João Albuquerque**

**Proposal for a regulation
Article 20 – paragraph 1**

Text proposed by the Commission

1. Member States whose fishing vessels are authorised to fish in the Regulatory Area shall assign inspectors to the NEAFC Scheme to carry out inspection and surveillance activities (NEAFC inspectors).

Amendment

1. Member States whose fishing vessels are authorised to fish in the Regulatory Area shall assign ***their*** inspectors to the NEAFC Scheme to carry out inspection and surveillance activities (NEAFC inspectors).

Or. en

Amendment 57
João Albuquerque

Proposal for a regulation
Article 20 – paragraph 2

Text proposed by the Commission

2. Member State shall issue a special identity document to each NEAFC inspector in accordance with the format set out in Annex XII.

Amendment

2. Member State shall issue a special identity document to each ***of their*** NEAFC inspector in accordance with the format set out in Annex XII.

Or. en

Amendment 58
João Albuquerque

Proposal for a regulation
Article 20 – paragraph 4

Text proposed by the Commission

4. NEAFC inspectors ***shall avoid the use of force except in the case of legitimate self-defence. When carrying out inspections on board fishing vessels, NEAFC inspectors shall not carry firearms.***

Amendment

4. NEAFC inspectors ***of the Union*** shall carry ***out their duties in accordance to Article 79 of Regulation (EC) 1224/2009.***

Or. en

Amendment 59
João Albuquerque

Proposal for a regulation
Article 20 – paragraph 5

Text proposed by the Commission

5. NEAFC inspectors shall avoid causing any inconvenience to the fishing vessel or interfering with its activities and the catch retained on board, except when and to the extent necessary to carry out their duties.

Amendment

deleted

Or. en

Amendment 60
João Albuquerque

Proposal for a regulation
Article 21 – paragraph 2 – point a

Text proposed by the Commission

(a) the names and unique numbers of the NEAFC inspectors, including their e-mail address; and

Amendment

(a) the names and unique numbers of the **their** NEAFC inspectors, including their e-mail address; and

Or. en

Amendment 61
João Albuquerque

Proposal for a regulation
Article 22 – paragraph 3

Text proposed by the Commission

3. The inspecting Member State and EFCA shall forward without delay the data from each surveillance report by electronic transmission in a sighting report with a format in accordance with Part 2 of Annex XVI to the Contracting Party of the fishing

Amendment

3. The inspecting Member State and EFCA shall forward without delay the data from each surveillance report by electronic transmission in a sighting report with a format in accordance with Part 2 of Annex XVI to the **flag Member State or**

vessel concerned and to the NEAFC Secretariat, **with EFCA in copy**. Any images captured during the surveillance shall be forwarded upon request to the Contracting Party of the fishing vessel concerned.

Contracting Party of the fishing vessel concerned and to the NEAFC Secretariat. Any images captured during the surveillance shall be forwarded upon request to the **flag Member State or** Contracting Party of the fishing vessel concerned.

Or. en

Amendment 62
João Albuquerque

Proposal for a regulation
Article 23 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. For the purpose of verifying compliance with this Regulation, NEAFC Inspectors are entitled to conduct inspections under provisions of Chapter I of Title VII of Regulation (EC) No 1224/2009.

Or. en

Amendment 63
João Albuquerque

Proposal for a regulation
Article 23 – paragraph 2

Text proposed by the Commission

Amendment

2. NEAFC inspectors shall have the authority to examine all relevant areas, decks and rooms of the fishing vessel, catch (whether processed or not), nets or other gears, equipment and any relevant documents they deem necessary to verify compliance with the conservation and management measures adopted by NEAFC and to question the master or a

deleted

person designated by the master.

Or. en

Amendment 64
João Albuquerque

Proposal for a regulation
Article 23 – paragraph 8

Text proposed by the Commission

Amendment

8. In carrying out their inspection, the NEAFC inspectors may request the master to provide any assistance which is required.

deleted

Or. en

Amendment 65
João Albuquerque

Proposal for a regulation
Article 23 – paragraph 12

Text proposed by the Commission

Amendment

12. NEAFC inspectors shall transmit without delay a copy of each inspection report to EFCA and promptly upload the information of the inspection report into the secure part of the NEAFC website. The original or a certified copy of each inspection report shall be forwarded upon request to the Contracting Party of the inspected vessel.

