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To:	Delegations
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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control - 4-column document - Finnish comments

Delegations will find attached written comments by the Finnish delegation on the above-mentioned document.

Working party on Internal and External Fisheries Policy

Written comments of FINLAND

on the 4-column document on

the proposal for a Regulation of the European Parliament and of the Council amending

Regulations on fisheries control

(WK 10406/21+ ADD 1-3)

Finland wishes good success and wisdom to the Slovenian Presidency in the trilogues.

Finland apologises the late submission of written comments, due to the best holiday season which in Finland is July.

Please find attached the four-column document with comments of Finland. Only the lines have been saved where Finland has a position or a comment to express. For the rest of the rows we prefer Council GA.

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control
2018/0193(COD)**

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
Article 1, first paragraph, point (1)(bb), amending provision, numbered paragraph				
136f		<u>"'inspection' means any on site check which is carried out by officials regarding compliance with the rules of the common fisheries policy and which is noted in an inspection report;"</u>		Flexibility ok.
Article 1, first paragraph, point (1)(bc), introductory part				
136g		<u>(bc) point 5 is replaced by the following:</u>		Flexibility ok.
Article 1, first paragraph, point (1)(bc), amending provision, numbered paragraph				
136h		<u>"'surveillance' means the observation by officials of fishing activities on the basis of sightings by inspection vessels, official aircrafts and vehicles or other means, including technical detection and identification methods;"</u>		Flexibility ok.
Article 1, first paragraph, point (1)(bd), introductory part				

¹ The IT tool used to create this table did not always allow to exactly reproduce the text set out in doc. 9390/2/21 REV 2 ADD 1. However, the substantive content of the provisions set out in this column corresponds to the content of doc. 9390/2/21 REV 2 ADD 1.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
136i		<u>(bd) point 6 is replaced by the following:</u>		
Article 1, first paragraph, point (1)(bd), amending provision, numbered paragraph				
136j		<u>"'official' means a person authorised by a national fisheries control authority, the Commission or the European Fisheries Control Agency to carry out an inspection;"</u>		Flexibility ok.
Article 1, first paragraph, point (1)(be), introductory part				
136k		<u>(be) point 7 is replaced by the following:</u>		Flexibility ok.
Article 1, first paragraph, point (1)(be), amending provision, numbered paragraph				
136l		<u>"'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;"</u>		Flexibility ok.
Article 1, first paragraph, point (1)(e), amending provision(14)				
142	"14. 'fishing restricted area' means any marine area where fishing activities are temporarily or permanently restricted or prohibited;"	"14. 'fishing restricted area' means any marine area where fishing activities are temporarily <u>temporarily</u> or permanently restricted or prohibited <u>by either regional, national, Union or international legislation</u> ;"	"14. 'fishing restricted area' means any marine area where fishing activities are temporarily or permanently restricted or prohibited <u>under the rules of the common fisheries policy</u> ;"	Stick to GA.
Article 1, first paragraph, point (1)(ea)				

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
142a		<u>(ea) point 15 is replaced by the following:</u> <u>'fisheries monitoring centre' means an operational centre established by a flag Member State and equipped with computer hardware and software enabling automatic data reception, processing, analysis, control, monitoring and electronic data transmission;</u>		Stick to GA. Data processing and analysis is mainly carried out elsewhere in the fisheries control authorities.
Article 1, first paragraph, point (1)(f), amending provision(20)				
144	"20. 'lot' means a batch of units of fishery or aquaculture products; "	"20. 'lot' means a batch-of <u>units specific quantity</u> of fishery or aquaculture products <u>of a given species which have a common origin</u> ;"	"20. 'lot' means a batch of units of fishery or aquaculture products;"	Stick to GA. Support SE, DE comments.
Article 1, first paragraph, point (1)(fa)				
144a		<u>(fa) the following point is inserted:</u> <u>20a. 'batch' means a specific quantity of fishery or aquaculture products;</u>		Stick to GA. Support SE, DE comments.
Article 1, first paragraph, point (1)(fb)				
144b		<u>(fb) point 21 is replaced by the following:</u> <u>21. 'processing' means the process by which the fishery or aquaculture products are prepared. It includes any kind of cutting, filleting, packing, canning, freezing,</u>		Flexibility ok.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
		<u>smoking, salting, cooking, pickling, drying or preparing fisheries or aquaculture products for market in any other manner;</u>		
Article 1, first paragraph, point (1)(ib)				
149b		<u>(ib) the following point is inserted: 28b. 'pesca-tourism' means recreational fishing activities organised by fishers, taking passengers to sea to carry out recreational fishing activities, as a sideline supplementing their core activity;</u>		Cannot support EP.
Article 1, first paragraph, point (1)(k), amending provision(37)				
153c			<u>37. 'fishing trip' means any voyage of a catching vessel which starts at the moment when the vessel leaves a port and ends on arrival in port.";</u>	There seems to be a logical blunder in the Council Mandate. While only catching vessels can perform fishing operations, the opposite is not true: catching vessels may perform other voyages than fishing trips. Hence, it is problematic to define that 'fishing trip' means <u>any voyage</u> of a catching vessel. The list of other voyages of small coastal boats goes beyond imagination, for example: - a trip when the vessel is taken for repair to other place; - a trip when the vessel is taken to

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
				<p>winter dock;</p> <ul style="list-style-type: none"> - a trip when the fisher goes to repair the gear; - a trip when the fisher takes his family to pick berries; - a trip when the fisher goes for hunting birds or seals; - the son of the fisherman just wants to ride the boat. <p>> a lot of unique fishing trip identification numbers without any relation to fishing!</p> <p>> control effort for trips having no relation to fishing!</p> <p>It should be remembered that in the smallest boats there are no kind of fishing equipment installed onboard and they are multipurpose boats. The definition should focus on trips where fishing operations take place.</p>
Article 1, first paragraph, point (1)(ka)				
153d		<p><i><u>(ka) the following point is added:</u></i></p> <p><i><u>34a. 'direct sale' means the sale of fishery and aquaculture products, whether fresh or processed, by the producer or its delegated natural person, to the final consumer at any location, including in an itinerant manner, without intermediaries.</u></i></p>		<p>Cannot support EP.</p> <p>ref. NL comment.</p>
Article 1, first paragraph, point (6), amending provision(3b)				

