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PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	2 October 2026
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2026) 531 final
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down management, conservation and control measures applicable in the Area of Application of the Southern Indian Ocean Fisheries Agreement (SIOFA)

Delegations will find attached document COM(2026) 531 final.

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EUROPEAN
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2026/0302 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**laying down management, conservation and control measures applicable in the Area of
Application of the Southern Indian Ocean Fisheries Agreement (SIOFA)**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

This proposal aims to implement the conservation, management and control measures adopted under the Southern Indian Ocean Fisheries Agreement (SIOFA) in EU law. The SIOFA is the regional fisheries management organisation (RFMO) responsible for managing fishery resources in the SIOFA's Area of Application.

The annual Meeting of the Parties to the SIOFA has a mandate to adopt conservation and management measures (CMMs) for the fisheries within its purview. These CMMs are binding on the SIOFA's Contracting Parties, Participating Fishing Entities and Cooperating non-Contracting Parties (together known as CCPs). The EU has been a Contracting Party to the SIOFA since 2008. It currently has one active fishing vessel in the SIOFA's Area of Application, although the total fleet size fluctuates annually, generally varying between a minimum of one and a maximum of two vessels. Those vessels must comply with the SIOFA's CMMs.

Under Article 8(3) of the SIOFA, CMMs adopted by the Meeting of the Parties are binding on CCPs. Each CCP is required to take all action necessary to ensure enforcement of and compliance with these measures.

SIOFA measures are mainly aimed at CCPs, but these measures also impose obligations on operators (e.g. vessel masters).

This proposal also replaces a past proposal on the same subject, and takes into account the concerns of the legislator (2022/0348(COD)).

As soon as they enter into force, the EU must ensure compliance with SIOFA CMMs. This proposal is designed to implement the current measures and to set up a mechanism for implementing future measures. This proposal takes into account fishing by EU vessels in the SIOFA's Area of Application using handlines and demersal longlines.

This proposal aims to ensure that the EU can: (i) implement measures that benefit the EU fleet; (ii) ensure a level playing field for operators; and (iii) further support the long-term sustainable management of stocks in a timely manner.

In order to swiftly implement SIOFA rules, this proposal first provides delegated powers to be granted to the Commission under Article 290 TFEU and to cater for amendments to SIOFA measures and ensure that EU fishing vessels are on an equal footing with those of other Contracting Parties. Delegated powers are proposed for: (i) the information required for vessel authorisations; (ii) changes to type of fishing or fishing gear; (iii) number of catch/recovery of vulnerable marine ecosystems (VMEs) indicator units and distances within which to cease bottom fishing where evidence of a VME is encountered above threshold levels during fishing operations; (iv) scientific observer coverage for bottom fishing and introduction of an electronic observer programme; (v) measures for the toothfish fisheries in the Del Cano Rise, Williams Ridge and South Indian Ridge areas ; and (vi) changes to the annexes to this proposal.

Second, this proposal introduces dynamic references to the CMMs to be used by Member States. These documents are already in use and known by Member States' administrations, who must ensure the CMMs are implemented. The Commission sends updated versions of these documents to Member States after new versions are adopted by the SIOFA. These compulsory documents include SIOFA reporting formats or data exchanges documents

related to: (i) observers data; (ii) port inspections and at-sea inspections; (iii) catch reporting; and (iv) new and exploratory fishing operation plan. As requirements and templates change from time to time and there is currently only one to two Union fishing vessels active in the fisheries managed by the SIOFA, it is appropriate that the requirements and templates be provided by Member States having fishing opportunities for SIOFA fishery resources to their fishing vessels when issuing fishing authorisations.

- **Consistency with existing policy provisions in the policy area**

This proposal supplements and is consistent with other EU law in this area.

In particular, it is consistent with Part VI (External policy) of Regulation (EU) No 1380/2013¹ on the Common Fisheries Policy (CFP). Part VI requires the EU to conduct its external fisheries in accordance with its international obligations and to base its fishing activities on regional fisheries cooperation.

The proposal supplements Regulation (EU) 2017/2403² on external fleet management, which provides that EU fishing vessels are subject to the list of fishing authorisations under the conditions and rules of the RFMO in question. The proposal also supplements Council Regulation (EC) No 1005/2008³ on illegal, unreported and unregulated fishing.

This proposal does not cover fishing opportunities for the EU as decided by the Meeting of the Parties. Under Article 43(3) TFEU, it is the Council's prerogative to adopt measures on fixing and allocating fishing opportunities.

- **Consistency with other Union policies**

Not applicable

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

The proposal is based on Article 43(2) TFEU as it sets out the provisions required for pursuing the CFP's objectives

- **Subsidiarity (for non-exclusive competence)**

As this proposal falls under the exclusive competence of the EU, the subsidiarity principle does not apply.

- **Proportionality**

This proposal will ensure that EU law is in line with international obligations adopted by the Meeting of the Parties. This proposal will also ensure that the EU complies with decisions taken by the SIOFA to which it is a Contracting Party. This proposal does not go beyond what is necessary to achieve these objectives.

¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

² Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of the external fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81).

³ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1).

- **Choice of the instrument**

The instrument chosen is a regulation.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

Not applicable

- **Stakeholder consultations**

This proposal aims to implement SIOFA measures that are binding on CCPs. National experts and industry representatives from Member States were consulted both during the run-up to the Meetings of the Parties at which the measures were adopted and throughout negotiations at these meetings. Consequently, the Commission did not consider it necessary to hold a stakeholder consultation on this proposal.

- **Collection and use of expertise**

Not applicable

- **Impact assessment**

Not applicable

- **Regulatory fitness and simplification**

This proposal is not linked to the Commission's regulatory fitness and performance programme

- **Fundamental rights**

This proposal has no consequences for the protection of people's fundamental rights.

4. BUDGETARY IMPLICATIONS

There are no budgetary implications.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

Not applicable

- **Detailed explanation of the specific provisions of the proposal**

Chapter I contains general provisions on the proposal's subject matter and scope. It also sets out definitions as well as provisions on vessel authorisations and the issuing of fishing authorisations.

Chapter II deals with bottom-fishing measures, including: (i) effort limitations and general measures; (ii) measures designed to protect vulnerable marine ecosystems in the SIOFA's Area of Application; (iii) scientific observer coverage; and (iv) new and exploratory fisheries. It also includes specific measures for the toothfish fishery in the Del Cano Rise, Williams Ridge and South Indian Ridge areas.

Chapter III lays down measures to protect marine species, including: (i) prohibiting large-scale pelagic driftnets and deepwater gillnets; (ii) prohibiting targeting some species of deep-sea sharks and managing their catches; and (iii) mitigating seabird bycatch.

Chapter IV sets out monitoring and control measures, including rules on: (i) a vessel monitoring system; (ii) entry-exit reports; (iii) fishing-vessel documents and marking; (iv) the retrieval of abandoned, lost or otherwise discarded fishing gear; (v) the discharge of plastics; and (vi) monitoring sea transshipments and transfers in port and related reporting. This chapter also includes labelling rules for frozen products of fishery resources and requirements for scientific observer programmes.

Chapter V sets out rules on the control of third-country vessels in Member State ports and in the high seas: (i) sightings and identification of vessels that are not of the SIOFA Contracting Parties, Participating Fishing Entities or Cooperating Non-Contracting Parties (non-CCP) vessels; and (ii) port measures and inspections.

Chapter VI deals with enforcement, including: (i) high seas boarding and inspection, including the definition of serious violations and related enforcement; and (ii) illegal, unreported and unregulated fishing.

Chapter VII covers data collection and reporting, provision of scientific observer data and other reporting.

Chapter VIII contains final provisions on alleged non-compliance reported by the SIOFA, confidentiality, delegation of powers and the exercise of such delegation.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**laying down management, conservation and control measures applicable in the Area of
Application of the Southern Indian Ocean Fisheries Agreement (SIOFA)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty on the Functioning of the European Union, and in particular
Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee⁴,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The objective of the common fisheries policy (CFP), as set out in Regulation (EU) No 1380/2013⁵ of the European Parliament and of the Council, is to ensure the exploitation of living aquatic resources contributes to long-term environmental, economic and social sustainability.
- (2) The European Union has, by means of Council Decision 98/392/EC⁶, approved the United Nations Convention of 10 December 1982 on the Law of the Sea. By means of Council Decision 98/414/EC⁷, the Union has approved the Agreement for the Implementation of that Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks. This agreement contains principles and rules with regard to the conservation and management of the living resources of the sea. In the framework of its wider international obligations, the Union participates in efforts made in international waters to conserve fish stocks.
- (3) Pursuant to Council Decision 2008/780/EC of 29 September 2008⁸, the Union approved the Southern Indian Ocean Fisheries Agreement (SIOFA).

⁴ OJ C [...], [...], p. [...]

⁵ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

⁶ Council Decision 98/392/EC of 23 March 1998 concerning the conclusion by the European Community of the United Nations Convention of 10 December 1982 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of Part XI thereof (OJ L 179, 23.6.1998, p. 1).

⁷ Council Decision 98/414/EC of 8 June 1998 on the ratification by the European Community of the Agreement for the implementing of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling stocks and highly migratory fish stocks (OJ L 189, 3.7.1998, p. 14).

⁸ Council Decision 2008/780/EC of 29 September 2008 on the conclusion, on behalf of the European Community, of the Southern Indian Ocean Fisheries Agreement (OJ L 268, 9.10.2008, p 27).

- (4) The Meeting of the Parties of SIOFA adopts conservation and management measures (CMMs) that are binding on the Union as a Contracting Party. This Regulation implements into Union law the CMMs adopted between 2016 and 2024 and replaces a past proposal, which was never adopted (Regulation of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Area covered under the Southern Indian Ocean Fisheries Agreement 2022/0348(COD)).
- (5) To ensure compliance with the CFP, Union legislation has been adopted to establish a system of control, inspection and enforcement, which includes the fight against illegal, unreported and unregulated (IUU) fishing. In particular, Council Regulation (EC) No 1224/2009⁹ establishes a Union system for control, inspection and enforcement with a global and integrated approach so as to ensure compliance with all the rules of the CFP. Commission Implementing Regulation (EU) No 404/2011¹⁰ lays down detailed rules for the implementation of Council Regulation (EC) No 1224/2009. Council Regulation (EC) No 1005/2008¹¹ establishes a Community system to prevent, deter and eliminate IUU fishing. It is therefore not necessary to include the CMMs adopted by SIOFA but which the EU already applies by virtue of those regulations in this Regulation.
- (6) In accordance with Article 29(2) of Regulation (EU) No 1380/2013, the positions of the Union in regional fisheries management organisations are to be based on the best available scientific advice. This is to ensure that fishery resources are managed in accordance with the objectives of the CFP, in particular with the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing maximum sustainable yield (MSY), and with the objective of providing conditions for an economically viable and competitive fishing, capture and processing industry and land-based fishing-related activities.
- (7) In order to implement swiftly future CMMs amending or supplementing the ones established in this Regulation into Union law, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending provisions concerning: (i) the information required for vessel authorisation; (ii) changes to type of fishing or fishing gear; (iii) number of catch/recovery of vulnerable marine ecosystems (VMEs) indicator units and distances within which to cease bottom fishing where evidence of a VME is encountered above threshold levels within the course of fishing operations; (iv) scientific observer coverage for bottom fishing and introduction of an electronic observer programme; (v) measures for the toothfish fisheries in the Del Cano Rise,

⁹ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

¹⁰ Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system, for ensuring compliance with the rules of the Common Fisheries Policy (OJ L 112, 30.4.2011, p. 1).