12. NEAFC inspectors shall transmit without delay a copy of each inspection report to EFCA and promptly upload the information of the inspection report into the secure part of the NEAFC website. The original or a certified copy of each inspection report shall be forwarded upon request to the ***flag Member State or*** Contracting Party of the inspected vessel.

Or. en

Amendment 66
João Albuquerque

Proposal for a regulation
Article 24 – paragraph 1 – point –a (new)

Text proposed by the Commission

Amendment

(-a) apply this article in addition to the general obligations established in Article 75 of Regulation (EC) 1224/2009;

Or. en

Amendment 67
João Albuquerque

Proposal for a regulation
Article 24 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) cooperate with and assist in the inspection of the fishing vessel conducted pursuant to this Regulation and not obstruct, intimidate or interfere with the NEAFC inspectors in the performance of their duties and ensure their safety; **deleted**

Or. en

Amendment 68
João Albuquerque

Proposal for a regulation
Article 24 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) provide access to any areas, decks and rooms of the fishing vessel, catch (whether processed or not), nets or other gears, equipment and any information or documents which the inspector deems necessary in accordance with Article 23(2); **deleted**

Or. en

Amendment 69
João Albuquerque

Proposal for a regulation
Article 29 – paragraph 4

Text proposed by the Commission

4. Landing, transshipment and other use of port services shall not be authorised if the port Member State receives clear evidence that the catch on board was taken in contravention of applicable requirements of a Contracting Party in respect of areas under its national jurisdiction.

Amendment

4. Landing, transshipment and other use of port services shall not be authorised if the port Member State receives clear evidence that the catch on board was taken in contravention of applicable requirements of ***the flag Member State or*** a Contracting Party in respect of areas under its national jurisdiction.

Or. en

Amendment 70
João Albuquerque

Proposal for a regulation
Article 30 – paragraph 5

Text proposed by the Commission

5. Member States shall notify any changes in the lists referred to in paragraph 3 to EFCA, which in turn shall forward them without delay to the NEAFC Secretariat with the Commission in copy.

Amendment

5. Member States shall notify, ***15 days prior to be effective***, any changes in the lists referred to in paragraph 3 to EFCA, which in turn shall forward them without delay to the NEAFC Secretariat with the Commission in copy.

Or. en

Amendment 71
João Albuquerque

Proposal for a regulation
Article 32 – paragraph 1

Text proposed by the Commission

1. This Article applies in addition to the general obligations established in Article **113 of Implementing** Regulation (EU) 404/2011.

Amendment

1. This Article applies in addition to the general obligations established in Article **75 of** Regulation (EC) 1224/2009.

Or. en

Amendment 72
João Albuquerque

Proposal for a regulation
Article 32 – paragraph 2

Text proposed by the Commission

2. The master of a fishing vessel which is being inspected or, where relevant, the representative of the master, shall comply with the obligations established in Article **114 of Implementing** Regulation (EU) 404/2011 and, as applicable, with the obligations established in Article 24 of this Regulation.

Amendment

2. The master of a fishing vessel which is being inspected or, where relevant, the representative of the master, shall comply with the obligations established in Article **75 of** Regulation (EC) 1224/2009 and, as applicable, with the obligations established in Article 24 of this Regulation.

Or. en

Amendment 73
João Albuquerque

Proposal for a regulation
Article 37 – paragraph 1

Text proposed by the Commission

1. If an inspector considers that there are clear grounds for believing that the master or the operator of a fishing vessel has committed a serious infringement, that inspector shall promptly notify that infringement to the competent authorities of the inspecting Member State, the Commission and EFCA. The inspecting

Amendment

1. If an **NEAFC** inspector considers that there are clear grounds for believing that the master or the operator of a fishing vessel has committed a serious infringement, that **NEAFC** inspector shall promptly notify that infringement to the competent authorities of the inspecting Member State, the Commission and EFCA.

Member State or EFCA, in case the inspection was carried out by the latter, shall forward the information without delay to the NEAFC Secretariat, the competent authorities of the flag State of the vessel and, where appropriate, to the flag State or States of the donor vessels when the inspected vessel has engaged in transshipment operations.