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
189g			<u>3b. The masters of Union fishing vessels exempted from the requirement to be fitted with a vessel monitoring system under paragraph 3a shall notify the time of departure from port or landing place to the responsible authority before their departure and record the geographical position of setting the gear and the time of the haul in the fishing logbook and submit it in accordance with Article 15(2).</u>	FI could not support this subpara in the GA, because it makes the exemption in subpara 3a valueless.
Article 1, first paragraph, point (7), amending provision(2)				
204	2. Each flag Member State shall appoint the competent authorities responsible for the fisheries monitoring centre and shall take the appropriate measures to ensure that its fisheries monitoring centre has the proper staffing resources and is equipped with computer hardware and software enabling automatic data processing and electronic data transmission. Member States shall provide for back-up and recovery procedures in case of system failure. Member States may operate a joint fisheries monitoring centre.	2. Each flag Member State shall appoint, <u>from among the national or regional</u> the competent authorities, <u>a lead competent authority</u> responsible for the fisheries monitoring centre and shall take the appropriate measures to ensure that its fisheries monitoring centre has the proper staffing resources and is equipped with computer hardware and software enabling automatic data processing, <u>analysis, control, monitoring</u> and electronic data transmission. Member States shall provide for back-up and recovery procedures in case of system failure. Member States may operate a joint	2. Each flag Member State shall appoint the competent authorities responsible for the <u>functioning of its</u> fisheries monitoring centre and shall take the appropriate measures to ensure that its fisheries monitoring centre has the proper staffing resources and is equipped with computer hardware and software enabling automatic data processing, <u>electronic data transmission</u> and electronic data transmission <u>data monitoring 7 days a week and 24 hours a day.</u> ¹ Member States shall provide for back-up and recovery procedures in case of system failure. Member States may operate a joint	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
		fisheries monitoring centre.	fisheries monitoring centre. <u>1. A recital will clarify that this paragraph does not require the physical presence of staff 7 days a week and 24 hours a day.</u>	
Article 1, first paragraph, point (8), amending provision, second paragraph				
213	Automatic identification system		<u>Transmission of data from</u> automatic identification system <u>systems</u>	
Article 1, first paragraph, point (8), amending provision, third paragraph				
214	In accordance with Directive 2002/59/EC, a fishing vessel exceeding 15 metres' length overall shall be fitted with and maintain in operation an automatic identification system which meets the performance standards drawn up by the International Maritime Organisation.	" In accordance with Directive 2002/59/EC, a fishing vessel exceeding 15 metres' length overall shall be fitted with and maintain in <u>continuous</u> operation an <u>a fully functioning</u> automatic identification system which meets the performance standards drawn up by the International Maritime Organisation.	In accordance with Directive 2002/59/EC, a fishing vessel exceeding 15 metres' length overall shall be fitted with and maintain in operation an automatic identification system which meets the performance standards drawn up by the International Maritime Organisation. <u>Member States shall ensure that data from the automatic identification systems referred to in Article 6a of Directive 2002/59/EC for fishing vessels flying their flag are made available to their competent authorities responsible for fisheries control.</u> "	Stick to GA.
Article 1, first paragraph, point (8), amending provision, third paragraph a				
214a		<u>1a. By way of derogation from paragraph 1, if the master of a</u>		Cannot support EP.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
		<p><u>Union fishing vessel believes that the continuous operation of the automatic identification system might compromise safety or where security incidents are imminent, the automatic identification system may be switched off.</u></p> <p><u>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.</u></p>		
Article 1, first paragraph, point (11), amending provision, numbered paragraph (1a)				
223a		<p><u>“1a. Masters of Union fishing vessels of less than 12 metres’ length overall, as well as natural persons engaging in fishing without vessels, shall keep an electronic logbook in a simplified format.</u></p>		N.B. Logbook is not required (and is not reasonable) in the case of fishing without vessel.
Article 1, first paragraph, point (11), amending provision(2), introductory part				
224	2. The fishing logbook referred to in	2. The fishing logbook referred to in	2. The fishing logbook referred to in	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	paragraph 1 shall contain in particular the following information:	paragraph 1 shall <u>be of uniform format throughout the Union and shall</u> contain in particular the following information:	paragraph 1 shall contain in particular <u>at least</u> the following information:	
Article 1, first paragraph, point (11), amending provision(2)(f)				
230	(f) the type of gear, technical specifications and dimensions;	(f) the type of gear, technical specifications and <u>and approximate</u> dimensions;	(f) the type of <u>fishing</u> gear, <u>its</u> technical specifications and dimensions;	Stick to GA.
Article 1, first paragraph, point (11), amending provision(2)(g)				
231	(g) the estimated quantities of each species in kilograms live weight or, where appropriate, the number of individuals, including the quantities or individuals below the applicable minimum conservation reference size, as a separate entry; for Union fishing vessels of 12 metres' length overall or more, this information shall be provided per haul or per fishing operation;	(g) the estimated quantities of each species in kilograms live weight or, where appropriate, the number of individuals, including the quantities or individuals below the applicable minimum conservation reference size, as a separate entry; for Union fishing vessels of 12 metres' length overall or more, this information shall be provided per haul or per <u>at the end of the fishing operation day</u> ;	(g) the estimated quantities of each species <u>retained on board</u> in kilograms live weight or, where appropriate, the number of individuals, including, <u>as a separate entry</u> , the quantities or individuals below the applicable minimum conservation reference size, as a separate entry ; For Union <u>fishing catching</u> vessels of 12 metres' length overall or more, this information shall be provided per haul or per fishing operation;	Flexibility ok. A reasonable compromise could be: "per fishing trip".
Article 1, first paragraph, point (11), amending provision(3)(a)				
237	(a) the type of lost gear;	(a) the type <u>and approximate dimensions</u> of lost gear;	(a) the type of lost gear;	Stick to GA.
Article 1, first paragraph, point (11), amending provision(4), second subparagraph, introductory part				
242	By derogation to the first	By <u>way of</u> derogation to <u>from</u> the first	<u>4a.</u> By <u>way of</u> derogation to <u>from</u> the	Stick to GA. Priority.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	subparagraph for fisheries referred to in the first and third indents of Article 15(1)(a) of Regulation (EU) No 1380/2013 which are landed unsorted, the tolerance limitations set out in this paragraph shall not apply to catches of species which meet both of the following conditions:	subparagraph for fisheries referred to in the first and third indents of Article 15(1)(a) of Regulation (EU) No 1380/2013 which are landed unsorted, the tolerance limitations set out in this paragraph shall not apply to catches of species <u>small pelagic fisheries (mackerel, herring, horse mackerel, blue whiting, boarfish, anchovy, Argentinian silverside, sardine and sprat) and industrial fisheries (inter alia capelin, sand eel and Norway pout)</u> which meet both of <u>are landed unsorted</u> , the following conditions <u>exceptions shall be made</u> :	first subparagraph for <u>of paragraph 4, in the case of</u> fisheries referred to in the first and third indents of <u>point (a) of</u> Article 15(1)(a) <u>15(1)</u> of Regulation (EU) No 1380/2013, <u>for species</u> which are landed unsorted, the tolerance limitations set out in this paragraph shall not apply to catches of species which meet both of the following conditions and which are covered by a sampling plan referred to in Article 60(1a), the following margins of tolerance shall apply:	An exhaustive list of species in brackets as proposed by the EP may turn out to be a problem. It is already seen that some relevant species are not covered, e.g. smelt, sticklebacks and vendace.
Article 1, first paragraph, point (11), amending provision(4), numbered paragraph (4a) (a)				
243c			<u>(a) for small pelagic species and species for industrial purposes, the permitted margin of tolerance in estimates recorded or not in the fishing logbook of the quantities in kilograms of fish retained on board shall be 10 % of the total quantity of all species recorded in the fishing logbook, per each species;</u>	Stick to GA. Priority.
Article 1, first paragraph, point (11), amending provision, numbered paragraph (4b)				
244g			<u>4b. By way of derogation from the</u>	FI could not support this subpara in

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
			<u>first sub-paragraph of paragraph 4, in the case of fisheries targeting species whose morphological similarity has been certified by a Union or international scientific body and in the case of unsorted mixed fisheries, the permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board of those species shall be 10 % of the total quantity of those species recorded in the fishing logbook, provided that those species are covered by a sampling plan referred to in Article 60(1a).</u>	the GA, due to its detrimental effect in the Baltic Sea. A regional approach towards margin of tolerance could be a way forward as a compromise.
Article 1, first paragraph, point (12), amending provision				
268	(a) at least once a day, and where applicable, after each haul; and	“(a) at least once a day, and where applicable, after each haul <u>at the end of the fishing day</u> ; and	(a) at least once a day, and where applicable, after each haul; and	Flexibility ok.
Article 1, first paragraph, point (12), amending provision				
269	(b) after the last fishing operation has been completed and before entering port.	(b) after the last fishing operation has been completed and before entering port <u>landing operations begin</u> .	(b) after the last fishing operation has been completed and before entering <u>a port or other landing place</u> port .	Stick to GA.
Article 1, first paragraph, point (12), amending provision(2)				

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
270	2. Masters of Union catching vessels of less than 12 metres' length overall shall submit by electronic means the information referred to in Article 14, to the competent authority of their flag Member State after the last fishing operation has been completed and before entering port.	2. Masters of Union catching vessels of less than 12 metres' length overall shall submit by electronic means, <u>using a harmonised, simplified format</u> , 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 <u>landing operations begin</u> .	2. <u>By way of derogation from paragraph 1</u> , masters of Union catching vessels of less than <u>below</u> 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 <u>entering a port or a landing place and before weighing or, in the cases referred to in points (c) and (d) of Article 60(1a), the last fishing operation has been completed and</u> before entering port <u>transport</u> .	Stick to GA. Priority.
Article 1, first paragraph, point (15)(a), amending provision(1), introductory part				
293	“ 1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 12 metres' length overall or more shall notify by electronic means the competent authorities of their flag Member State at least four hours before the estimated time of arrival at port of the following information:	“ 1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 12 metres' length overall or more <u>performing fishing trips longer than 24 hours</u> , shall notify by electronic means the competent authorities of their flag Member State at least four hours before the estimated time of arrival at port of the following information:”	“ 1. Without prejudice to specific provisions contained in multiannual plans, masters of Union fishing vessels of 12 metres' length overall or more shall notify <u>submit</u> by electronic means <u>to</u> the competent authorities of their flag Member State at least four hours before the estimated time of arrival at <u>a port or other landing place of a Member State</u> port of the following information:	Stick to GA.
Article 1, first paragraph, point (15)(b), amending provision(1a)				