¹¹ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1).

Williams Ridge and South Indian Ridge areas; and (vi) changes to annexes to this Regulation.

- (8) The CMMs also prescribe the compulsory use by operators of reporting formats or data exchanges related to observers data, port inspections and at-sea inspections, catch reporting and new and exploratory fishing operation plan. These data requirements and templates are already used by the Union fleet and publicly available on the SIOFA website. As these requirements and templates are usually amended and there is only one or two Union fishing vessels active in the fisheries managed by the SIOFA, it is appropriate that the requirements and templates be provided by Member States having fishing opportunities in the SIOFA Area to their fishing vessels when issuing fishing authorisations. Dynamic references to these documents are provided in this Regulation, in order for a reference to a SIOFA document to include any subsequent amendments.
- (9) It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹². In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
- (10) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹³ and delivered formal comments on []. Data processed in the framework of this Regulation are to be treated in accordance with the relevant rules on the protection of personal data and confidentiality as referred to in Articles 112 and 113 of Council Regulation 1224/2009¹⁴. In order to ensure the fulfilment of obligations under this Regulation, the personal data should be stored for a period of up to 10 years. In the event that the personal data are needed in order to follow up an infringement, for inspections, judicial or administrative procedures, it should be possible for those data to be stored for a period exceeding 10 years, but no longer than 20 years.

¹² Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

¹³ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

¹⁴ Council Regulation (EU) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1, ELI: <http://data.europa.eu/eli/reg/2009/1224/oj>).

HAVE ADOPTED THIS REGULATION:

Chapter 1

General provisions

Article 1

Subject matter

This Regulation lays down provisions concerning management, conservation and control measures relating to fishing in the Area covered under the Southern Indian Ocean Fisheries Agreement¹⁵ (SIOFA).

Article 2

Scope

1. This Regulation applies to:

- (a) Union fishing vessels carrying out fishing activities in the Area;
- (b) Union fishing vessels transshipping fishery resources harvested in the Area;
- (c) Union fishing vessels carrying out transfer operations of crew, gear or any other supplies at sea, as an unloading or receiving vessel, where either of the vessels involved in the transfer has carried out fishing activities or intends to carry out fishing activities in the Area;
- (d) Third-country fishing vessels requesting access to or being the object of an inspection in Union ports and carrying fishery resources harvested in the Area.

2. This Regulation shall apply without prejudice to any stricter provision contained in Regulation (EC) No 1224/2009, Commission Implementing Regulation (EU) 2025/2196, and Commission Delegated Regulation (EU) 2025/1766.

Article 3

Definitions

For the purposes of this Regulation, the following definitions apply.

- (1) ‘Agreement’ means the Southern Indian Ocean Fisheries Agreement¹⁶;
- (2) ‘Area’ means the Area bounded by a line joining the following points along parallels of latitude and meridians of longitude, excluding waters under national jurisdiction:

Commencing at the landfall on the continent of Africa of the parallel of 10° North; from there east along that parallel to its intersection with the meridian of 65° East; from there south along that meridian to its intersection with the equator; from there east along the equator to its intersection with the meridian of 80° East; from there south along that meridian to its intersection with the parallel of 20° South; from there east along that parallel to its landfall on the continent of Australia; from there south and then east along the coast of

¹⁵ Council Decision 2008/780/EC of 29 September 2008 on the conclusion, on behalf of the European Community, of the Southern Indian Ocean Fisheries Agreement CCP(OJ L 268, 9.10.2008, p. 27).

¹⁶ Southern Indian Ocean Fisheries Agreement (OJ L 196, 18.7.2006, p. 15).

Australia to its intersection with the meridian of 120° East; from there south along that meridian to its intersection with the parallel of 55° South; from there west along that parallel to its intersection with the meridian of 80° East; from there north along that meridian to its intersection with the parallel of 45° South; from there west along that parallel to its intersection with the meridian of 30° East; from there north along that meridian to its landfall on the continent of Africa.;

- (3) 'fishing' means
- (a) the actual or attempted searching for, catching, taking or harvesting of fishery resources;
 - (b) engaging in any activity which can reasonably be expected to result in the locating, catching, taking or harvesting of fishery resources for any purpose including scientific research;
 - (c) placing, searching for or recovering any aggregating device for fishery resources or associated equipment including radio beacons;
 - (d) any operation at sea in support of, or in preparation for, any activity described in this definition, except for any operation in emergencies involving the health or safety of crew members or the safety of a vessel; or
 - (e) the use of an aircraft in relation to any activity described in this definition except for flights in emergencies involving the health or safety of crew members or the safety of a vessel;
- (4) 'fishery resources' means resources of fish, molluscs, crustaceans and other sedentary species within the Area, but excluding:
- (a) sedentary species subject to the fishery jurisdiction of coastal States pursuant to article 77(4) of the 1982 Convention; and
 - (b) highly migratory species listed in Annex I of the 1982 Convention;
- (5) 'fishing vessel' means any vessel used or intended for fishing, including a mother-ship, any other vessel directly engaged in fishing operations, and any vessel engaged in transshipment;
- (6) 'Union fishing vessel' means a fishing vessel flying the flag of a Member State and registered in the Union;
- (7) 'third-country fishing vessel' means a fishing vessel that is not a Union fishing vessel;
- (8) 'fishing opportunities' means fishing effort or quotas allocated to a Member State by a Union act in force for fishery resources in the Area;
- (9) 'Record' means the SIOFA Record of Vessels authorised to fish in the Area;
- (10) 'VMS' means vessel monitoring system, as referred to in Article 9(1) of Council Regulation (EC) No 1224/2009¹⁷;

¹⁷ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No

- (11) 'IUU fishing' means any illegal, unreported or unregulated fishing activities as defined in Article 2, points 1 to 4 of Regulation (EC) No 1005/2008;
- (12) 'CMM' means a conservation and management measure adopted by the Meeting of the Parties pursuant to Article 6 of the Agreement;
- (13) 'bottom fishing' means fishing using any gear type likely to come in contact with the seafloor or benthic organisms during the normal course of operations;
- (14) 'BFIA' means bottom fishing impact assessment;
- (15) 'EU BFIA' means the bottom fishing impact assessment submitted by the European Union to the SIOFA Secretariat before the beginning of the ordinary meeting of the Scientific Committee in 2018, as amended from time to time;
- (16) 'SIOFA BFIAS' means the minimum standard for assessing the potential impacts of proposed bottom fishing activities on vulnerable marine ecosystems and deep-sea fish stocks in the Area, adopted by the fourth Meeting of the Parties to SIOFA in 2017 as amended from time to time;
- (17) 'SIOFA Bottom Fishing Footprint' means the map of the spatial extent of historical bottom fishing in the Area for all vessels flagged to all contracting parties to the Agreement, adopted by the SIOFA Meeting of the Parties in 2023 and amended from time to time;
- (18) 'significant adverse impacts' means the significant adverse impacts referred to in paragraphs 17 to 20 of the FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas¹⁸;
- (19) 'vulnerable marine ecosystem' (VME) means a marine ecosystem identified using the criteria outlined in paragraph 42 of the FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas (FAO, 2009; FAO Deep-sea Fisheries Guidelines);
- (20) 'toothfish fishery' means targeting species of *Dissostichus mawsoni* and/or *Dissostichus eleginoides*, collectively defined as *Dissostichus spp.*;
- (21) 'electronic observer programme' means a programme that uses electronic monitoring equipment in place of, or in conjunction with, a human observer or human observers on board a vessel and that is capable of generating, storing and transmitting data to competent authorities;
- (22) 'Fisheries monitoring center' (FMC) 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;
- (23) 'Del Cano Rise area' is a sub-area of the Area of Application. Its boundaries are detailed in Annex I;
- (24) 'Williams Ridge area' is a sub-area of the Area of Application. Its boundaries are detailed in Annex I;
- (25) 'South Indian Ridge area' is a sub-area of the Area of Application. Its boundaries are detailed in Annex I;

1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p.1).
 18 FAO, 2009; FAO Deep-sea Fisheries Guidelines

- (26) ‘large-scale pelagic driftnet’ means a gillnet or other net or a combination of nets that is more than 2.5 kilometres in length, the purpose of which is to enmesh, entrap or entangle fish by drifting on the surface or in the water;
- (27) ‘deepwater gillnet’ means strings of single, double or triple netting walls, held vertically, usually on or near the seafloor, in which fish will gill, entangle or enmesh. Several types of nets may be combined in one gear. Those nets can be used either alone or, as is more usual, in large numbers placed in line (‘fleets’ of nets). The gear can be set, anchored to the bottom or left drifting, free or connected with the vessel;
- (28) ‘satellite-tracking device’ means a device as referred to in Article 9(1) of Council Regulation (EC) No 1224/2009;
- (29) ‘plastics’ means a solid material that contains as an essential ingredient one or more high molecular mass polymers and that is formed (shaped) during either the manufacture of the polymer or the fabrication into a finished product by heat and/or pressure;
- (30) ‘transshipment’ means the unloading of all or any of the fishery resources on board a fishing vessel onto another vessel whether at sea or in port;
- (31) ‘CCP’ means the SIOFA Contracting Parties, Participating Fishing Entities, Cooperating Non-Contracting Parties as defined by the Agreement;
- (32) ‘authorities of the fishing vessel’ means the authorities of the CCP under whose flag the fishing vessel is operating;
- (33) ‘authorised inspector’ means an inspector appointed by the authorities of a SIOFA CCP who is responsible for boarding and inspection and assigned to conduct boarding and inspection activities pursuant to this Regulation and CMM 14;
- (34) ‘authorities of the inspection vessel’ means the authorities of the SIOFA CCP under whose flag the inspection vessel is operating;
- (35) ‘authorised inspection vessel’ means any vessel included in the SIOFA register of Authorised Inspection Vessels and Inspection Authorities established under paragraph 14 of CMM 14, and authorised to engage in boarding and inspection activities pursuant to these procedures;
- (36) ‘Draft SIOFA IUU Vessel List’ means the list of vessels presumed to have engaged in illegal, unreported and unregulated (IUU) fishing activities in the Area, drawn up by the SIOFA Secretariat and transmitted to CCPs and to non-Contracting Parties with vessels on the list prior to the Meeting of the Parties;
- (37) ‘other species of concern’ means those species as may be defined by the Scientific Committee of SIOFA from time to time;
- (38) ‘national report’ means the annual national report of fishing, research and management activities of the previous calendar year, in accordance with the guidelines prepared by the Scientific Committee, as amended from time to time;
- (39) ‘new and exploratory fishery’ means a fishery that meets any of the following conditions:

- (a) it is a bottom fishing activity conducted outside the SIOFA Bottom Fishing Footprint;
 - (b) it is a bottom fishing activity conducted within the SIOFA Bottom Fishing Footprint, with a particular gear type or technique not used before in that fishery in that area as set out in Annex 1 to CMM 17;
 - (c) it uses a gear type to target fishery resources in the Area that is not listed in Annex 1 to CMM 17;
 - (d) fishing in that fishery has not been carried out in the Area in the previous 10 years pursuant to CMM 17; or fishing in that fishery has been carried out in the Area in the previous nine years pursuant to CMM 17 as amended from time to time and the SIOFA Meeting of the Parties has not decided to either close or manage the fishery as an established fishery.
- (40) 'ALC' means automatic location communicator, a satellite-based on-board device that is capable of continuously and automatically transmitting VMS position reports, independently of any intervention of the vessel;
- (41) 'sub-areas' are the parts of the Area of Application. The list of sub-areas is detailed in Annex I.