The inspecting Member State or EFCA, in case the inspection was carried out by the latter, shall forward the information without delay to the NEAFC Secretariat, the competent authorities of the flag State of the vessel and, where appropriate, to the flag State or States of the donor vessels when the inspected vessel has engaged in transshipment operations.

Or. en

Amendment 74
João Albuquerque

Proposal for a regulation
Article 37 – paragraph 2

Text proposed by the Commission

2. In order to preserve the evidence, the inspector shall take all necessary measures to ensure the security and continuity thereof whilst minimising inconvenience to the vessel and interference with its operations.

Amendment

2. In order to preserve the evidence, the **NEAFC** inspector shall take all necessary measures to ensure the security and continuity thereof whilst minimising inconvenience to the vessel and interference with its operations.

Or. en

Amendment 75
João Albuquerque

Proposal for a regulation
Article 37 – paragraph 3

Text proposed by the Commission

3. In the case of an inspection at sea in the Regulatory Area, the inspector is entitled to remain on board the fishing vessel for the period necessary to provide information to **an** inspector duly authorised by the flag Contracting Party or until the response of the flag Contracting Party requires the inspector to leave the fishing

Amendment

3. In the case of an inspection at sea in the Regulatory Area, the **NEAFC** inspector is entitled to remain on board the fishing vessel for the period necessary to provide information to **a NEAFC** inspector duly authorised by the **flag Member State or** flag Contracting Party or until the response of the **flag Member State or** flag

vessel.

Contracting Party requires the inspector to leave the fishing vessel.

Or. en

Amendment 76
João Albuquerque

Proposal for a regulation
Article 38 – paragraph 1

Text proposed by the Commission

1. Flag Member State shall respond to a notification of serious infringement without delay and shall ensure that the Union fishing vessel concerned is inspected within 72 hours by **an** inspector duly authorised in relation to the infringement.

Amendment

1. Flag Member State shall respond to a notification of serious infringement without delay and shall ensure that the Union fishing vessel concerned is inspected within 72 hours by **a NEAFC** inspector duly authorised in relation to the infringement.

Or. en

Amendment 77
João Albuquerque

Proposal for a regulation
Article 39 – paragraph 1

Text proposed by the Commission

Member State shall ensure that appropriate measures are systematically taken, including administrative action or criminal proceedings in conformity with their national law, against the natural or legal persons responsible for a breach of the conservation and management measures **adopted by NEAFC**.

Amendment

Member State shall ensure that appropriate measures are systematically taken, including administrative action or criminal proceedings in conformity with their national law, against the natural or legal persons responsible for a breach of the conservation and management measures **set in this Regulation**.

Or. en

Amendment 78
João Pimenta Lopes

Proposal for a regulation
Article 48 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The provisions of this title shall be adapted to the reality of the Member States, with a guarantee that the administrative costs and costs for operators are proportional to the desired outcome.

Or. pt

Amendment 79
Francisco José Millán Mon, Gabriel Mato

Proposal for a regulation
Article 52 – paragraph 1

Text proposed by the Commission

Amendment

1. Port Member States shall ensure surveillance by camera and sensor technologies at landing and processing facilities where more than 3,000 tonnes per year of the species referred to in Article 48 are weighed.

1. Port Member States shall ensure surveillance by camera and sensor technologies at landing and processing facilities where more than 3,000 tonnes per year of the species referred to in Article 48 are weighed. ***Only landings above 10 tonnes should be counted to determine the threshold of 3,000 tonnes. In the case of landing and processing facilities where landings above 10 tonnes do not amount to more than 3,000 tonnes per calendar year, but where total landings (including those below 10 tonnes) reach that threshold, surveillance of landings above 10 tonnes should be ensured through measures equivalent to camera and sensor technologies.***

Or. en

Amendment 80
Clara Aguilera, João Albuquerque

Proposal for a regulation
Article 52 – paragraph 1

Text proposed by the Commission

1. **Port** Member States shall **ensure** surveillance by camera and sensor technologies at landing and processing facilities where more than 3,000 tonnes per year of the species referred to in Article 48 are weighed.