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
303	" 1a. The coastal Member State may set a shorter period of prior notification for vessels flying its flag which operate exclusively within its territorial waters provided that it does not impair the ability of Member States to carry out inspections."	" 1a. The coastal Member State may set a shorter <u>adapt the</u> period of prior notification for vessels flying its flag which operate exclusively within its territorial waters, provided that it does not impair the ability of Member States to carry out inspections."	1a. The coastal Member State may set a shorter period of prior notification for vessels flying its flag which operate exclusively within its territorial waters <u>certain fisheries</u> provided that it does not impair the ability of Member States to carry out inspections."	Stick to GA.
Article 1, first paragraph, point (15)(c), amending provision(6), point (a)				
306	(a) the exemption of certain categories of fishing vessels from the obligation set out in paragraph 1, taking into account the quantities and type of fisheries products to be landed;	"(a) the exemption of certain categories of fishing vessels from the obligation set out in paragraph 1, taking into account the quantities and type of fisheries products to be landed <u>and the risk of non-compliance with common fisheries policy rules;</u> "	(a) the exemption of <u>exempting</u> certain categories of <u>Union</u> fishing vessels from the obligation set out in paragraph 1, taking into account the quantities and type of fisheries <u>fishery</u> products to be landed;."	Flexibility ok.
Article 1, first paragraph, point (17)				
312	(17) in Article 19, the words "in Articles 17 and 18" are replaced by the words "in Article 17".	(17) in <u>Article 19 is replaced by the following:</u> <u>"Article 19, the words "in Articles 17 and 18" are replaced by the words "in Article 17"</u> <u>Authorisation to enter port</u> <u>The competent authorities of the coastal Member State may deny access to port to fishing vessels if the information referred to in Article 1</u>	(17) in Article 19, the words "in Articles 17 and 18" are replaced by the words "in Article 17".	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
		<i>is not complete, except in cases of force majeure, including extremely bad weather conditions and situations where the safety of the crew is at risk.";</i>		
Article 1, first paragraph, point (21), amending provision(2)(f)				
383	(f) date and time of landing;	(f) date and time of <u>the completion of</u> landing;	(f) date and time of landing;	Flexibility ok.
Article 1, first paragraph, point (21), amending provision(5)				
387	4. To convert stored or processed fish weight into live fish weight for the purposes of the landing declaration, masters of fishing vessels shall apply a conversion factor established pursuant to Article 14(9).	4. To convert stored or processed fish weight into live fish weight for the purposes of the landing declaration, masters of fishing vessels, <u>or a representative of the master</u> , shall apply a conversion factor established pursuant to Article 14(9).	<u>45. In order</u> to convert stored or processed fish weight into live fish weight for the purposes <u>purpose of the completion</u> of the landing declaration, masters of fishing vessels shall apply a conversion factor established pursuant to Article 14(9).	Flexibility ok.
Article 1, first paragraph, point (21), amending provision, fourteenth paragraph				
388	Article 24		Article 24	
Article 1, first paragraph, point (21), amending provision, fifteenth paragraph				
389	Electronic transmission of landing declaration data		Electronic transmission of landing declaration data	
Article 1, first paragraph, point (21), amending provision(1)				
390	1. The master of a Union fishing vessel or their representative shall submit by electronic means the information referred to in Article 23	1. The master of a Union fishing vessel, or a or their representative <u>of the master</u> , shall submit by electronic means <u>using the same</u>	1. The master of a Union fishing vessel or their <u>his</u> representative shall submit by electronic means the information referred to in Article	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	to the competent authority of their flag Member State within 24 hours after completion of the landing.	<u><i>format, harmonised at Union level, for all Member States,</i></u> the information referred to in Article 23 to the competent authority of their flag Member State <u><i>as soon as possible and in any event</i></u> within 24 hours after completion of the landing. <u><i>For the purpose of calculating the deadline of 24 hours referred to in the first subparagraph, Saturdays, Sundays and public holidays shall not be taken into account.</i></u> <u><i>For the purposes of this Article, in the event that fisheries products are transported from the place of landing before weighing, the landing operation shall be deemed to have been completed when those fisheries products have been weighed.</i></u>	23 <u>23(2)</u> to the competent authority of their flag Member State within 24 hours after completion of the landing <u>weighing . Where fishery products are weighed in accordance with Article 60(1a), the master shall submit that information within 24 hours after the weighing in accordance with the relevant sampling or control plan referred to in that Article.</u>	
Article 1, first paragraph, point (23), amending provision(1)				
412	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	“1. Member States shall ensure effective control of the landing obligation. For this purpose a minimum percentage of fishing vessels <u><i>of 12 metres length overall or more, flying their flag and</i></u> fishing for species subject to the landing obligation, <u><i>identified as posing a</i></u>	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	Stick to GA. Priority. Not possible to select a minimum percentage arbitrarily. Any requirement must apply to any operator fulfilling the conditions laid down in a legislation, and not apply to any operator not fulfilling them.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	continuously recording Closed-Circuit Television (CCTV) systems incorporating data storage.	<u>high risk of non-compliance with the landing obligation in the specific control and inspection programmes adopted under Article 95</u> and flying their flag established in accordance with paragraph 2 , shall be equipped with continuously recording Closed-Circuit Television (CCTV) systems incorporating data storage, <u>in compliance with all applicable rules on the protection of privacy and processing of personal data. In accordance with specific control and inspection programmes adopted pursuant to Article 95, the Member State may allow the fishing vessel to carry control observers on board in accordance with Article 73a.</u>	continuously recording Closed-Circuit Television (CCTV) systems incorporating data storage.	
Article 1, first paragraph, point (27), amending provision(3)				
427	3. In cases where the data submitted by a Member States in accordance with paragraph 2 is based on estimates for a stock or group of stocks, the Member State shall provide to the Commission the corrected quantities established on the basis of landing declarations as soon as available and no later than 12 months after the date of landing.	“ 3. In cases where the data submitted by a Member States in accordance with paragraph 2 is based on estimates for a stock or group of stocks, the Member State shall provide to the Commission the corrected quantities established on the basis of landing declarations as soon as available and no later than 12 three months after the date of	3. In cases where the data submitted by a Member States State in accordance with paragraph 2 is based on estimates for a <u>species, a</u> stock or <u>a</u> group of stocks, the Member State shall provide <u>submit to the Commission the corrected data on quantities established on the basis of landing declarations or sales notes as soon as available and no later than 30 March of the year</u>	Stick to GA.