Article 4

Vessel authorisation

1. Member States may issue an authorisation to fishing vessels flying their flag in accordance with Article 21 of Regulation (EU) 2017/2403 of the European Parliament and of the Council¹⁹. Fishing vessels flying the flag of a Member State require an authorisation in order to fish for the fishery resources in the Area.
2. Member States shall submit electronically to the Commission the following information about vessels flying their flag that are authorised to fish in the Area pursuant to Article 7 of Council Regulation (EC) No 1224/2009 and under the conditions of Article 5 of Regulation (EU) 2017/2403:
 - (a) name of vessel, registration number, previous names (if known) and port of registry;
 - (b) previous flag (if any), using country codes;
 - (c) international radio call sign (if any);
 - (d) International Maritime Organization (IMO) number (if required by IMO);
 - (e) name and address of owner or owners;
 - (f) type of vessel (using appropriate codes of the International Standard Statistical Classification of Fishery Vessels by Vessel Types²⁰);

¹⁹ Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of the external fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81).

²⁰ FAO. 2020. Food and Agriculture Organization of the United Nations - Coordinating Working Party on Fishery Statistics (CWP). In: Food and Agriculture Organization of the United Nations [online]. Rome. <https://www.fao.org/cwp-on-fishery-statistics/handbook/capture-fisheries-statistics/fishery-fleet/en/>

- (g) length and length type (e.g. the length of vessel taken over all extremities (LOA), the length between the forward and aft perpendiculars measured along the summer load line (LBP));
 - (h) name and address of operator (manager) or operators (managers) (if any);
 - (i) type of fishing method or methods (using appropriate International Standard Classification of Fishing Gear codes²¹);
 - (j) gross tonnage (GT);
 - (k) power of main engine or engines (kw);
 - (l) fish hold capacity (cubic metres);
 - (m) freezer type (if applicable);
 - (n) number of freezing units (if applicable);
 - (o) freezing capacity (if applicable);
 - (p) vessel communication types and numbers (e.g. International Marine/Maritime Satellite (INMARSAT) A, B and C, Very Small Aperture Terminal (VSAT) numbers);
 - (q) certified drawings or description of all fish holds;
 - (r) the following automatic location communicator (ALC) details:
 - (i) model and brand;
 - (ii) ALC unique identifier;
 - (iii) service provider (e.g. INMARSAT/IRIDIUM/ARGOS);
 - (s) good quality, high-resolution digital images of the vessel of appropriate brightness and contrast, no older than five years old: one digital image showing the starboard side of the vessel displaying its full overall length and complete structural features; one digital image showing the port side of the vessel displaying its full overall length and complete structural features; and one digital image of the stern taken directly from astern.
3. Member States shall ensure that the data referred to in paragraph 2 on the vessels flying their flag authorised to fish in the Area are kept up to date.
 4. Member States shall inform the Commission of any modification to the vessel data, including authorisation status of current fishing vessels and any new vessels included on the list, within 10 days after such modification.

Article 5

Obligations for Member States issuing fishing authorisations

1. Member States shall ensure that vessels not on the Record are prohibited from engaging in fishing for fishery resources covered by the Agreement.
2. Member States shall notify the Commission of any evidence showing that there are reasonable grounds for suspecting that vessels not on the Record are operating in the Area.

²¹ <https://openknowledge.fao.org/items/4de1cb7a-34e3-4645-ae94-0cfc3ef4ad70>

3. Member States shall:
- (a) authorise the vessels flying their flag to operate in the Area only if they are able to fulfil the requirements and responsibilities under this Regulation, the Agreement and Regulation (EU) 2017/2403;
 - (b) take necessary measures to ensure that the vessels flying their flag comply with this Regulation, the Agreement and Regulation (EU) 2017/2403;
 - (c) take necessary measures to ensure that the vessels flying their flag that are on the Record keep on board valid certificates of vessel registration and valid authorisation to fish;
 - (d) ensure that the vessels flying their flag that are on the Record have no history of IUU fishing, or, if those vessels have such a history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in or control over those vessels, or that having taken into account all relevant facts, their vessels are not engaged in or associated with IUU fishing;
 - (e) ensure, to the extent possible, that the owners and operators of the vessels flying their flag that are on the Record are not engaged in or associated with fishing activities conducted in the Area by vessels not on the Record;
 - (f) take necessary measures to ensure, to the extent possible, that the owners and/or operators of the vessels flying their flag that are on the Record are citizens, residents or legal entities within their jurisdiction so that any enforcement or punitive actions can be effectively taken against them.

Chapter 2

Bottom fishing

Article 6

Bottom fishing effort limitations and authorisation

1. Member States shall limit the annual bottom fishing effort of vessels flying their flag that are fishing in the Area to their average annual level of a representative period in which they were active in the Area, as indicated in the fishing opportunities and notified by the Commission to SIOFA from time to time.
2. Union fishing vessels that engage in bottom fishing in the Area shall:
 - (a) use handline and demersal longline methods only;
 - (b) not have significant adverse impacts on VMEs and, where applicable, take into account the EU BFIA and any areas where VMEs are known or likely to occur;
 - (c) not fish in any areas that are closed to fishing or engage in bottom fishing activities in the Area that are not in accordance with the requirements of this Article;
 - (d) not engage in bottom fishing activities in the Area outside the SIOFA Bottom Fishing Footprint or within the SIOFA Bottom Fishing Footprint with a particular gear type or technique not used before in that fishery in that area, except where those activities have been authorised by the Meeting of the

Parties to SIOFA pursuant to CMM 17, as amended from time to time, and are conducted in accordance with Article 8.

3. By way of derogation from paragraphs 1 and 2, Union fishing vessels wishing to engage in bottom fishing activities in the Area that are not in accordance with the requirements of paragraphs 1 and 2, shall submit a request for authorisation to their flag Member State. The request shall be submitted to the Commission by the flag Member State at least 45 days before the ordinary meeting of the SIOFA Scientific Committee at which they wish the request to be considered.
4. The Commission shall forward the request to the SIOFA Secretariat at least 30 days before the ordinary meeting of the SIOFA Scientific Committee. The request shall include:
 - (a) an assessment of the impact of the proposed fishing activities;
 - (b) any proposed measures to mitigate the impact under point (a);
 - (c) any other information as required by the SIOFA Scientific Committee to carry out its assessment.
 - (d) Where a Member State is seeking to authorise its vessel to fish in new and exploratory fisheries, a fishery operations plan for the fishing season(s) concerned for review and endorsement by the SIOFA Scientific Committee and developed in accordance with Annex 2 of CMM 17 as amended from time to time.
5. The assessment in paragraph 4, point (a) shall:
 - (a) be prepared, to the extent possible, in accordance with the FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas;
 - (b) meet the standards of the SIOFA BFIAS;
 - (c) take into account areas identified where VMEs are known or likely to occur in the area to be fished;
 - (d) take into account the EU BFIA;
 - (e) be updated when a substantial change in the fishery has occurred, such that it is likely that the risk or impacts of the fishery may have changed;
 - (f) assess, to the extent possible, the historical and anticipated cumulative impact of all bottom fishing activity in the Area, if applicable;
 - (g) address whether the proposed activities achieve the objective of the Agreement and the objective of promoting the sustainable management of deep-sea fisheries resources in the Area, including target fish stocks and non-target species, and ensuring the protection of the marine ecosystem, including the prevention of significant adverse impacts on VMEs;
 - (h) be made publicly available on the SIOFA website, once the Scientific Committee has determined that it meets the requirements listed in point (a) to point (g).
6. The Commission shall inform the relevant Member State of the decision of the Meeting of the Parties on the authorisation to bottom fish in the Area following any request under paragraph 4. If applicable, the Commission shall set out the extent to which any bottom fishing is authorised and any measures or conditions that apply to

ensure that any activity authorised is consistent with the objectives in paragraph 5, point (g).

Article 7

Benthic fishery closure

1. Union fishing vessels shall not engage in bottom fishing within the Benthic fishery closures outlined in Table 1 of Annex II.
2. Union fishing vessels shall not engage in bottom fishing within the Benthic fishery closures outlined in Table 2 of Annex II unless a Member State has an existing bottom longline footprint within those areas.
3. For fishing vessels allowed to fish in the Benthic fishery closure in Table 1 or 2, catch and effort data should be reported in accordance with Article 41 as well as annually in the national report in accordance with Article 42 and disaggregated by area.

Article 8

New and exploratory fisheries

1. Union fishing vessels shall not participate in new and exploratory fisheries without prior approval of the SIOFA Meeting of the Parties obtained in accordance with the procedure referred to in paragraph 2 to paragraph 4.
2. Union fishing vessels wishing to engage in new and exploratory fisheries fishing activities in the Area shall submit a request for authorisation to their flag Member State. The request shall be submitted to the Commission by the flag Member State no later than 50 days before the ordinary meeting of the SIOFA Scientific Committee at which they wish the request to be considered.
3. The Commission shall forward the request to the SIOFA Secretariat no later than 35 days before the ordinary meeting of the SIOFA Scientific Committee. The request shall include a fishery operations plan for the fishing season(s) concerned accompanied by a Data Collection and Analysis Plan and developed in accordance with Annex 2 to CMM 17 as amended from time to time.
4. The Commission shall inform the relevant Member State of the decision of the Meeting of the Parties on the authorisation to engage in new and exploratory fisheries in the Area following any request under paragraph 2, including, if applicable, the extent to which any new and exploratory fishing is authorised.
5. A Union fishing vessel that engages in new and exploratory fishery that has been authorised by the SIOFA Meeting of the Parties shall:
 - (a) only participate in a new and exploratory fishery in accordance with the fishery operations plan reviewed by the SIOFA Scientific Committee and approved by the SIOFA Meeting of the Parties;
 - (b) carry on board one or more scientific observers for the duration of the activity to collect data in accordance with Data Collection and Analysis Plan and to assist in collecting biological and other relevant data, as appropriate;
 - (c) provide data required by a Data Collection and Analysis Plan accompanying the fishery operations plan to the competent authority of their flag Member

States. Member State shall provide that data to the Commission. The Commission shall send that data to the SIOFA Scientific Committee.