Amendment

1. **The** Member States shall **draw up a list of ports where** surveillance by camera and sensor technologies **is guaranteed** at landing and processing facilities **for landings of more than 10 tonnes and** where more than 3 000 tonnes per year of the species referred to in Article 48 are weighed, **excluding from that obligation ports where landings are carried out by vessels that fish in the area regulated by the NEAFC Convention and that, in line with Article 13 of Regulation (EC) No 1224/2009, have operating remote electronic monitoring devices installed which include closed-circuit television.**

Or. es

Amendment 81
Izaskun Bilbao Barandica

Proposal for a regulation
Article 52 – paragraph 1

Text proposed by the Commission

1. Port Member States shall ensure surveillance by camera and sensor technologies at landing and processing facilities where more than 3,000 tonnes per year of the species referred to in Article 48 are weighed.

Amendment

1. Port Member States shall ensure surveillance by camera and sensor technologies at landing and processing facilities **for landings exceeding 10 tonnes and** where more than 3,000 tonnes per year of the species referred to in Article 48 are weighed.

Or. en

Amendment 82
João Albuquerque

Proposal for a regulation
Article 54 – paragraph 1 – point o a (new)

Text proposed by the Commission

Amendment

(oa) list of codes of product from or presentation, preservation state of the resource, type of packing or container to be used in production logbook set in in Annex VI a (new);

Or. en

Amendment 83
João Albuquerque

Proposal for a regulation
Article 54 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) the restrictions for pelagic vessels on catch handling and discharge set out in Article 49; ***deleted***

Or. en

Amendment 84
João Albuquerque

Proposal for a regulation
Article 54 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) the derogations on the prohibition to use automatic grading equipment set out in Article 50(2); and ***deleted***

Or. en

Amendment 85
João Albuquerque

Proposal for a regulation
Annex VI – paragraph 1

Text proposed by the Commission

The relevant code lists shall be in accordance with the *NEAFC Master Data Register available at <https://www.neafc.org/mdr>*.

Amendment

The relevant code lists shall be in accordance with the *Annex VI a (new)*.

Or. en

Amendment 86
João Albuquerque

Proposal for a regulation
Annex VI a (new)

Text proposed by the Commission

Amendment

LIST OF CODES OF PRODUCT FROM OR PRESENTATION, PRESERVATION STATE OF THE RESOURCE, TYPE OF PACKING OR CONTAINER TO BE USED IN PRODUCTION LOGBOOK

1. The form or presentation of a processed resource's cut or part.

<i>Code</i>	<i>Presentation</i>	<i>Description</i>
<i>CBF</i>	<i>Cod butterfly (escalado)</i>	<i>HEA with skin on, spine on, tail on</i>
<i>CLA</i>	<i>Claws</i>	<i>Claws only</i>
<i>DWT</i>	<i>ICCAT code</i>	<i>Gilled, gutted, part of head off, fins off</i>
<i>FIA</i>	<i>Filletted without skin, without belly</i>	<i>FIS without belly</i>

<i>Code</i>	<i>Presentation</i>	<i>Description</i>
<i>FIL</i>	<i>Filletted</i>	<i>HEA + GUT + TLD + bones off Each fish originates two fillets</i>
<i>FIS</i>	<i>Filletted and skinned fillets</i>	<i>FIL+SKI Each fish originates two fillets not joined by any part</i>
<i>FMF</i>	<i>Fish meal</i>	<i>Fish meal from whole fish</i>
<i>FSB</i>	<i>Filletted with skin and bones</i>	<i>Filletted with skin and bones on</i>
<i>FSP</i>	<i>Filletted skinned with pinbone</i>	<i>Filletted with skin removed and pinbone on</i>
<i>GHT</i>	<i>Gutted headed and tailed</i>	<i>GUH+TLD</i>
<i>GUG</i>	<i>Gutted and gilled</i>	<i>Guts and gills removed</i>
<i>GUH</i>	<i>Gutted and headed</i>	<i>Guts and head removed</i>
<i>GUL</i>	<i>Gutted liver in</i>	<i>GUT without removing liver parts</i>
<i>GUS</i>	<i>Gutted headed and skinned</i>	<i>GUH+SKI</i>
<i>GUT</i>	<i>Gutted</i>	<i>All guts removed</i>
<i>HEA</i>	<i>Headed</i>	<i>Heads off</i>
<i>HED</i>	<i>Heads</i>	<i>Heads only</i>
<i>HET</i>	<i>Headed and tailed</i>	<i>Heads and tails off</i>
<i>JAP</i>	<i>Japanese cut</i>	<i>Transversal cut removing all parts from head to belly</i>