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		landing.	<u>following the calendar year of the catch. In case where the measures concerning the fishing opportunities set out a reference period different from the calendar year, the Member State shall submit</u> to the Commission the corrected <u>data on</u> quantities established on the basis of landing declarations as soon as available and no later than 12 <u>three</u> months after the date of landing <u>end of that period</u> .	
Article 1, first paragraph, point (27), amending provision(4)				
428	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.	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, <u>it shall verify and cross-check data so as to correct such inconsistencies. In addition,</u> 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 <u>3</u> months after the date of landing.	4. In the case where a Member State detects inconsistencies between the information submitted to the Commission in accordance with paragraphs 2 and 3 and the results of the validation performed in accordance with Article 109, the Member State shall provide <u>submit</u> to the Commission the corrected <u>data on</u> quantities established on the basis of that validation as soon as — available and no later than 12 <u>30 June of the year following the calendar year of the catch. In case where the measures concerning the fishing opportunities set out a reference period different from the calendar</u>	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
			<u>year, the Member State shall submit to the Commission the corrected data on quantities established on the basis of that validation as soon as available and no later than six months after the date of landing end of that period.</u>	
Article 1, first paragraph, point (35), amending provision(1)(a)				
476	(a) the vessels are equipped with propulsive engines with certified engine power exceeding 221 kilowatts; or	“(a) the vessels are equipped with propulsive engines with certified engine power exceeding 221 kilowatts; or <u>and</u>	(a) the vessels are equipped with propulsive engines with certified engine power exceeding 221 kilowatts; or	Flexibility ok, insofar the requirement of continuous monitoring of engine power will be limited to vessels operating in areas subject to fishing effort regimes or restrictions on engine power.
Article 1, first paragraph, point (35), amending provision(1)(b)				
477	(b) the vessels are equipped with propulsive engines with certified engine power between 120 and 221 kilowatts and operate in areas subject to effort regimes or restrictions on engine power.	(b) the vessels are equipped with propulsive engines with certified engine power between 120 and 221 kilowatts and operate in areas subject to <u>fishing</u> effort regimes or restrictions on engine power.	(b) the vessels are equipped with propulsive engines with certified engine power between 120 and 221 kilowatts and operate in areas subject to effort regimes or restrictions on engine power.	Flexibility ok, insofar the requirement of continuous monitoring of engine power will be limited to vessels operating in areas subject to fishing effort regimes or restrictions on engine power.
Article 1, first paragraph, point (42)(b), amending provision(5)				
499	"5. Member States shall collect and record information concerning lost gears and provide this information to the Commission upon request." "	"5. Member States shall collect and record <u>all the</u> information concerning lost gears <u>referred to in paragraph 3</u> and provide this information to the Commission upon request <u>and to the European Fisheries Control Agency.</u>	"5. Member States shall collect and record information concerning lost gears <u>gear</u> and provide this <u>that</u> information to the Commission upon request." "	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
		<p><u><i>The European Fisheries Control Agency shall forward that information to the European Maritime Safety Agency and the European Environmental Agency, in the context of their enhanced cooperation.</i></u></p> <p><u><i>The Union register of infringements established pursuant to Article 93(1) shall list items of gear lost at sea and shall ensure the recording of information and the availability of that information for Member States and the European Fisheries Control Agency.</i></u></p> <p><u><i>The information shall be transmitted electronically and without delay.</i></u></p> <p><u><i>The Commission is empowered to adopt delegated acts in accordance with Article 119a supplementing this Regulation by further specifying the rules governing the transmission of information.</i></u>"</p>		
Article 1, first paragraph, point (44), amending provision, first paragraph				
510	"Article 55		"Article 55	
Article 1, first paragraph, point (44), amending provision, second paragraph				
511	Recreational fisheries		Recreational fisheries	
Article 1, first paragraph, point (44), amending provision(1), first subparagraph				
512	1. Member States shall ensure that	"1. Member States shall ensure that	1. Member States shall ensure that	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	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.	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 <u>and with Union conservation measures, including those adopted as part of multiannual plans.</u>	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.	
Article 1, first paragraph, point (44), amending provision(1), second subparagraph, introductory part				
513	For this purpose Member States shall:		For this purpose Member States shall:	
Article 1, first paragraph, point (44), amending provision(1), second subparagraph(a)				
514	(a) put in place a registration or a licensing system monitoring the number of natural and legal persons involved in recreational fisheries; and	(a) <u>building on already existing practices in Member States,</u> put in place a registration or a licensing system monitoring the number of natural and legal persons involved in recreational fisheries, <u>together with an appropriate system of sanctions for non-compliance, informing applicants for such licences about the Union conservation measures to be applied in the area, including catch restrictions and arrangements governing sanctions;</u> and	(a) put in place a registration or a licensing system monitoring the number of natural and legal persons involved in recreational fisheries; and	Stick to GA.
Article 1, first paragraph, point (44), amending provision(1), second subparagraph				
515	(b) collect data on catches from such fisheries through catch reporting or	(b) collect data on catches from such fisheries through catch reporting or	(b) collect data on catches from such <u>recreational</u> fisheries through catch	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	other data collection mechanisms based on a methodology which shall be notified to the Commission.	other data collection mechanisms based on a methodology which shall be notified to the Commission <u>simple, free of charge, harmonised electronic form or application.</u>	reporting or other data collection mechanisms based on a methodology which shall be <u>determined by each Member State and</u> notified to the Commission. <u>Member States shall send those data to the Commission at least once a year.</u>	
Article 1, first paragraph, point (44), amending provision, third paragraph				
515a			<u>In order to comply with the obligation set out in the first subparagraph, Member States may use the data collected under Regulation (EU) 2017/1004(*).</u>	
Article 1, first paragraph, point (44), amending provision(2), introductory part				
516	2. As regards stocks, groups of stocks and species that are subject to Union conservation measures applicable to recreational fisheries, Member States shall	2. As regards stocks, groups of stocks and species that are subject to Union conservation measures applicable to recreational fisheries, <u>including additional conservation measures adopted as part of multiannual plans,</u> Member States shall:	2. As regards <u>species</u> , stocks, or groups of stocks and species that are subject to Union conservation measures <u>which apply specifically applicable</u> to recreational fisheries, <u>such as quotas, catch-limits and bag limits¹,</u> Member States shall <u>1. Recital (31) will be amended as follows: A number of specific conservation measures applicable to recreational fisheries has already been established under the common fisheries policy, in particular in the Council regulations fixing for specific years the fishing opportunities for certain fish stocks or groups of fish stocks. The specific</u>	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
			<u>conservation measures already applied include quotas, catch-limits, bag-limits, and prohibitions to fish in certain periods or with certain gear. The conservation of particular species might require using other measures than those in the future. The registration or licensing and catch registration systems Recording and reporting of catches of those species should allow the effective control of compliance with those specific conservation measures.</u>	
Article 1, first paragraph, point (44), amending provision(2), first subparagraph				
517	(a) ensure that natural and legal persons involved in recreational fisheries for such stocks or species record and send catch declarations electronically to the competent authorities on a daily basis or after each fishing trip; and	(a) ensure that natural and legal persons involved in recreational fisheries for such stocks or species <u>receive clear information on applicable Union conservation measures,</u> record and send catch declarations electronically to the competent authorities on a daily basis or after each fishing trip; and	(a) ensure that natural and legal persons involved <u>engaged</u> in recreational fisheries for such <u>species,</u> stocks or species <u>groups of stocks are registered¹ and</u> record and send catch declarations electronically <u>report their catches by electronic means</u> to the competent authorities on a daily basis or after each fishing trip; and. <u>1. A recital will clarify that the registration system put in place by Member States may foresee the registration before or after catching the concerned species, stocks or groups of stocks.</u>	Stick to GA.
Article 1, first paragraph, point (44), amending provision(2)(b)				
518	(b) put in place a registration or licensing system for vessels used in such recreational fisheries, in		(b) put in place a registration or licensing system for vessels used in such recreational fisheries, in	Stick to GA. Priority.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	addition to the registration or licencing system for natural and legal persons referred to in paragraph 1.		addition to the registration or licencing system for natural and legal persons referred to in paragraph 1.	
Article 1, first paragraph, point (44), amending provision(3)				
519	3. The sale of catches from recreational fisheries shall be prohibited.		3. The <u>marketing or</u> sale of catches from recreational fisheries shall be prohibited.	Stick to GA. Support adding of "marketing" to create new effective tool for the control, because marketing is easier to detect and prove than actual sale.
Article 1, first paragraph, point (44), amending provision, numbered paragraph (3a)				
519a		<u>3a. The master of a fishing vessel used in pesca-tourism shall, before each occasion where the fishing vessel is used for that specific purpose, notify the competent authorities accordingly. Article 15 shall not apply.</u>		Cannot support EP.
Article 1, first paragraph, point (44), amending provision(5), first subparagraph, introductory part				
521	5. The Commission may, by way of implementing acts, adopt detailed rules concerning:	5. The Commission may, by way of implementing <u>is empowered to adopt delegated</u> acts, adopt <u>in accordance with Article 119a, supplementing this Regulation by laying down</u> detailed rules concerning:	5. The Commission may, by way of implementing acts, adopt detailed rules concerning:	Stick to GA. Priority.
Article 1, first paragraph, point (44), amending provision(5), first subparagraph(a)				
522	(a) the registration or licensing systems for recreational fisheries for		(a) the registration or licensing systems for recreational fisheries for	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	specific species or stocks,		specific species or stocks,	
Article 1, first paragraph, point (44), amending provision(5), first subparagraph(aa)				
522a		<u>(aa) the notification by the master of a fishing vessel as referred to in paragraph 3a,</u>		Stick to GA.
Article 1, first paragraph, point (44), amending provision(5), first subparagraph(b)				
523	(b) the collection of data and the recording and submission of the catch data,	(b) the collection of data and the recording and submission of the catch data <u>through a simple, free of charge and harmonised electronic form or application;</u>	(b) the collection of data and the recording and submission of the catch data,	Stick to GA.
Article 1, first paragraph, point (44), amending provision(5), first subparagraph(c)				
524	(c) the tracking of vessels used for recreational fisheries, and	(c) the tracking of vessels <u>a vessel</u> used for <u>pesca-tourism and</u> recreational fisheries, <u>fishing charter vessels;</u> and	(c) the tracking of vessels used for recreational fisheries, and	Stick to GA.
Article 1, first paragraph, point (44), amending provision(5), first subparagraph(d)				
525	(d) the control and marking of gears used for recreational fisheries.	(d) the control and marking of gears used for recreational fisheries. in a <u>simple and proportionate manner.</u>	(d) the control and marking of gears used for recreational fisheries.	Stick to GA.
Article 1, first paragraph, point (44), amending provision(5), second subparagraph				
526	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).	Stick to GA.
Article 1, first paragraph, point (44), amending provision(6)				