6. Member States whose vessels participate in a new and exploratory fishery are prohibited from participating in that fishery if the data referred to in the Data Collection and Analysis Plan has not been submitted to the Scientific Committee for the most recent season in which the fishing occurred. That prohibition remains in place until the relevant data has been submitted to the Scientific Committee and the Committee has had the opportunity to review that data.
7. By way of derogation from paragraph 1, Member States are entitled to authorise participation in a new and exploratory fishery by a vessel flying their flag not identified in the fishery operations plan. This is permitted if the vessel specified in the fishery operations plan is prevented from fishing on account of legitimate operational or force majeure reasons and that vessel is a replacement vessel proposed pursuant to this paragraph. In such circumstances, the Member State concerned shall inform the Commission as soon as possible thereof and provide:
 - (a) full details of the intended replacement vessel(s);
 - (b) a comprehensive account of the reasons for the replacement and any supporting evidence;
 - (c) specifications and a full description of the types of fishing gear to be used by the replacement vessel.
8. The Commission shall inform the SIOFA Secretariat as soon as possible, submitting the information referred to in paragraph 7, point (a) to paragraph 7, point (c).

Article 9

Protection of vulnerable marine ecosystems (VMEs)

1. Union vessels bottom fishing with handlines and demersal longlines shall apply a threshold level for encounters with VMEs consisting of the catch/recovery of 10 or more VME-indicator units of species listed in Annex III in a single line segment.
2. Where evidence of a VME is encountered above the threshold level set in paragraph 1 during fishing operations, Union fishing vessels shall cease bottom fishing activities as soon as possible within a radius of one nautical mile from the midpoint of the line segment, which consists of either a section with 1000 hooks or a section of 1200 metres, whichever is shorter.
3. Member States shall notify any VME encounter to the Commission as soon as possible in accordance with the guidelines set out in Annex 2 to CMM 01, as amended from time to time, and Article 42 in their national report to the Scientific Committee. The Commission shall submit this information as part of the national report to the Scientific Committee.
4. Union fishing vessels shall not engage in bottom fishing in the notified encounter area specified in paragraph 3, except where and until the resumption of bottom fishing in the encounter area is permitted.
5. Union fishing vessels shall not fish with demersal longlines in depths shallower than 500 metres

Article 10

Scientific observer coverage

1. Union fishing vessels engaging in bottom fishing with handlines and demersal longlines shall have 20 per cent human scientific observer coverage in any fishing year, expressed as the percentage of the total number of observed hooks or days.
2. The Commission may issue a delegated act to introduce an electronic observer programme.

Article 11

Toothfish fishery in Del Cano Rise, Williams Ridge and South Indian Ridge areas

1. Union fishing vessels fishing with demersal longlines may fish for toothfish in the Del Cano Rise, Williams Ridge and South Indian Ridge areas provided that:
 - (a) fishing operations take place during the fishing season, which is the period from 1 December to 30 November, both dates inclusive;
 - (b) VMS position reports are reported automatically to their FMC at least every hour when they are present in one of the areas;
 - (c) at least one scientific observer is on board each vessel throughout all fishing activities. The observer shall have a target of observing 25% of hooks hauled per line throughout the fishing deployment;
 - (d) toothfish specimens are tagged and released at a rate of at least five fish per tonne whole live weight caught. Once 30 or more toothfish specimens have been caught, a minimum overlap statistic of at least 60% and aiming at 80% shall apply for tag release;
 - (e) vessels do not exceed 6250 hooks per line;
 - (f) each vessel sets longlines at a minimum distance of 3 nautical miles, as measured from the midpoint, from any other longlines previously set by the same vessel during the ongoing fishing trip;
 - (g) the SIOFA Secretariat is informed daily on start and end points of set longlines, using the template in Annex IV;
 - (h) lines are set at depths exceeding 500 metres.
2. To reduce likelihood of depredation, vessels are encouraged to not haul longlines in the presence of killer whales (*Orcinus orca*) and toothed whales (*Odontoceti*). If killer whales arrive during hauling operations, the vessels are encouraged to cease hauling, tie off the longline with a buoy, and leave the area of operation. The vessels may only retrieve the tied-off line once the killer whales are no longer near the line. Vessels are also encouraged to set lines at depths exceeding 1000 m.
3. Toothfish caught by Union fishing vessels not targeting this species shall not exceed 0.5 tonnes per season of toothfish. If Union fishing vessels fishing for species other than toothfish reach the toothfish limit of 0.5 tonnes in one of the areas, that area shall be closed to those vessels for the period set out in paragraph 1, point (a).

Chapter 3

Protection of marine species

Article 12

Large-scale pelagic driftnets and deepwater gillnets

The use of large-scale pelagic driftnets and deepwater gillnets is prohibited in the Area.

Article 13

Deep-sea sharks

1. Union fishing vessels shall not target any deep-sea shark species listed in Annex V.
2. Union fishing vessels shall record and submit data reports in accordance with Annex VI for all deep-sea sharks to the lowest taxonomical level possible.
3. Union fishing vessels engaged in or intending to engage in bottom fishing in the Area shall use on board the FAO Identification guide to the deep-sea cartilaginous fishes of the Indian Ocean²².

Article 14

Seabirds

1. Any Union fishing vessels operating south of 25° South shall apply the following mitigation measures:
 - (a) information about birds colliding with the vessel or caught by its gears shall be recorded in accordance with Annex VII;
 - (b) wherever possible, birds captured alive during fishing operations shall be released alive and, for longlining, hooks shall be removed without jeopardising the life of the bird concerned.
2. Union fishing vessels fishing south of 25° South with demersal longlines shall also apply the following mitigation measures:
 - (a) any vessel catching a total of three seabirds in a single season shall immediately change to only setting at night (i.e. setting only during the hours of darkness between the times of nautical twilight);
 - (b) vessels are encouraged to use white colour lines to increase their visibility, which decreases the bycatches of birds;
 - (c) offal or discards shall not be discharged immediately before and during the deployment or retrieval of fishing gear;
 - (d) the lighting shall be positioned and the level of lighting adjusted to minimise light directed out from the vessel, consistent with the safe operation of the vessel and the safety of the crew.

²² [Ebert, D.A. and Mostarda, E. 2013. Identification guide to the deep-sea cartilaginous fishes of the Indian Ocean. FishFinder Programme, FAO, Rome. 76 pp](http://www.fao.org/documents/card/en/c/42d8a473-21d8-48cd-83d7-9b7be0b1797f)
<http://www.fao.org/documents/card/en/c/42d8a473-21d8-48cd-83d7-9b7be0b1797f>

3. In addition to paragraph 2, Union fishing vessels of 25 metres or more fishing south of 25° South with demersal longlines shall apply the additional following mitigation measures:
- (a) at least one bird-scaring line in accordance with Annex VIII shall be deployed when setting longlines, and at least one bird exclusion device in accordance with Annex IX shall be used to prevent birds entering the hauling area, to the extent possible in the prevailing weather;
 - (b) fishing vessels using autoline systems shall add weights to the hookline or use integrated weight (IW) hooklines while deploying longlines. It is recommended that IW longlines have a minimum of 50 grams per metre or that non-IW longlines have 5 kilogram weights attached at 50 to 60 metre intervals;
 - (c) fishing vessels using the Spanish method of longline fishing shall release weights before line tension occurs; traditional weights (made of rocks or concrete) of at least 8.5 kilograms mass shall be used, spaced at intervals of no more than 40 metres, or traditional weights of at least 6 kilograms shall be used, spaced at intervals of no more than 20 metres, or solid steel weights of at least 5 kilograms shall be used, spaced at intervals of no more than 40 metres;
 - (d) fishing vessels using the trotline system exclusively (not a mix of trotlines and the Spanish system within the same longline) shall deploy weights only at the distal end of the droppers in the trotline. Weights shall be traditional weights of at least 6 kilograms or solid steel weights of at least 5 kilograms;
 - (e) for fishing vessels alternating between the use of the Spanish system and trotline method:
 - (i) for the Spanish system, line weighting shall comply with the provisions in paragraph 4, point (c);
 - (ii) for the trotline method, line weighting shall be either 8.5 kilograms traditional weights or 5 kilograms steel weights attached on the hook-end of all droppers in the trotline at no more than 80 metre intervals.
4. In addition to paragraph 2, Union fishing vessels of less than 25 meters fishing with demersal longlines south of 25° South shall also apply at least one of the following mitigation measures:
- (a) at least one bird-scaring line in accordance with Annex VIII shall be deployed when setting longlines, and at least one bird exclusion device in accordance with Annex IX shall be used to prevent birds entering the hauling area, to the extent possible in the prevailing weather;
 - (b) fishing vessels using autoline systems shall add weights to the hookline or use integrated weight (IW) hooklines while deploying longlines. IW longlines of a minimum of 50 grams per metre or non-IW longlines with 5 kilogram weights attached at 50 to 60 metre intervals;
 - (c) lines shall be set only at night (i.e. during the hours of darkness between the times of nautical twilight). The exact times of nautical twilight are set out in the Nautical Almanac tables for the relevant latitude, local time and date.
5. Union fishing vessels fishing with pelagic longlines south of 25° South shall use at least two of the three mitigation measures outlined in Annex X.

6. Union fishing vessels fishing south of 25° South with gear other than longlines are encouraged to apply additional mitigation measures with reference to the Agreement on the Conservation of Albatrosses and Petrels' best practices (e.g. Best Practice Advice for Reducing the Impact of Pelagic and Demersal Trawl Fisheries on Seabirds²³), other practices implemented in or around the Area, or the guidelines outlined in Annex XI, especially when and where seabird interactions are relatively high.

Chapter 4

Monitoring and control measures

Article 15

Vessel monitoring system (VMS)

1. Union fishing vessels shall not enter the Area without a functioning VMS satellite-tracking device.
2. Without prejudice to Article 4 of Commission Delegated Regulation (EU) 2025/1766, Member States shall ensure that in the event of a technical failure or non-operation of the satellite-tracking device fitted on board a vessel flying their flag, the device shall be repaired or replaced within a month of a technical failure or non-operation.
3. If the trip lasts more than one month, the repair or the replacement shall take place as soon as practicable after the vessel enters a port. If the satellite-tracking device has not been repaired or replaced within 90 days of a technical failure or non-operation, the flag Member State shall order the vessel to cease fishing, stow all fishing gear and return immediately to port in order to carry out repairs.
4. Without prejudice to Article 11(1), point (b), Member States shall ensure that VMS position reports are reported automatically by each of their vessels while operating in the Area at least once every two hours in other circumstances. VMS position reports shall include at least the following data, which shall be considered confidential (i.e. non-public domain data):
 - (a) the fishing vessel's unique vessel identifier²⁴;
 - (b) the vessel's current geographical position (latitude and longitude)
 - (c) the date and time (UTC) of the fixing of the position of the vessel;
 - (d) the vessel's speed;
 - (e) the vessel's course.
5. Member States shall ensure that their FMCs automatically and continuously report the VMS position reports of vessels flying their flag engaged in fishing in the Area to the SIOFA Secretariat. VMS position reports sent to the SIOFA VMS via the Member States' FMC shall be transmitted using the FLUX transportation layer and the data format in Annex XII.