<i>Code</i>	<i>Presentation</i>	<i>Description</i>
<i>JAT</i>	<i>Tailed Japanese cut</i>	<i>Japanese cut with tail removed</i>
<i>LAP</i>	<i>Lappen</i>	<i>Double fillet, HEA, skin + tails + fins ON</i>
<i>LGS</i>	<i>Leg section</i>	<i>Legs in section (crab)</i>
<i>LVR</i>	<i>Liver</i>	<i>Liver only.</i> <i>In case of collective presentation* use code LVR-C</i>
<i>OTH</i>	<i>Other</i>	<i>Any other presentation</i>
<i>ROE</i>	<i>Roe (s)</i>	<i>Roe(s) only.</i> <i>In case of collective presentation* use code ROE-C</i>
<i>SAD</i>	<i>Salted dry</i>	<i>Headed with skin on, spine on, tail on and salted dry</i>
<i>SAL</i>	<i>Salted wet light</i>	<i>CBF + salted</i>
<i>SGH</i>	<i>Salted, gutted and headed</i>	<i>GUH + salted</i>
<i>SGT</i>	<i>Salted gutted</i>	<i>GUT+salted</i>
<i>SKI</i>	<i>Skinned</i>	<i>Skin off</i>
<i>SUR</i>	<i>Surimi</i>	<i>Surimi</i>
<i>TAL</i>	<i>Tail</i>	<i>Tails only</i>
<i>TLD</i>	<i>Tailed</i>	<i>Tail off</i>
<i>TNG</i>	<i>Tongue</i>	<i>Tongue only.</i> <i>In case of collective presentation* use code TNG-C</i>

<i>Code</i>	<i>Presentation</i>	<i>Description</i>
TUB	<i>Tube only</i>	<i>Tube only (Squid)</i>
WHL	<i>Whole</i>	<i>No processing</i>
WNG	<i>Wings</i>	<i>Wings only</i>

2. The preservation state of the resource

<i>Code</i>	<i>Description</i>
FRE	<i>Fresh</i>
FRZ	<i>Frozen</i>
OTH	<i>Any other processing</i>

3. The type of packing or container in where the resource is

<i>Code</i>	<i>Name</i>	<i>Type</i>	<i>Description</i>
BGS	<i>Bags</i>	<i>Packaging</i>	<i>Catch delivered in bags</i>
BLC	<i>Blocks</i>	<i>Packaging</i>	<i>Catch delivered in blocks</i>
BOX	<i>Boxes</i>	<i>Packaging</i>	<i>Catch delivered in boxes</i>
BUL	<i>Bulk Fish</i>	<i>Packaging</i>	<i>Catch delivered in bulk</i>
CRT	<i>Cartons</i>	<i>Packaging</i>	<i>Catch delivered in cartons</i>
CNT	<i>Containers</i>	<i>Container</i>	<i>Catch delivered in containers</i>
CSW	<i>Chilled Sea Water</i>	<i>Container</i>	<i>Catch delivered in sea water tank cooled by</i>

<i>Code</i>	<i>Name</i>	<i>Type</i>	<i>Description</i>
	<i>Tanks</i>		<i>adding ice (fixed or portable)</i>
<i>FOO</i>	<i>Fish Oil Other</i>	<i>Container</i>	<i>Fish oil delivered in any other container</i>
<i>FOT</i>	<i>Fish Oil Tank</i>	<i>Container</i>	<i>Fish oil delivered in tanks specifically for oil</i>
<i>RSW</i>	<i>Refrigerated Sea Water Tanks</i>	<i>Container</i>	<i>Catch delivered in mechanically refrigerated sea water tank (fixed or portable)</i>
<i>TNK</i>	<i>Tank</i>	<i>Container</i>	<i>Catch delivered in tanks not covered by other descriptions</i>

Or. en