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
527	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, <u>such as those performed with the support of a vessel, diving or on foot with the use of any catching or harvesting method</u> , including fishing activities organised by commercial entities in the tourism sector and in the sector of sport competition, <u>as well as in the context of pesca-tourism and with recreational fishing charter vessels</u> ."	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.	Stick to GA.
Article 1, first paragraph, point (46), amending provision, seventh paragraph				
538	Article 56a		Article 56a	
Article 1, first paragraph, point (46), amending provision, eighth paragraph				
539	Lots		<u>Composition of lots of certain fishery and aquaculture products</u> Lots	
Article 1, first paragraph, point (46), amending provision(1)				
540	1. Fishery and aquaculture products from catching or harvesting shall be put into lots prior to placing on the market.	1. Fishery and aquaculture products from catching or harvesting shall be put into lots prior to placing on the market.	1. Fishery and aquaculture products from catching or harvesting <u>falling under Chapter 3 of the Combined nomenclature established by Council Regulation (EEC) No 2658/87*</u> shall be put into lots <u>by the operator</u> prior to <u>their</u> placing on the market.	Stick to GA.
Article 1, first paragraph, point (46), amending provision(2)				
541	2. A lot shall only contain fishery or aquaculture products of a single	2. A lot shall only contain <u>For the purpose of placing</u> fishery or	2. A lot shall only contain fishery or aquaculture products of a single	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	species, of the same presentation and coming from the same relevant geographical area and from the same fishing vessel, or group of fishing vessels, or coming from the same aquaculture production unit.	aquaculture products <u>on the market, for products falling under Chapter 3 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87, each lot shall consist</u> of a single species, of the same presentation and coming from the same relevant geographical area and from the same fishing vessel, or group of fishing vessels, or coming from the same aquaculture production unit.	species, of the same presentation and coming from the same relevant geographical area and from the same fishing vessel, or group of fishing vessels, or coming from the same aquaculture production unit. <u>as referred to in paragraph 1 shall only contain:</u>	
Article 1, first paragraph, point (46), amending provision(3)				
542	3. By way of derogation from paragraph 2, quantities of fishery products totalling less than 30kg of fishery products of several species and coming from the same relevant geographical area and of the same presentation, per vessel and per day, may be put into the same lot by the operator of the fishing vessel, the producer organisation of which the operator of the fishing vessel is a member or by a registered buyer, prior to the placing on the market.	3. By way of derogation from <u>Notwithstanding</u> paragraph 2, quantities of fishery products totalling less than 30kg of fishery products of several species and coming from the same relevant geographical area and of the same presentation, per vessel and per day, may be put into the same lot <u>batch</u> by the operator of the fishing vessel, the producer organisation of which the operator of the fishing vessel is a member, <u>by the fisheries auction</u> or by a <u>the</u> registered buyer, prior to the placing on the market.	3. By way of derogation from paragraph 2, <u>Member States may lay down that</u> quantities of fishery products, <u>other than fishery products below the applicable minimum conservation reference size</u> , totalling less than 30kg of fishery products of several species and coming from the same relevant geographical area and of the same <u>product</u> presentation, per <u>catching</u> vessel and per day, may be put into the same lot by the operator of the fishing vessel, the producer organisation of which the operator of the fishing vessel is a member or by a registered buyer, prior to the <u>their</u>	Flexibility ok, except for the term "batch".

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
			placing on the market.	
Article 1, first paragraph, point (46), amending provision(5)(c)				
547	(c) the operator responsible for placing the newly created lot on the market is able to provide the information concerning the composition of the newly created lot, in particular the information relating to each of the lots of fishery or aquaculture products which it contains and the quantities of fishery or aquaculture products coming from each of the lots forming the new lot.	(c) the operator responsible for placing <u>making the fishery or aquaculture products of</u> the newly created batch or lot available lot on the market is able to provide the information concerning the composition of the newly created <u>batch or</u> lot, in particular the information relating to each of the lots of fishery or aquaculture products which it contains, <u>including the species and their origin</u> and the quantities of fishery or aquaculture products coming from each of the lots forming the new lot.	(c) the operator responsible for placing the newly created lot on the market <u>creating the new lot</u> is able to provide the information concerning the composition of the newly created lot <u>(s)</u> , in particular the information relating to each of the lots of fishery or aquaculture products which it contains and the quantities of fishery or aquaculture products coming from each of the lots forming the new lot, <u>where possible</u> .	Flexibility possible, especially for the latter part of the subpara. The wording "where possible" leaves a lot to be interpreted in the actual control.
Article 1, first paragraph, point (46), amending provision(6)				
548	6. This Article shall only apply to fishery and aquaculture products falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.	6. <u>Without prejudice to paragraph 2,</u> this Article shall only apply to fishery and aquaculture products falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.	6. This Article shall only apply to fishery and aquaculture products falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.	Stick to GA.
Article 1, first paragraph, point (46), amending provision(7)				
548a			<u>7. This Article shall not apply to ornamental fish, ornamental</u>	Support SE comments on aquaculture products used for

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
			<u>crustaceans and ornamental molluscs.</u>	releases into natural waters.
Article 1, first paragraph, point (46), amending provision, twentieth paragraph				
554	Article 58		Article 58	
Article 1, first paragraph, point (46), amending provision, twenty-first paragraph				
555	Traceability		Traceability	
Article 1, first paragraph, point (46), amending provision(5), introductory part				
563	5. Information on lots of fishery and aquaculture products, except products imported into the Union, the information referred to in paragraph 2 shall include:	5. Information on lots <u>or batches</u> of fishery and aquaculture products, except products imported into the Union, the information referred to in paragraph 2 shall include:	5. Information on <u>For</u> lots of fishery and aquaculture products, except products imported into the Union, the information referred to in paragraph 2 <u>falling under Chapter 3 of the Combined nomenclature established by Regulation (EEC) No 2658/87 , at least the following information</u> shall include <u>be made available</u> :	
Article 1, first paragraph, point (46), amending provision(5)(a)				
564	(a) the identification number of the lot;		(a) the identification number of the lot;	
Article 1, first paragraph, point (46), amending provision(5)(b)				
565	(b) the unique fishing trip identification number(s) referred to in Article 14(2)(a) of all fishery products included in the lot, or the name and registration number of the aquaculture production unit;		(b) <u>in the case of products not imported into the Union</u> , the unique fishing trip identification number(s) <u>or the unique identifier(s) in the system</u> referred to in <u>point (a) of Article 14(2)(a) of 54d(2)</u> for all fishery products included in the lot,	N.B. Traceability would in this revision cover also freshwater fishing but fishing trip identification number is not in use in frehswater fishing.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
			or the name and, <u>where available, the</u> registration number of the aquaculture production unit;	
Article 1, first paragraph, point (46), amending provision(5)(b1)				
565a			<u>(b1) in the case of imported products, the reference of the catch certificate(s) submitted in accordance with Regulation (EC) No 1005/2008 for all fishery products included in the lot, where applicable, or the name and, where available, the registration number of the aquaculture production unit;</u>	N.B. Traceability would in this revision cover also freshwater fishing but Regulation 1005/2008 covers only marine fishing.
Article 1, first paragraph, point (46), amending provision(7)				
582	7. Member States may exempt from the requirements set out in this Article small quantities of products sold directly from fishing vessels to consumers, provided that these do not exceed 5kg of fishery product per consumer per day.	7. Member States may exempt from the requirements set out in this Article small quantities of products sold directly from fishing vessels <u>by the master or a representative of the master directly</u> to consumers <u>and which are not subsequently marketed but used only for private consumption</u> , provided that these <u>those quantities</u> do not exceed 5kg <u>5 kg</u> of fishery product per consumer per day.	7. Member States may exempt from the requirements set out in this Article small quantities of <u>fishery</u> products sold directly from fishing <u>catching</u> vessels to consumers, provided that these <u>those quantities</u> do not exceed 5kg <u>15kg</u> of fishery product <u>products</u> per consumer per day.	Stick to GA. 15 kg is absolute minimum.
Article 1, first paragraph, point (46), amending provision(9)				
589	9. This Article shall only apply to fishery and aquaculture products	9. This Article shall only apply to fishery and aquaculture products	9. This Article shall only apply to fishery and aquaculture products	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.	falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.	falling under Chapter 3 and under headings 1604 and 1605 <u>heading 1212 21</u> of Chapter 16 <u>12</u> of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.	
Article 1, first paragraph, point (47), amending provision(3)				
592	" 3. Consumers acquiring up to an amount of 5kg of fishery product per day which are not thereafter placed on the market but used only for private consumption shall be exempted from this Article."		3. Consumers acquiring up to an amount of 5kg of fishery product <u>This Article shall not apply to consumers purchasing fishery products not exceeding 15kg per consumer</u> per day which are not thereafter placed on the market <u>sold</u> but used only for private consumption shall be exempted from this Article. "	Stick to GA. 15 kg is absolute minimum.
Article 1, first paragraph, point (48), introductory part				
593	(48) the following Article is inserted:		(48) the following Article is inserted:	
Article 1, first paragraph, point (48), amending provision, first paragraph				
594	"Article 59a		"Article 59a	Stick to GA. Priority for the whole weighing rules.
Article 1, first paragraph, point (48), amending provision, second paragraph				
595	Weighing systems		Weighing systems	Stick to GA.
Article 1, first paragraph, point (48), amending provision(1)				
596	1. Member States shall ensure that procedures are in place to enable that all fishery products are weighed		1. Member States shall ensure that procedures are in place to enable that all fishery products are weighed	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	upon landing on systems approved by the competent authorities and that weighing is carried out by operators registered for the weighing of fisheries products.		upon landing on systems approved by the competent authorities and that weighing is carried out by operators registered for the weighing of fisheries products.	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (1a)				
596a		<u>"1a. This Article shall not apply to ornamental fish, crustaceans, molluscs and algae.</u>		Stick to GA.
Article 1, first paragraph, point (48), amending provision(2)				
597	2. Before registration of an operator to perform the weighing of fishery products, Member States shall ensure that the operator is competent and adequately equipped to carry out weighing activities. Member States shall also have a system in place by which operators that no longer comply with the conditions for carrying out weighing activities, are no longer registered.	2. Before registration of an operator to perform the weighing of fishery products <u>By way of derogation from paragraph 1</u> , Member States shall ensure that the operator is competent and adequately equipped to carry out weighing activities. Member States shall also have a system in place by which operators that no longer comply with the conditions for carrying out weighing activities, are no longer registered <u>may permit fisheries products to be weighed on board the fishing vessel subject to a sampling plan as referred to in Article 60(1).</u>	2. Before registration of an operator to perform the weighing of fishery products, Member States shall ensure that the operator is competent and adequately equipped to carry out weighing activities. Member States shall also have a system in place by which operators that no longer comply with the conditions for carrying out weighing activities, are no longer registered.	Stick to GA.
Article 1, first paragraph, point (48), amending provision(3)				
598	3. Member States may require the submission of the weighing records		3. Member States may require the submission of the weighing records at	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	at regular intervals.		regular intervals.	
Article 1, first paragraph, point (48), amending provision, numbered paragraph (3a)				
598a		<u>3a. Registered buyers, registered auctions or other bodies or persons which are responsible for the first marketing of fisheries products in a Member State shall be responsible for the accuracy of the weighing operation unless, in accordance with paragraph 2, the weighing takes place on board a fishing vessel, in which case it shall be the master's responsibility.</u>		Stick to GA.
Article 1, first paragraph, point (48), amending provision(4)				
599	4. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning the criteria for the registration of operators entitled to perform the weighing of fisheries products, and the content of the weighing records."	4. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning the criteria for the registration of operators entitled to perform the weighing of fisheries products, and the content of the weighing records.	4. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning the criteria for the registration of operators entitled to perform the weighing of fisheries products, and the content of the weighing records."	Stick to GA.
Article 1, first paragraph, point (49), amending provision, first paragraph				
601	"Article 60		"Article 60	
Article 1, first paragraph, point (49), amending provision, second paragraph				
602	Weighing of fishery product		Weighing of fishery product	
Article 1, first paragraph, point (49), amending provision(1)				