²³ <https://www.acap.aq/bycatch-mitigation/mitigation-advice>

²⁴ The unique vessel identifier shall be the ALC Unique Identifier or, for vessels reporting to the SIOFA VMS via their FMC, the vessel's International Radio Call Sign (IRCS) or International Maritime Organisation (IMO) number.

Article 16

Entry-exit reports

Union fishing vessels authorised to fish in the Area shall notify the SIOFA Secretariat of each entry into or exit from the Area, through a specific entry and exit notification by means of VMS reporting, in accordance with Article 15(5).

Article 17

Fishing vessel documents and marking

1. Union fishing vessels shall:
 - (a) carry on board valid fishing authorisation documents issued by the flag Member States' competent authority in accordance with Article 4(1), and valid documents issued by the flag Member States' competent authority containing the up-to-date information listed in Article 4(2);
 - (b) be marked in such a way that they can be readily identified and, where possible, marked with generally accepted international standards, such as the FAO Standard Specification for the Marking and Identification of Fishing Vessels, as required by Article 8 of Council Regulation (EC) No 1224/2009, and Article 7 of Commission Implementing Regulation (EC) 2025/2196;
 - (c) mark their fixed gear as required by Article 8 of Council Regulation (EC) No 1224/2009 and Article 14 of Commission Implementing Regulation (EC) 2025/2196:
 - (i) the ends of nets, lines and gear anchored to the seabed are fitted with flag or radar reflector buoys by day, and light buoys by night, sufficient to indicate their position and extent. These lights shall be visible at a distance of at least two nautical miles in good visibility;
 - (ii) marker buoys and similar objects floating on the surface and intended to indicate the location and/or origin of fixed fishing gear, and where possible, the gear itself are clearly marked with the vessel's name and international radio call sign.
2. Member States shall notify the Commission of the information about the marking of fixed gear used by vessels flying their flag as soon as possible. The Commission shall transmit this information to the SIOFA Secretariat.

Article 18

Retrieval of abandoned, lost or otherwise discarded fishing gear

1. Masters of Union fishing vessels shall not deliberately abandon or otherwise discard fishing gear, except for safety reasons, particularly if they are in distress and/or if life is in danger.
2. When notifying their competent authority under Article 48(3) of Council Regulation (EC) No 1224/2009, masters of Union fishing vessels shall provide the following information:
 - (a) the name, IMO number and call sign of the vessel;
 - (b) the type of abandoned, lost or otherwise discarded gear;

- (c) the quantity of abandoned, lost or otherwise discarded gear;
 - (d) the time when the gear was abandoned, lost or otherwise discarded (in accordance with Annex VI);
 - (e) the position (longitude/latitude) where the gear was abandoned, lost or otherwise discarded (consistent with Annex VI);
 - (f) measures taken by the vessel to retrieve the gear;
 - (g) the circumstances, if known, that led to the gear being abandoned, lost or otherwise discarded.
3. Following the retrieval of any abandoned, lost or otherwise discarded fishing gear, masters of Union fishing vessels shall notify their competent authority of the following:
- (a) the name, IMO number and call sign of the vessel that retrieved the gear;
 - (b) the name, IMO number and call sign of the vessel that lost or otherwise abandoned the gear (if known);
 - (c) the type of gear retrieved;
 - (d) the quantity of gear retrieved;
 - (e) the time when the gear was retrieved (consistent with Annex VI);
 - (f) the position (longitude/latitude) where the gear was retrieved (in accordance with Annex VI);
 - (g) photographs of the gear retrieved (if possible).
4. The flag Member State shall notify the Commission of the information referred to in paragraph 2 and paragraph 3 as soon as possible.
5. The Commission shall send the notification to the SIOFA Secretariat as soon as possible.

Article 19

Discharge of plastics

1. The discharge by Union vessels of all plastics into the sea, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products, is prohibited. All plastics to be discharged shall be stored on board the vessel until they can be discharged at suitable port reception facilities.
2. Paragraph 1 does not apply to:
 - (a) the discharge of plastics from a vessel where it is necessary for the purpose of securing the safety of a ship and those on board or saving life at sea;
 - (b) the accidental loss of plastics, synthetic ropes and fishing nets from a vessel on condition that all reasonable precautions have been taken to prevent such loss.

Article 20

At-sea transhipments and transfers

1. Union fishing vessels shall only carry out transhipments of fishery resources at sea with other vessels included on the Record.

2. Union fishing vessels shall only undertake transshipments at sea of fishery resources if they have prior authorisation from their competent authority.
3. Union fishing vessels carrying out at-sea transshipment as specified in paragraph 1 shall:
 - (a) not carry out transshipments of fishery resources at sea with vessels listed in the IUU vessel lists drawn up by any regional fisheries management organisation or the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR);
 - (b) notify the competent authority of their flag Member State at least seven days before the start of a 14-day period during which the at-sea transshipment is scheduled to occur, using the Transshipment Notification in Annex XIII;
 - (c) notify the competent authority of their flag Member State at least 24 hours before the estimated time during which the at-sea transshipment will occur, using the said Transshipment Notification;
 - (d) provide the observer on board full access to all operational areas of the vessel necessary to complete their duties, including the fish holds, production areas, crew areas, nets or other gear, equipment, and any documents related to catch retained on board;
 - (e) notify all the operational details to their competent authority as specified in the Transshipment Declaration in Annex XIV within 24 hours following the transshipment.
4. For the purpose of paragraph 3, Member States shall ensure that:
 - (a) no transshipments at sea are authorised and initiated except where and until the reporting requirements and reporting procedures in the event of a technical failure or non-operating ALC fitted on board a vessel are completed;
 - (b) an impartial and qualified observer is deployed on board every receiving vessel to monitor the transshipment;

Where electronic monitoring is deployed as an alternative or to complement the deployment of human observers, Member States shall ensure that all relevant aspects are monitored effectively;
 - (c) the observer assigned to their vessel corrects and records the information about each transshipment operation as indicated in the Transshipment Logsheet in Annex XV;
 - (d) the observer referred to in point (d) and point (e) provides a copy of the information collected as indicated in the Transshipment Logsheet to the competent authority of the observed vessel;
 - (e) their competent authority submits the observer data referred to in point (c) to the Commission within 10 days of the observer's debarkation; the Commission forwards the observer data on the said Transshipment Logsheet to the SIOFA Secretariat within 15 days of their debarkation;
 - (f) their competent authority transmits the notifications referred to in paragraph 3, point (b) and paragraph 3, point (c) to the Commission within four days. The Commission shall forward it to the SIOFA Secretariat within three days;

- (g) their competent authority transmits the Transhipment Declaration referred to in paragraph 3, point (d) to the Commission within 20 days; the Commission shall forward this Transhipment Declaration to the SIOFA Secretariat within 10 days;
 - (h) Flag Member State, with prior agreement from the Commission, can authorise the vessel operator to transmit the Transhipment Declaration referred to in paragraph 3, point (d) directly to the SIOFA Secretariat. The vessel operator shall then direct any requests for clarifications from the SIOFA Secretariat to its competent authority; the competent authority shall transmit such requests for clarification to the Commission as soon as possible.
5. Union fishing vessels carrying out an at-sea transfer operation of fuel, crew, gear or any other supplies, either as an unloading or receiving vessel, where one or both vessels has been involved or intends to carry out fishing in the Area during that trip, other than in the case of emergencies, shall notify their competent authority at least 24 hours in advance of the planned transfer.
 6. The notifications referred to in paragraph 4 shall include the information available about the transfer in accordance with the Transfer Notification in Annex XVI.
 7. The competent authority of the flag Member State shall transmit the notification to the Commission who shall forward it to the SIOFA Secretariat as soon as possible.
 8. Union fishing vessels shall notify all the operational details of the transfer to the competent authority of their flag Member State, as specified in the Transfer Declaration in Annex XVII. The competent authority of the flag Member State shall transmit the notification to the Commission within 24 hours following the transfer who shall forward it to the SIOFA Secretariat as soon as possible.
 9. Each flag Member State involved in a transhipment or transfer at sea shall take the appropriate measures to verify the accuracy of the information received in accordance with this Article.

Flag Member States shall also take appropriate follow-up measures if an observer reports discrepancies in the data reported by the masters of the unloading or receiving vessels or if there is possible non-compliance with SIOFA CMMs. These measures shall include coordination with the Port State where the receiving vessel is to unload if it considers that an inspection of the unload is necessary.
 10. A Union fishing vessel that receives fishery resources at sea from more than one unloading vessel shall:
 - (a) store the fishery resources and related documentation from each unloading vessel separately, including through the use of canvas or nets to separate fishery resources on board and/or appropriate labelling for boxes; this allows for distinguishing which unloading vessel each part of the fishery resources on board comes from;
 - (b) maintain an up-to-date stowage plan and other documents showing the location and quantities of species received from each unloading vessel and retain these on board until the vessel has been completely unloaded;
 - (c) make the information referred to in point (b) available to its flag state competent authority and to the relevant Port State when required.

11. Nothing in this Article shall prevent vessels from carrying out transshipments or transfers at sea in cases of force majeure or distress. In such cases, vessels shall report their transshipment or transfer activities to their competent authorities and the SIOFA Secretariat, as appropriate and in accordance with the relevant procedures and templates set out in this Article, after the transshipment or transfer has been completed, including information on the circumstances that gave rise to the force majeure or distress.

Article 21

Monitoring of transshipment in ports

1. Union fishing vessels shall only tranship in a port if they have prior authorisation from their flag Member State and the Port State.
2. Union fishing vessels shall not carry out transshipments of fishery resources in port with vessels listed in the IUU vessel lists drawn up by any regional fisheries management organisation or the CCAMLR.
3. For each transshipment of fishery resources in port, the competent authority of the unloading vessel's flag Member State shall notify, at least 24 hours in advance, the following information to the Port State and, if known, the flag state of the receiving vessel:
 - (a) the date, time and port of transshipment;
 - (b) the name and flag of the unloading transshipping vessel;
 - (c) the name and flag of the receiving vessel;
 - (d) the weight of fishery resources (kilograms) by species (FAO 3-alpha species code/group code/scientific name) to be transhipped.
4. The competent authority of a receiving vessel's flag Member State shall inform the Port State's competent authority of the quantities of fishery resources on board the vessel at least 24 hours before the transshipment and again within 24 hours after the transshipment.
5. The flag Member State of the unloading vessel shall require the vessel to submit a Transshipment Declaration as set out in Annex XIV to its competent authority and to that of the Port State within 24 hours of the transshipment, and also provide a copy to the receiving vessel.
6. The competent authority of a receiving vessel's flag Member State shall, at least 48 hours before a landing of the transhipped fishery resources, submit a copy of the Transshipment Declaration it has received to the competent authority of the Port State where the landing takes place.
7. Each flag Member State involved in the transshipment in port shall take the appropriate measures to verify the accuracy of the information received in accordance with this Article. It shall also take appropriate follow-up measures if there are discrepancies in the data reported by the masters of the unloading or receiving vessel or if there is possible non-compliance with CMMs.

Article 22

Reporting of transshipments and at sea transfers

1. Member States shall provide information about each transshipment and at-sea transfer by vessels flying their flag to the Commission every year. The following information shall be provided at least 30 days before each meeting of the Compliance Committee on their activities during the previous calendar year:
 - (a) date, time and location of transshipment or transfer in accordance with the specifications in Annex C of CMM 02, as amended from time to time;
 - (b) names of vessels, flags and registration number/call sign of the transshipping vessels or transferring vessels;
 - (c) tonnage of any fishery resources, including species/group name (FAO species code/group code/scientific name) transhipped;
 - (d) type and description of transfers;
 - (e) any other relevant information.
2. The Commission shall send the information referred to in paragraph 1 to the SIOFA Secretariat as a part of the Compliance Report referred to in Article 45(1).

Article 23

Labelling of frozen products of fishery resources

Masters of Union fishing vessels shall ensure that, when processed, all species harvested in the Area are labelled in the following ways:

- (a) when frozen, all fishery resources or fishery resource products derived from fishing caught and retained on board shall be identified by a clearly legible label or stamp. The label or stamp, on each box, carton, container, bag or block (the 'package') of frozen fishery resources or fishery resource products derived from fishing, shall indicate the species (e.g. common name/scientific name/FAO 3-alpha code/codes as defined by the SIOFA Scientific Committee), presentation, production date and vessel identification number of the catching vessel. Where a package contains multiple species, the label or stamp shall indicate all of the species contained in the package and its quantity in kilograms;
- (b) labels shall be securely affixed, stamped, pre-printed or written on packages at the time of stowage and be of a size that can be clearly read by inspectors in the normal course of their duties;
- (c) labels are marked in ink on a contrasting background;
- (d) Each package shall contain only one species (common name/scientific name/FAO 3-alpha code or codes as defined by the Scientific Committee) except where the package either:
 - (i) contains small quantities of mixed species intended for human consumption and does not exceed 25 kilograms of any single species by haul;
 - (ii) contains fishery resources intended for use other than human consumption (for example, fish meal). The words 'not for human consumption' shall appear on the label.
- (e) Packages referred to in point (d) shall be stored on board the fishing vessel in a manner that allows observers and inspectors to carry out their respective tasks.

Observers, when they are on board, shall record weight and species composition in packages containing multiple species.

- (f) the provisions under point (d) shall not constrain the collection and reporting of data required under Annex VI.

Article 24

Scientific observer programme

Member States shall ensure that the scientific observers carried by vessels flying their flag operating in the Area are qualified and authorised to perform their tasks and record any requested data.

Chapter 5

Control of third-country vessels in Member States' ports and high seas

Article 25

Sightings and identifications of non-CCP vessels

1. Union fishing vessels shall report any presumed fishing, including transshipment, in the Area by vessels flying the flag of a state or fishing entity that is not a Party to or otherwise cooperating with the Agreement. Reports from Union fishing vessels shall contain, to the extent possible, the following information:
 - (a) name of vessel;
 - (b) registration number/call sign of the vessel;
 - (c) flag state of the vessel;
 - (d) date, time and position of sighting consistent with the standards for the specification of data described in Annex C to CMM 02, as amended from time to time;
 - (e) any other relevant information about the sighted vessel, including photographs.
2. Union fishing vessels shall send the information set out in paragraph 1 to their flag Member State without undue delay. Member States shall forward the information set out in paragraph 1 to the Commission as soon as practical. The Commission shall submit the information to the SIOFA Secretariat as soon as possible.

Article 26

Port measures

1. Union fishing vessels shall cooperate with the port State in inspections carried out pursuant to this Regulation, the Agreement and CMMs.
2. Port Member States shall maintain an effective system of port State control for all vessels that have been engaged in fishing in the Area, except container vessels that are not carrying fishery resources. Container vessels carrying fishery resources are not subject to port State control measures if those fishery resources have been previously landed, on the condition that there are no clear grounds for suspecting that those vessels have engaged in fishing-related activities in support of IUU fishing.

3. When a Member State has clear grounds to believe that a vessel flying its flag has engaged in IUU fishing and is seeking entry to or is in the port of another CCP, it shall, as appropriate, request that the port State inspects the vessel or takes other adequate measures.
4. Where, following port State inspection, a Member State receives an inspection report indicating that there are clear grounds to believe that a vessel flying its flag has engaged in IUU fishing, it shall fully investigate the matter as soon as possible. The Member State shall, upon having sufficient evidence, take enforcement action as soon as possible in accordance with Union and national laws.
5. Member States shall report to the Commission on any actions they have taken regarding vessels flying their flag that have been determined to have engaged in IUU fishing as a result of Port State measures taken pursuant to this Regulation. The Commission shall submit this information to the SIOFA Secretariat.
6. Member States shall provide a report to the Commission on action they have taken as port or flag states pursuant to paragraph 3.
7. Member States shall provide the reports referred to in paragraphs 5 and 6 to the Commission at least 30 days before each ordinary meeting of the Compliance Committee. The Commission shall send these reports to the SIOFA Secretariat at least 14 days before each ordinary meeting of the Compliance Committee.
8. Member States wishing to grant access to their ports to third-country fishing vessels shall designate:
 - (a) the port to which third-country fishing vessels may request entry pursuant to Article 5 of Regulation (EC) No 1005/2008;
 - (b) a point of contact for the purposes of receiving prior notice pursuant to Article 6 of Regulation (EC) No 1005/2008;
 - (c) a point of contact for the purposes of receiving inspection reports pursuant to Article 11(3) of Regulation (EC) No 1005/2008.
9. Member States shall transmit any changes to the list of their designated ports and points of contact to the Commission at least 45 days before the changes take effect. The Commission shall forward that information to the SIOFA Secretariat at least 30 days before the changes take effect.
10. Member States shall ensure that their designated ports have sufficient capacity to conduct inspections consistent with the requirements of the Agreement and this Regulation.

Article 27

Prior notice for port entry of third-country vessels and authorisation or denial of port entry

1. Before granting entry to a third-country vessel to its port, each port Member State shall, as a minimum standard, require from the vessel the information in Annex I of CMM 08, as amended from time to time, together with the dates of the fishing trip. These dates are to be provided at least three working days before the estimated time of arrival at the port. If there are fresh fishery products on board the vessel, the information shall be provided at least four hours before the estimated time of arrival.

2. If the third-country vessel requesting entry to port is carrying fishery products on board, the port Member State shall require the information referred to in paragraph 1 to be accompanied by a catch certificate validated in accordance with Chapter III of Regulation (EC) No 1005/2008.
3. After receiving the information required pursuant to paragraph 1 and, where applicable, paragraph 2, the port Member State shall decide whether to authorise or deny the entry of the third-country vessel into its port and shall communicate this decision to the master of the vessel or to the vessel's representative.
4. In the case of authorisation of entry, the port Member State's competent authority shall require the master of the vessel or the vessel's representative to present it with the authorisation for entry upon the vessel's arrival at port.
5. In the case of denial of entry, the port Member State's competent authority shall communicate its decision to the flag state of the vessel and to the Commission. The Commission shall transmit this information to the SIOFA Secretariat.
6. If a port Member State has proof that a vessel seeking entry into its port has engaged in IUU fishing, in particular its inclusion in a list of vessels engaged in IUU fishing adopted by SIOFA, other CCPs, other regional fisheries management organisations or the CCAMLR, it shall deny that vessel entry into its ports.
7. A port Member State may allow the entry into its ports of a vessel referred to in paragraph 6 exclusively for the purpose of inspecting it and taking other appropriate measures in compliance with international law, which are at least as effective as denial of port entry in preventing, deterring and eliminating IUU fishing. Where such a vessel is already in port for any reason, the port Member State shall deny it the use of its ports for landing, transshipping, packaging and processing of fishery resources and for other port services, including refuelling and resupplying, maintenance and dry-docking. Article 28(2) and Article 28(3) shall apply *mutatis mutandis* in such cases.

Article 28

Use of ports by third-country vessels

1. Where a third-country vessel has entered one of its ports, a port Member State shall, pursuant to Union and national laws and consistent with international law, including the Agreement, deny the use of the port for landing, transshipping, packaging and processing of fishery resources that have not already been landed and for other port services, including refuelling and resupplying, maintenance and dry-docking, if either:
 - (a) the vessel does not have a valid and applicable authorisation to engage in fishing or fishing-related activities required by its flag state;
 - (b) the state whose flag the vessel is flying does not confirm within a reasonable period of time, on the request of the Port State, that the fishery resources on board were taken in accordance with the Agreement and CMMs;
 - (c) there are reasonable grounds to believe that the vessel was otherwise engaged in IUU fishing, including in support of a vessel, except where the owner/operator of the vessel can prove either:
 - (i) that it was acting in a manner consistent with relevant CMMs;

- (ii) in the case of provision of personnel, fuel, gear and other supplies at sea, that the vessel that was provisioned was not, at the time of provisioning, a vessel referred to in Article 27(6).
- 2. By way of derogation from paragraph 1, port Member States shall not deny the use of port services to a vessel referred to in that paragraph if either:
 - (a) the services are essential to the safety or health of the crew or the safety of the vessel, provided these needs are duly proven;
 - (b) where appropriate, the services are required for the scrapping of the vessel.
- 3. Where a port Member State has denied the use of its port in accordance with paragraph 1, it shall promptly notify the state whose flag the vessel is flying and the Commission, who shall transmit this information to the SIOFA Secretariat as soon as possible.
- 4. A port Member State shall withdraw its denial of the use of its ports pursuant to paragraph 1 only if there is proof that the grounds on which use was denied were inadequate or erroneous or that such grounds no longer apply.
- 5. Where a port Member State has withdrawn its denial pursuant to paragraph 4, it shall notify the state whose flag the vessel is flying and the Commission, who shall transmit this information to the SIOFA Secretariat as soon as possible.

Article 29

Port inspections

- 1. Port Member States shall ensure that inspections of any vessels in their ports are carried out by inspectors duly authorised, trained and familiar with this Regulation, the Agreement and relevant CMMs.
- 2. For inspector training programmes, port Member States shall take into account the elements set out in Annex II to CMM 08, as amended from time to time.
- 3. All fishing vessels that enter Union ports carrying or landing toothfish shall be inspected.
- 4. In addition to Article 9 of Regulation (EC) No 1005/2008, port Member States shall inspect third-country vessels in their ports where:
 - (a) there is a request from another CCP, any regional fisheries management organisation or the CCAMLR, or the Commission that a particular fishing vessel be inspected, particularly where such requests are supported by evidence of IUU fishing by the vessel in question, and there are clear grounds for suspecting that a vessel has engaged in IUU fishing;
 - (b) a vessel has failed to provide the information required under Article 27(1).
- 5. Before an inspection, the inspector shall present an appropriate identity document to the master of the vessel.
- 6. Port Member States shall ensure that inspections of vessels in their ports are carried out in accordance with the procedures set out in Annex III to CMM 08.
- 7. The port Member State may invite inspectors of other CCPs to accompany their own inspectors and observe the inspection of landings or transshipment operations of fishery resources caught by third-country vessels.