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
603	1. Masters shall ensure that all quantities of fishery products are weighed per species on weighing systems and by operators registered pursuant to Article 59a immediately after landing, prior to the fishery products being held in storage, transported or placed on the market.		1. Masters <u>Member States</u> shall ensure that all quantities of fishery products are weighed per species on weighing systems, <u>approved by the competent authorities, on</u> and by operators registered pursuant to Article 59a immediately after landing, prior to the fishery products being held in storage, transported or placed on the market.	Stick to GA.
Article 1, first paragraph, point (49), amending provision(1a), introductory part				
603a			<u>1a. By way of derogation from paragraph 1, Member States may permit fishery products to be weighed on weighing systems, approved by the competent authorities:</u>	Stick to GA.
Article 1, first paragraph, point (49), amending provision(1a)(a)				
603b			<u>(a) on landing in accordance with a sampling plan adopted under paragraph 6, irrespective of whether they are sorted or unsorted;</u>	Stick to GA. Priority.
Article 1, first paragraph, point (49), amending provision(1a)(b)				
603c			<u>(b) on board, in the case of sorted fishery products, provided that they are weighed on landing in accordance with a sampling plan adopted under paragraph 6;</u>	Stick to GA.
Article 1, first paragraph, point (49), amending provision(1a)(c)				

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
603d			<u>(c) after transport to a destination on the territory of the Member State where the landing took place, in accordance with a control plan adopted under paragraph 6, irrespective of whether they are sorted or unsorted;</u>	Stick to GA. Priority.
Article 1, first paragraph, point (49), amending provision(1a)(d)				
603e			<u>(d) after transport to a destination on the territory of the flag Member State, in accordance with a common control programme of the Member States concerned as referred to in Article 94 and adopted under paragraph 7 of this Article, irrespective of whether they are sorted or unsorted.</u>	Stick to GA.
Article 1, first paragraph, point (49), amending provision(4)				
606	4. The competent authorities of a Member State may require that any quantity of fishery products first landed in that Member State is weighed by, or weighed in the presence of officials before being transported elsewhere from the place of landing.	4. The competent authorities of a Member State may require that any quantity of fishery products first landed in that Member State is weighed by, or weighed in the presence of officials, before being transported elsewhere from the place of landing. <u>Without prejudice to paragraph 5, those quantities of fishery products shall not be required to be weighed again.</u>	4. The competent authorities of a Member State may require that any quantity of fishery products first landed in that Member State is weighed by, or weighed in the presence of, <u>their</u> officials before being transported elsewhere from the place of landing.	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
Article 1, first paragraph, point (49), amending provision(5), introductory part				
607	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:		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:	Stick to GA.
Article 1, first paragraph, point (49), amending provision(5)(a)				
608	(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;		(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;	Stick to GA.
Article 1, first paragraph, point (49), amending provision(5)(b)				
609	(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;		(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;	Stick to GA.
Article 1, first paragraph, point (49), amending provision(5)(c)				
610	(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	(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	(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	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	producer organisation. The result of that second weighing shall be transmitted to the master.	producer organisation. The result of that second weighing shall <u>immediately</u> be transmitted to the master.	producer organisation. The result of that second weighing shall be transmitted to the master.	
Article 1, first paragraph, point (54), amending provision, fourth paragraph				
664	Article 65		Article 65	
Article 1, first paragraph, point (54), amending provision, fifth paragraph				
665	Exemptions from sales notes requirements		Exemptions from sales notes requirements	
Article 1, first paragraph, point (54), amending provision, sixth paragraph				
666	A consumer acquiring products not exceeding 5 kg of fishery product per consumer per day which is not thereafter placed on the market but used only for private consumption, shall be exempted from the provisions laid down in Articles 62 and 64.		<u>Where</u> a consumer acquiring <u>purchases fishery</u> products not exceeding 5 kg of fishery product per consumer <u>15 kg</u> per day which is <u>are</u> not thereafter placed on the market <u>sold</u> but used only for private consumption, shall be exempted from the provisions laid down in Articles 62 and 64 <u>shall not apply</u> .	Stick to GA. 15 kg is absolute minimum.
Article 1, first paragraph, point (56), amending provision, first paragraph				
684	"Article 68		"Article 68	
Article 1, first paragraph, point (56), amending provision, second paragraph				
685	Transport of fishery products and completion and submission of the transport document		Transport of fishery products and completion and submission of the transport document	
Article 1, first paragraph, point (56), amending provision(1)				