8. Inspections shall be conducted within 72 hours of port entry, except where weather conditions or other circumstances make accessing the vessel for inspection unsafe. In such cases, the inspection shall be carried out at the earliest opportunity and the inspection report shall note the reason for the delay and shall be carried out in expeditiously.
9. The port Member State shall ensure that its inspectors make all possible efforts to avoid unduly delaying a vessel, ensuring that the vessel inspected suffers minimum interference and inconvenience, and avoid degradation of the quality of the fish resources.
10. The competent authority of the port Member State shall forward to the Commission a written report of the results of each inspection, which shall include at least the information set out in Annex IV to CMM 08. The Commission shall send the report to the competent authority of the inspected vessel and to the SIOFA Secretariat.
11. The competent authority of the port Member State shall forward the inspection report to the Commission within 25 days following the date of completion of the inspection or as soon as possible where potential compliance issues have arisen or if there are issues that warrant the attention of the competent authority of the inspected vessel. If the inspection report cannot be transmitted within that time period, the port Member State shall notify the Commission within that same time period of the reasons for the delay and when the report will be submitted.
12. The Commission shall forward the inspection report to the competent authority of the inspected vessel and to the SIOFA Secretariat within 30 days following the date of completion of the inspection or as soon as possible where potential compliance issues have arisen or if there are issues that warrant the attention of the competent authority of the inspected vessel. If the inspection report cannot be transmitted within that time period, the Commission shall notify the SIOFA Secretariat within that same time period of the reasons for the delay and when the report will be submitted.

Chapter 6

Enforcement

Article 30

General principles

1. Member States may carry out boarding and inspection of fishing vessels in the Area flying the flag of a CCP that is engaged in or suspected to have engaged in fishing.
2. Inspecting Member States shall ensure that their authorised inspectors comply with this Regulation when conducting any boarding and inspection activities carried out pursuant to this Regulation.
3. Masters and operators of Union fishing vessels shall accept and facilitate boarding and inspection carried out by Contracting Parties to the SIOFA.
4. Member States shall ensure that they can respond to any interference by a fishing vessel flying their flag, its master or crew with an authorised inspector or an authorised inspection vessel.

Article 31

Notification to Commission

1. A Member State that intends to carry out boarding and inspection activities shall inform the Commission of this intention, and provide the following:
 - (a) with respect to each authorised inspection vessel:
 - (i) details of the vessel (name, description, photograph, registration number, port of registry, port marked on the vessel hull if different from the port of registry, international radio call sign), except where not applicable for military vessels;
 - (ii) notification that the inspection vessel is clearly marked and identifiable as being on government service and clearly flying the SIOFA inspection flag set out in Annex 2 to CMM 14, as amended from time to time.
 - (b) with respect to authorised inspectors that it designates:
 - (i) the name(s) of the authorities responsible for boarding and inspection;
 - (ii) an example of the credentials issued to its authorised inspectors;
 - (iii) notification that the authorised inspectors are familiar with the species and fishing activities to be inspected and the relevant provisions of this Regulation, the Agreement and CMMs in force;
 - (iv) notification that the authorised inspectors have received and completed training to safely carry out boarding and inspection activities at sea. Such training should include instruction on overcoming communication barriers and on de-escalation techniques;
 - (v) notification that any authorised inspectors carrying arms have received and completed appropriate levels of training on the use of those arms.
2. Member States shall promptly notify the Commission of any changes to the information provided under the preceding paragraph.
3. The Commission shall send the information received under paragraph 1 and paragraph 2 to the SIOFA Secretariat.
4. By way of derogation from Article 30(3), the Commission may notify the Meeting of the Parties that the high seas boarding and inspection provisions in this Regulation shall apply in their entirety between the Union and a Participating Fishing Entity as defined by the Agreement.

Article 32

High seas boarding and inspection procedure

1. Authorised inspection vessels carrying out high seas boarding and inspection in the Area shall fly the SIOFA inspection flag set out in Annex 2 to CMM 14, as amended from time to time, in a clearly visible fashion.
2. Authorised inspectors shall carry an official and valid identity card identifying the inspector as authorised to carry out boarding and inspection.

3. An authorised inspection vessel that intends to board and inspect a fishing vessel in the Area that is engaged in or suspected to have engaged in fishing shall, before initiating the boarding and inspection:
 - (a) initiate notice to the authorities of the fishing vessel, where known;
 - (b) make best efforts to establish contact with the fishing vessel by radio, by the appropriate International Code of Signals or by other accepted means of alerting the vessel;
 - (c) provide the following information to the fishing vessel to identify itself as an authorised inspection vessel: name, registration number, international radio call sign, authority of the inspection vessel and contact frequency;
 - (d) communicate to the master of the vessel its intention to board and inspect the vessel pursuant to this Regulation.
4. In carrying out boarding and inspection, authorised inspectors shall make their best efforts to communicate with the master of the fishing vessel in a manner that the master can understand. If necessary, to facilitate communication between the authorised inspectors and the master of the fishing vessel, the authorised inspectors shall use the relevant parts of the standardised questionnaire set out in Annex 3 to CMM 14, and the translations published on the SIOFA website.
5. Authorised inspectors shall have the authority to inspect, take evidence and samples, and record information on the fishing vessel, its licence, gear, equipment, catch and production records, facilities, fishery resources and any other documents that may be relevant to checking compliance with this Regulation.
6. Inspecting Member States shall ensure that a maximum of four authorised inspectors are assigned as part of a boarding team from an authorised inspection vessel, except where the commanding officer of the authorised inspection vessel decides additional authorised inspectors are required due to the anticipated complexity of the inspection. In all instances, the boarding team shall only contain the number of authorised inspectors necessary to conduct an effective inspection safely and securely.
7. Inspecting Member States shall ensure that boarding and inspection activities are conducted in a manner that:
 - (a) avoids risks to the safety of fishing vessels and crew, including by ensuring that the authorised inspection vessel maintains a safe distance from the fishing vessel during the inspection;
 - (b) does not unduly interfere with the lawful operation of the fishing vessel;
 - (c) avoids action that will damage fishing gears or adversely affect the quality of the catch;
 - (d) does not harass the officers, crew or observers of the fishing vessel.
8. In the conduct of a boarding and inspection, each authorised inspector shall:
 - (a) present their identity card to the master of the vessel;
 - (b) refrain from interfering with the master's ability to communicate with the authorities of the fishing vessel;
 - (c) collect and document any evidence they believe indicates a violation of this Regulation, the Agreement or CMMs;

- (d) provide to the master, before leaving the vessel, a copy of an interim report on the boarding and inspection, which may be in an electronic format; it may include any objection or statement, which may be in a language other than English, which the master wishes to include in the interim report;
 - (e) complete the inspection within four hours of boarding, except where evidence of a serious violation is found or where a longer time period is required to obtain related documentation issued by the master. However, if there are special circumstances related to the size of the fishing vessel and the quantities of fish retained on board, the duration of the inspection may exceed the limit stipulated above. In such circumstances, the boarding team shall in no case stay on board the fishing vessel longer than the time required to complete the inspection.
9. During the boarding and inspection, the master and crew of Union fishing vessels shall:
- (a) avoid risks to the safety of authorised inspection vessels and authorised inspectors;
 - (b) accept and facilitate prompt and safe boarding by the authorised inspectors when so directed or when the intention to board and inspect has been communicated;
 - (c) cooperate with and assist in the safe inspection of the vessel;
 - (d) refrain from assaulting, resisting, intimidating, interfering with, obstructing or delaying the authorised inspectors in carrying out their duties;
 - (e) allow the authorised inspectors to communicate promptly with the crew of the authorised inspection vessel, the authorities of the inspection vessel, any observers on the fishing vessel, as well as with the crew and authorities of the fishing vessel when directed;
 - (f) take such action as may be necessary to preserve the integrity of any seal affixed by the inspectors and of any evidence remaining on board;
 - (g) secure the continuity of evidence, where seals have been affixed and/or evidence has been secured, and sign the appropriate section of the inspection report acknowledging the placement of seals;
 - (h) cease fishing when requested and not resume fishing until:
 - (i) the authorised inspectors have completed the inspection and secured any evidence;
 - (ii) the master has signed the appropriate section of the inspection report as referred to in Annex 1 to CMM 14, as amended from time to time, whereby signature includes an electronic signature;
 - (i) provide the authorised inspectors on board with reasonable facilities;
 - (j) facilitate the authorised inspectors' safe and prompt disembarkation when directed.
10. If the master or crew of a Union fishing vessel refuses to allow an authorised inspector to carry out a boarding and inspection in accordance with this Regulation, that person and the master or officer on watch shall provide an explanation for refusing.

11. The inspecting Member State shall immediately and simultaneously notify the flag State of the fishing vessel and the Commission of any refusal to allow an authorised inspector to carry out a boarding and inspection activity in accordance with this Regulation and the explanation provided. The Commission shall send the notification to the SIOFA Executive Secretary as soon as possible.
12. Except where generally accepted international regulations, procedures and practices relating to safety at sea require delaying the boarding and inspection, the master of a Union fishing vessel shall accept the boarding and inspection. If the master does not accept the boarding and inspection, the flag Member State shall suspend the vessel's authorisation to fish and order the vessel to return immediately to port as soon as possible.
13. The flag Member State shall notify the Commission of the action it has taken in the circumstances referred to in paragraph 12 as soon as possible. The Commission shall send this information to the authorities of the inspection vessel and the SIOFA Executive Secretary as soon as possible.
14. The use of force shall be avoided except where and to the degree necessary to ensure the safety of the authorised inspectors or where the authorised inspectors are obstructed in carrying out their duties. The degree of force used shall not exceed what is reasonably required in the circumstances.
15. Any incident involving the use of force shall be simultaneously reported to the authorities of the fishing vessel, the authorities of the inspection vessel and the Commission as soon as possible. The Commission shall send this information to the SIOFA Executive Secretary as soon as possible.
16. The use of any arms carried by members of the boarding team is subject to the restrictions on the use of force set out in paragraph 14. Any arms carried by members of the boarding team shall be carried in a non-aggressive posture throughout the boarding and inspection unless otherwise required for the purpose of ensuring safety and security.

Article 33

High seas boarding and inspection reporting procedure

1. Authorised inspectors shall prepare a report on each boarding and inspection using the data fields in the Boarding and Inspection Reporting Form (Annex 1 to CMM 14). The inspecting Member State shall transmit an electronic copy of the boarding and inspection report simultaneously to the authorities of the fishing vessel and to the Commission within three working days of the completion of the boarding and inspection. Where it is not technically possible for the inspecting Member State to provide this report to the authorities of the fishing vessel and to the Commission within this timeframe, the inspecting Member State shall simultaneously inform the authorities of the fishing vessel and the Commission and shall specify the time period within which the report will be provided. The Commission shall send the report to the SIOFA Executive Secretary as soon as possible.
2. The report shall include the name(s) and authority of the authorised inspector(s) and identify any observed activity or condition that the authorised inspectors believe to be a violation of this Regulation, the Agreement or CMMs and indicate specific factual evidence relating to each alleged violation.

3. Member State competent authorities shall provide any evidence obtained as a result of a boarding and inspection procedure with respect to a violation of this Regulation, the Agreement or CMMs by a fishing vessel to the Commission. The Commission shall refer it to the authorities of the fishing vessel for action.