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
686	1. Fisheries products when transported before placing on the market or before the first sale in a third country shall be accompanied by a transport document covering the fisheries products and quantities transported.		1. Fisheries <u>Where fishery</u> products when <u>are</u> transported before <u>their first sale, including in the cases referred to in points (c) and (d) of Article 60(1a)</u> , placing on the market or before the <u>their</u> first sale in a third country, <u>they</u> shall be accompanied by a transport document covering the fisheries <u>indicating the fishery</u> products and quantities transported.	Stick to GA.
Article 1, first paragraph, point (56), amending provision(2)				
687	2. Before the transport begins, the transporter shall transmit the transport document by electronic means to the competent authorities of the flag Member State, of the Member State of landing, the Member State(s) of transit, the Member State of destination of the fisheries product, as appropriate.	" 2. Before the transport begins <u>Within 48 hours of loading</u> , the transporter shall transmit the transport document by electronic means to the competent authorities of the flag Member State, of the Member State of landing, the Member State(s) of transit, <u>and</u> the Member State of destination of the fisheries product, as appropriate.	2. Before the transport <u>transportation referred to in paragraph 1</u> begins, the transporter shall transmits <u>submit by electronic means</u> the transport document by electronic means to the competent authorities of the flag Member State, of the Member State of landing, the Member State(s) of transit, <u>and</u> the Member State of destination of the fisheries product <u>fishery products</u> , as appropriate.	Stick to GA.
Article 1, first paragraph, point (56), amending provision(5)				
699	5. The competent authorities of Member States may grant exemptions from the obligation set out in paragraph 1 if the fisheries	5. The competent authorities of Member States may grant exemptions from the obligation set out in paragraph 1 if the fisheries	5. The competent authorities of Member States may grant exemptions from the obligation set out in paragraph 1 <u>paragraphs 1 and</u>	Flexibility ok.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	products are transported within a port area or not more than 20 km from the place of landing.	products are transported within a port area or not more than 20 <u>50</u> km from the place of landing.	<u>2</u> if the fisheries <u>fishery</u> products are transported within a port area or not more than 20 km from the place of landing.	
Article 1, first paragraph, point (60), amending provision(6)(b)				
742	(b) the adoption by Member States of a risk-based approach for the selection of inspection targets;	(b) the adoption by Member States of a risk-based approach for the selection of inspection targets <u>and</u> <u>minimum frequency of inspections</u> ;	(b) the adoption by Member States of a risk-based approach for the selection of inspection targets;	Stick to GA. Priority.
Article 1, first paragraph, point (60), amending provision(6)(g)				
747	(g) inspections at sea and in ports, transport inspections, and market inspection.	(g) inspections at sea, <u>along the shoreline</u> and in ports, transport inspections, and market inspection.	(g) <u>the conduct of</u> inspections at sea and in ports, transport inspections, and market inspection <u>inspections</u> .	Stick to GA.
Article 1, first paragraph, point (60), amending provision, eleventh paragraph				
748	Article 75		Article 75	
Article 1, first paragraph, point (60), amending provision, twelfth paragraph				
749	Duties of the operator and the master		Duties of the operator and the master	
Article 1, first paragraph, point (60), amending provision(1)				
750	1. The operator and the master shall cooperate with officials in the performance of their duties. They shall facilitate the safe access to the vessel, transport vehicle or room where the fisheries products are stored, processed or marketed. They	1. The operator and the master shall cooperate with officials in the performance of their duties. They shall facilitate the safe access to the vessel, <u>vessel holds</u> , transport vehicle, <u>containers or storage rooms</u> or room where the fisheries products	1. The operator and the master shall cooperate with <u>and follow instructions of</u> officials in the performance of their duties <u>relating to inspections</u> . They shall facilitate the safe access to the vessel, transport vehicle or room where the	Flexibility ok.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	shall ensure the safety of the officials and shall not obstruct, intimidate or interfere with the officials in the performance of their duties.	are stored, processed or marketed, <u>or facilities where fishing gears are stored or repaired</u> . They shall ensure the safety of the officials and shall not obstruct, intimidate or interfere with the officials in the performance of their duties.	fisheries products are stored, processed or marketed. They shall ensure the safety of the officials and shall not obstruct, intimidate or interfere with the officials in the performance of their duties.	
Article 1, first paragraph, point (60), amending provision, twenty-fourth paragraph				
763	Article 78		Article 78	
Article 1, first paragraph, point (60), amending provision, twenty-fifth paragraph				
764	Electronic database		Electronic database	
Article 1, first paragraph, point (60), amending provision(1)				
765	1. Member States shall set up and keep up to date an electronic database where they upload all inspection reports and surveillance reports concerning the fishing vessels flying their flag drawn up by their officials or other Member States officials or third country officials, as well as other inspections reports and surveillance report drawn up by their officials.	1. Member States shall set up and keep up to date an -electronic database <u>which shall be publicly accessible with respect to non-confidential and non-sensitive information</u> 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. <u>The European Fisheries Control Agency shall centralise the Member States' databases.</u>	1. <u>Each</u> Member States <u>State</u> shall set up and keep up-to-date <u>up-to-date</u> an electronic database where they <u>uploadit uploads</u> all inspection reports and surveillance reports concerning the <u>operators established in its territory and</u> fishing vessels flying their <u>its</u> flag drawn up by their officials or other Member States officials or third country <u>its</u> officials, as well as other inspections reports and surveillance report <u>reports</u> drawn up by their <u>its</u> officials.	Stick to GA.
Article 1, first paragraph, point (60), amending provision, numbered paragraph (6a)				

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
779a		<u>6a. The Commission is empowered to adopt delegated acts in accordance with Article 119a supplementing this Regulation by setting out the powers and duties of Union inspectors.</u>		Flexibility ok. See row 784.
Article 1, first paragraph, point (60), amending provision(7), first subparagraph(d)				
784	(d) the powers and duties of Union inspectors;		(d) the powers and duties of Union inspectors;	In line with EP (row 779a), the powers and duties of Union inspectors should be in delegated act, not in implementing act.
Article 1, first paragraph, point (69), amending provision(3)				
833	3. When determining these sanctions the Member States shall take into account, in particular, the gravity of the infringement, including the level of environmental damage done, the value of the prejudice to the fishing resources, the nature and extent of the infringement, its duration or repetition, or the accumulation of simultaneous infringements.	3. When determining these sanctions the Member States shall take into account, in particular, the gravity of the infringement, including the level of environmental damage done, the value of the prejudice to the fishing resources, the nature and extent of the infringement, its duration or repetition, or the accumulation of simultaneous infringements. <u>When setting the amount of those penalties, Member States shall also take the economic situation of the natural person concerned into account.</u>	3. When determining these sanctions the Member States shall take into account, in particular, the gravity, <u>nature and extent</u> of the infringement, including the level of environmental damage done, the value of the prejudice <u>damage</u> to the fishing resources, the nature and extent of the infringement <u>and the marine environment concerned</u> , - its duration or repetition, or the accumulation of simultaneous infringements.	Cannot support EP.
Article 1, first paragraph, point (69), amending provision(2)(h)				
846	(h) being involved in the operation,	(h) being involved in the operation,	(h) being involved <u>participating</u> in	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	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	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 <u>or benefitting from, supporting or engaging in IUU fishing including as operators, effective beneficiaries, owners, logistics and service providers, including insurance providers and other financial service providers</u> ; or	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 <u>supplying services to operators connected to, a vessel</u> 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	
Article 1, first paragraph, point (69), amending provision(3)(h)				
864	(h) conducting recreational fishing activities in breach of rules of the common fisheries policy or selling of catches from recreational fisheries; or		(h) conducting recreational fishing activities in breach of <u>the</u> rules of the common fisheries policy or selling of catches <u>the sale of fishery products</u> from recreational fisheries; or	FI could not support this point in the GA, because the threshold for serious infringement in the Annex is all too low: Occasional selling of recreational catch more than 10 kg cannot in any circumstances be defined to be a serious infringement.
Article 1, first paragraph, point (69), amending provision, numbered paragraph (3a)				
865e		<u>3a. The Commission shall publish,</u>		Cannot support EP.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
		<u>prior to implementation of the provisions on sanctions, guidelines to ensure standard determination of the seriousness of infringements in the Union and uniform interpretation of the various sanctions applicable. Those guidelines shall be published on the Commission's website and made available to the general public.</u>		
Article 1, first paragraph, point (69), amending provision(1), first indent				
883	- the minimum shall be at least three times the value of the fishery products obtained by committing the serious infringement, and	- the minimum shall be at least three <u>twice</u> the value of the fishery products obtained by committing the serious infringement, and	- the minimum shall be at least three times the value of the fishery products obtained by committing the serious infringement, and	Stick to GA. Priority.
Article 1, first paragraph, point (69), amending provision(2), first indent				
886	- the minimum shall be at least five times the value of the fishery products obtained by committing the serious infringement, and		- the minimum shall be at least five times the value of the fishery products obtained by committing the serious infringement, and	Stick to GA.
Article 1, first paragraph, point (69), amending provision(3)				
888	3. The amounts referred to in paragraphs 1 and 2 shall be calculated on the value of the fisheries products according to the prices of the European Market Observatory for Fisheries and		3. The amounts referred to in paragraphs 1 and 2 shall be calculated on <u>When calculating</u> the value of the fisheries <u>fishery</u> products according to the prices of the European Market Observatory for	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	Aquaculture Products (EUMOFA) platform at the time of the identification of the infringement, if available. In the situation where the EUMOFA values are not available or not relevant, national prices in auction halls or prices identified on principal international markets relevant for the species and fishing area concerned shall be applicable and the higher price prevail.		Fisheries and Aquaculture Products (EUMOFA) platform at the time of the identification of the infringement, if available. In the situation where the EUMOFA values are not available or not relevant, national prices in auction halls or <u>obtained from committing the serious infringement, Member States shall consider national prices at first sale, prices identified on principal international markets relevant for the species and fishing area concerned or the</u> prices identified on principal international markets relevant for the species and fishing area concerned shall be applicable and the higher price prevail <u>of the European Market Observatory for Fisheries and Aquaculture Products (EUMOFA) platform, at the time when the infringement was committed.</u>	
Article 1, first paragraph, point (69), amending provision(3)				
908	3. While remaining attached to the licence holder who sold the fishing vessel, points shall also be assigned to any new holder of the fishing licence for the fishing vessel concerned where the vessel is sold,	3. While remaining <u>Points shall continue to be</u> attached to the licence holder who <u>has committed the infringement and has subsequently</u> sold the fishing vessel; points shall also be assigned to any	3. While remaining attached to the licence holder who sold the fishing vessel, points <u>The points assigned shall also be assigned</u> <u>be transferred</u> to any new <u>future</u> holder of the fishing licence for the fishing vessel	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	transferred or otherwise changes ownership after the date of the infringement.	new holder of the fishing licence for the fishing vessel concerned where the vessel is sold, transferred or otherwise changes ownership after the date of the infringement in the event of sale, transfer or any other change of ownership after the date of the infringement. Under no circumstances shall they be assigned to the new holder of the fishing licence for the fishing vessel concerned.	concerned where the vessel <u>or the licence</u> is sold, transferred or otherwise changes ownership after the date of the infringement, <u>including to another Member State.</u>	
Article 1, first paragraph, point (69), amending provision, numbered paragraph (14a)				
929a		<u>14a. The Commission shall publish guidelines clarifying the interpretation of the rules on infringements and sanctions to limit disparities in treatment from Member State to Member State.</u>		Cannot support EP.
Article 1, first paragraph, point (69), amending provision(2)				
946	2. When following up an infringement of rules of the common fisheries policy, a Member State may request other Member States to provide information contained in their national register on the fishing vessels and persons suspected of having committed the infringement in question or caught in the act of	2. When following up an infringement of rules of the common fisheries policy, a Member State may request other Member States to provide <u>consult the</u> information contained in their national <u>the Union</u> register <u>of infringements referred to in Article 93a</u> on the fishing vessels and persons suspected of having	2. When following up an infringement of <u>the</u> rules of the common fisheries policy, a Member State may request other Member States to provide information contained in their national register on the fishing vessels and persons suspected <u>by the requesting Member State</u> of having committed	Stick to GA.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	committing the infringement in question.	committed the infringement in question or caught in the act of committing the infringement in question.	the infringement in question or caught in the act of committing the infringement in question.	
Article 1, first paragraph, point (69a), introductory part				
949a		<u>(69a) The following Article is inserted:</u>		Not in favor of Union register of infringements.
Article 1, first paragraph, point (69a), amending provision, article				
949b		" <u>Article -93a</u> <u>Union register of infringements</u>		Not in favor of Union register of infringements.
Article 1, first paragraph, point (70), amending provision(2)				
956	2. By 30 June every year, Member States shall submit to the Commission a report on inspections and controls performed in the previous year, in accordance with the national control programmes and in compliance with the present Regulation.	2. By 30 June <u>31 March</u> every year, Member States shall submit to the Commission a report on inspections, <u>surveillance</u> and controls performed in the previous year, in accordance with the national control programmes and in compliance with <u>this Regulation. Those reports shall be made public on the official website of the Member States by 31 March every year</u> the present Regulation.	2. By 30 June every year <u>Within 6 months after the end of the respective period referred in paragraph 1</u> , 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. <u>For the purpose of reporting, Member States may refer to information provided under the implementing act referred to in Article 95.</u>	Stick to GA.
Article 1, first paragraph, point (77)(a), amending provision(1)				
993	"	"	"	

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	1. Member States shall set up a computerised database for the purpose of validation of data recorded in accordance with this Regulation. The validation of the data recorded includes the cross-checking, analysis and verification of the data.	1. Member States shall, <u>by ... [31 December of the third year after the date of entry in force of this amending Regulation]</u> , set up a computerised database for the purpose of validation of data recorded in accordance with this Regulation. The validation of the data recorded includes the cross-checking, analysis and verification of the data. <u>The set of data from the Member States' databases shall be transferred to a single database managed by the European Fisheries Control Agency.</u>	1. Member States shall set up a computerised database for the purpose of validation of data recorded in accordance with this Regulation. The validation of the data recorded includes the cross-checking, analysis and verification of the data.	Stick to GA.
Article 1, first paragraph, point (78), amending provision, numbered paragraph (5a)				
1039b		<u>5a. Member States shall publish annually their annual reports on national control programmes on the website of their competent authorities."</u>		Cannot support EP.
Article 1, first paragraph, point (80a)				
1099a		<u>(80a) Article 113 is amended as follows</u> <u>(a) paragraph 2 is replaced by the following:</u> <u>"2. The data exchanged between Member States and the Commission may be transmitted to persons other</u>		Cannot support EP.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
		<u>than those in Member States or Community institutions whose functions require them to have such access unless the Member States transmitting the data provide a reasoned refusal to disclose the data."</u>		
Article 1, first paragraph, point (80b)				
1099b		<u>(80b) Article 113 is amended as follows</u> <u>(b) paragraph 3 is replaced by the following:</u> <u>"3. The data referred to in paragraph 1 may be used for a purpose other than that provided for in this Regulation unless the authorities providing the data provide a reasoned refusal for it to be so used."</u>		Cannot support EP.
Article 1, first paragraph, point (80c)				
1099c		<u>(80c) Article 113 is amended as follows</u> <u>(c) the following paragraph is added:</u> <u>"7a. This Article is without prejudice to Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents and Regulation (EC) No</u>		Cannot support EP.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
		<u>1367/2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies."</u>		
Article 1, first paragraph, point (82), amending provision, third paragraph				
1103	"For the purpose of this Regulation, each Member State shall set up and keep up-to date an official website for operators and the general public, containing as a minimum the information listed in Article 115.	" For For the purpose of this Regulation, each Member State <u>or region</u> shall set up and keep up-to date an official website <u>or websites</u> for operators and the general public, containing as a minimum the information listed in Article 115.	"For the purpose of this Regulation, each Member State shall set up and keep up-to date an official website for operators and the general public, containing as a minimum the information listed in Article 115.	Stick to GA.
Article 1, first paragraph, point (82), amending provision, sixth paragraph, introductory part				
1106	On their websites, Member States shall publish without delay, or provide a direct link to, the following information:	On their websites, Member States <u>or regions</u> shall publish without delay, or provide a direct link to, the following information:	On their websites, Member States shall publish without delay, or provide a direct link to, the following information:	Stick to GA.
Article 2(2), point (ca), amending provision, first paragraph				
1158b		<u>"1a. The Commission shall draw up a partnership protocol between the agencies referred to in point (ja) of the first paragraph as the framework for their enhanced cooperation."</u>		Cannot support EP.
Article 2(3), amending provision, numbered paragraph (4a)				

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
1165a		<p><u>"4a. Article 17g is replaced by the following:</u> <u>Article 17g</u> <u>Cooperation in maritime affairs</u> <u>"The Agency shall contribute to and help the implementation of the EU Integrated Maritime Policy, and in particular conclude administrative agreements with other bodies in matters covered by this Regulation after approval by the Administrative Board. The Executive Director shall inform the European Parliament, the Commission and the Member States thereof at an early stage of such negotiations."</u></p>		Cannot support EP.
Article 2(3), amending provision, numbered paragraph (5a)				
1166a		<p><u>5a. In point (c) of Article 23(2), the first subparagraph is replaced by the following:</u> <u>"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."</u></p>		Cannot support EP.
Article 2(3), amending provision, numbered paragraph (5b)				

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
1166b		<p><u>5b. In point (c) of Article 23(2), the second subparagraph is replaced by the following:</u></p> <p><u>"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;"</u></p>		Cannot support EP.
Article 2(5a)				
1178a		<p><u>5a. in Article 24, paragraph 1 is replaced by the following:</u></p> <p><u>"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</u></p>		Cannot support EP.

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
		<u><i>member. The European Parliament shall be entitled to appoint two representatives. The Member States, the Commission and the European Parliament shall appoint one alternate to each member who will represent the member in his/her absence."</i></u>		
Article 2(7), amending provision, first paragraph				
1191	" (a) he/she shall prepare the draft annual work programme and the draft multiannual work programme and submit them to the Administrative Board after consultation with the Commission and the Member States. He/she shall take the necessary steps for the implementation of the work programme and multiannual work programme within the limits specified by this Regulation, its implementing rules and any applicable law; "	" (a) he/she shall prepare the draft annual work programme and the draft multiannual work programme and submit them to the Administrative Board after consultation with the <u>European Parliament, the</u> Commission and the Member States. He/she shall take the necessary steps for the implementation of the work programme and multiannual work programme within the limits specified by this Regulation, its implementing rules and any applicable law; "	" (a) he/she shall prepare the draft annual work programme and the draft multiannual work programme and submit them to the Administrative Board after consultation with the 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; "	Cannot support EP.
Article 5				
1314	Article 5 Amendments to Regulation (EU) No		Article 5 Amendments to Regulation (EU) No	

	Commission Proposal	EP Mandate (P9_TA-PROV(2021)0076)	Council Mandate (doc. 9390/2/21 REV 2 ADD 1) ¹	Comments
	2016/1139		2016/1139	
Article 5, first paragraph				
1315	In Regulation (EC) No 2016/1139, Articles 12 and 13 are deleted.		In Regulation (EC) No 2016/1139, Articles 12 and 13 are deleted.	N.B. It is important that this deletion enters into force only when and at the same date as amended Article 14.4 of CR will enter into force.