Article 34

Serious violations

1. For the purpose of this Regulation, a serious violation shall include the following violations of this Regulation, the Agreement or CMMs:
- (a) fishing without a valid licence, permit or authorisation issued by the flag state or failure to produce a valid licence, permit or authorisation when requested by an authorised inspector;
 - (b) failure to maintain records of effort, catch and catch-related data in accordance with reporting requirements or significant misreporting of effort, catch and/or catch-related data;
 - (c) fishing in a closed area;
 - (d) fishing during a closed season;
 - (e) intentionally taking or retaining a species in contravention of the Agreement, this Regulation or any applicable CMMs;
 - (f) significant violation of effort and/or catch limits or quotas in force;
 - (g) using prohibited fishing gear;
 - (h) falsifying, intentionally concealing or intentionally removing the markings, identity and/or registration of a fishing vessel;
 - (i) concealing, tampering with or disposing of evidence relating to an investigation being carried out under this Regulation or CMMs, including the intentional breaking of seals or intentionally gaining access to sealed areas;
 - (j) failing to carry or intentionally tampering with or disabling the VMS;
 - (k) presentation of falsified documents or intentionally providing false information to an authorised inspector that would prevent a serious infringement from being detected;
 - (l) multiple violations that taken together constitute a serious disregard of the Agreement, this Regulation or CMMs;
 - (m) refusal to accept or facilitate a safe and prompt boarding and inspection when directed by an authorised inspector, other than as set out in Article 32(10);
 - (n) assaulting, resisting, intimidating, sexually harassing, interfering with, or unduly obstructing or delaying an authorised inspector;
 - (o) breaching observer safety requirements.
2. Where authorised inspectors observe an activity or condition of a fishing vessel that may constitute a serious violation within the meaning of paragraph 1, the inspecting Member State shall notify the Commission as soon as possible. The Commission shall notify the authorities of the fishing vessel directly and through the SIOFA Executive Secretary.

3. Upon receipt of a notification of an alleged serious violation in accordance with paragraph 2, the flag Member State of the Union fishing vessel shall provide an initial response to the authorities of the inspection vessel and to the Commission as soon as possible and in any case within three working days. The Commission shall send the initial response to the SIOFA Executive Secretary. In the initial response, the flag Member State of the Union fishing vessel shall either:
 - (a) notify that it will investigate the alleged serious violation;
 - (b) authorise the authorities of the inspection vessel to carry out the investigation of the alleged serious violation.
4. In the case of paragraph 3(a), the inspecting Member State shall provide, as soon as practicable, the specific evidence collected by its authorised inspectors to the Commission for transmission to the authorities of the fishing vessel.
5. The flag Member State of the Union fishing vessel shall provide a report of the investigation to the Commission within one month of the notification in paragraph 3. If the evidence warrants, the flag Member State shall take enforcement action against the fishing vessel in question and notify the Commission of any such enforcement action within four months of the date of notification in paragraph 3.
6. The Commission shall send the report of the investigation to the authorities of the inspection vessel and the SIOFA Executive Secretary within one month of the notification in paragraph 3 and shall notify them of any enforcement action taken within six months of the notification in paragraph 3.
7. In the case of paragraph 3, point (b), if the inspecting Member State decides to carry out an investigation, it shall ensure that the specific evidence collected by its authorised inspectors, along with the results of any investigation, is provided to the Commission immediately upon completion of the investigation and in any case within five months after the date of the inspection. The Commission shall send the evidence collected, along with the results of any investigation, to the authorities of the fishing vessel and the SIOFA Executive Secretary as soon as possible and in any case within six months after the date of the inspection.
8. By derogation from paragraph 4 to paragraph 7, where a Member State receives a request to investigate an alleged serious violation within the meaning of this provision, the Member State shall provide a reply to the Commission as soon as practicable and in any case within one month of such a request. The reply shall include details of any action taken or proposed to be taken in relation to the alleged serious violation.
9. The Commission shall forward the reply to other Contracting Parties as soon as practicable and in any case within two months after receiving the request. When the investigation is completed, the Member State shall provide a report on the outcome of the investigation to the Commission. The Commission shall forward the report to the SIOFA Executive Secretary for circulation to all CCPs for consideration at the next Meeting of the Parties.

Article 35

High seas boarding and inspection provisions relating to non-CCPs

1. Inspecting Member States shall ensure that their authorised inspection vessels, while carrying out activities in accordance with this Regulation, aim to identify

unauthorised or unidentified vessels of non-CCPs that are fishing in the Area. Member States shall report any such vessels to the Commission, which shall report them to the SIOFA Executive Secretary.

2. The inspecting Member State shall attempt to inform any fishing vessel identified pursuant to paragraph 1 that it has been seen or identified as potentially engaging in fishing that undermines the effectiveness of the Agreement or CMMs, and shall ensure that this information is sent to the Commission. The Commission shall send this information to the authorities of the relevant flag State and to the SIOFA Executive Secretary.
3. Where a Member State's authorised inspectors request permission from a fishing vessel identified pursuant to paragraph 1 to board it and the vessel master or the flag state authorities consent to a boarding, the inspecting Member State shall transmit the findings of any subsequent inspection to the Commission. The Commission shall transmit this information to the SIOFA Executive Secretary.

Article 36

Military vessels

Where Member States use military vessels for conducting boarding and inspection under this Regulation, they shall ensure that:

- (a) boarding and inspection is safely carried out by inspectors fully trained in fisheries enforcement procedures and duly authorised for this purpose under national laws;
- (b) boardings from military vessels by authorised inspectors comply with the procedures set out in this Regulation.

Article 37

Information on vessels presumed to have engaged in IUU fishing

1. Member States shall every year, and at least 110 days before each ordinary Meeting of the Parties, transmit information on vessels presumed to have engaged in IUU fishing activities in the Area to the Commission. Member States shall send the information using the Reporting Form in Annex I to CMM 06, as amended from time to time, which shall be accompanied by all available supporting evidence concerning the presumption of the IUU fishing activities.
2. The Commission shall examine the information referred to in paragraph 1 and transmit it to the SIOFA Secretariat at least 90 days before each ordinary Meeting of the Parties. Before that, or at the same time, the Commission shall provide the relevant flag state, either directly or through the SIOFA Executive Secretary:
 - (a) a copy of the properly documented information;
 - (b) a notification of its relevance to the Draft SIOFA IUU Vessel List;
 - (c) a request that the flag state promptly acknowledges receipt of this notification.

Article 38

Inclusion of a Union fishing vessel in the Draft SIOFA IUU Vessel List

1. Where the Commission receives from the SIOFA Secretariat an official notification of the inclusion of a Union fishing vessel in the Draft SIOFA IUU Vessel List, it shall transmit the notification to the flag Member State concerned for comments within 55 days before the next ordinary Meeting of the Parties. The notification shall include the supporting evidence and any other documented information provided by the SIOFA Secretariat.
2. The flag Member State shall provide any comments to the Commission within 45 days before the next ordinary Meeting of the Parties, including verifiable evidence and other supporting information, showing that the vessel included on the Draft SIOFA IUU Vessel List has neither operated in contravention of CMMs nor had the possibility of engaging in fishing in the Area. The Commission shall examine and forward any comments from the flag Member State to the SIOFA Secretariat at least 40 days before the next ordinary Meeting of the Parties.
3. Once notified by the Commission in accordance with paragraph 1, the authorities of the flag Member State shall notify the owner of the fishing vessel of its inclusion in the Draft SIOFA IUU Vessel List and of the consequences of its inclusion being confirmed in the SIOFA IUU Vessel List adopted by the Meeting of the Parties.

Article 39

SIOFA IUU Vessel List

1. When the SIOFA IUU Vessel List is adopted by the Meeting of the Parties, the Commission shall notify it to the Member States. Member States shall:
 - (a) notify the owner of any vessel flying their flag of its inclusion on the SIOFA IUU Vessel List and the consequences that result from being included in that list;
 - (b) take the measures set out in Article 37 of Regulation (EC) No 1005/2008 in respect of fishing vessels included in the SIOFA IUU Vessel List as of the time of its notification by the Commission and inform the Commission of these measures;
 - (c) prohibit the chartering of vessels on the SIOFA IUU Vessel List;
 - (d) prohibit change of crew on board vessels on the SIOFA IUU Vessel List;
 - (e) collect and transmit to the Commission any relevant information on vessels included in the SIOFA IUU Vessel List, which the Commission shall forward to the SIOFA Secretariat for the purpose of sharing it with other CCPs.
2. Where a vessel included on the SIOFA IUU Vessel List is in a Union port for any reason, the port Member State shall deny that vessel the use of its ports for landing, transshipping, packaging, and processing of fish and for other port services, including refuelling and resupplying, maintenance and dry-docking, except in the cases set out in Article 37, paragraphs 5, 6 and 11 of Regulation (EC) No 1005/2008.

Article 40

Alleged non-compliance reported by the SIOFA

1. If the Commission receives from the SIOFA Secretariat any information that indicates suspected non-compliance with the Agreement or CMM by a Member State

or by vessels flying a Member State flag, the Commission shall transmit that information to the Member State concerned as soon as possible.

2. The Member State shall provide the Commission with the findings of any investigation carried out in relation to allegations of non-compliance and any measures taken to address compliance concerns at least 75 days before the start of the next ordinary Meeting of the Parties.
3. The Commission shall forward that information to the SIOFA Secretariat at least 30 days before the ordinary Meeting of the Parties.

Chapter 7

Data collection and reporting

Article 41

Data collection

4. Union fishing vessels shall maintain an electronic logbook pursuant to Articles 14 and 15 of Council Regulation (EC) No 1224/2009 that contains the information set out in Annex VI.
5. Union fishing vessels shall submit the fishing logbook information to their competent authority in accordance with Article 15 of the Council Regulation (EC) No 1224/2009.
6. Flag Member States shall ensure that data on fishing activities are collected from vessels flying their flag in accordance with the relevant sections of Annex VI. Fishing activities include fishing for target, non-target and associated and dependent species, such as marine mammals, marine reptiles, seabirds or other species of concern as defined by the SIOFA Scientific Committee.
7. Flag Member States shall collect catch and effort data on a haul-by-haul basis except for hand-line fishing. For hand-line fishing, vessel catch and effort data shall be collected on an operation basis whereby an operation is the daily activity of a main vessel, including its dories, catch is the daily catch, and effort is the number of active fishers per day and the number of lines fished per day.
8. Flag Member States shall also provide the Commission with annual catch summaries for all species/groups caught in the Area during the previous calendar year. The catch summaries shall include the following information:
 - (a) calendar year;
 - (b) FAO statistical area;
 - (c) species/group name (common name and scientific name);
 - (d) species/group code (FAO 3-alpha code) (if available);
 - (e) annual catch total – tonnes raised to whole live weight.
9. Flag Member States shall report to the Commission the data collected pursuant to paragraphs 3, 4 and 5 by 15 May each year.
10. The Commission shall transmit the data referred to in paragraphs 3, 4 and 5 to the SIOFA Secretariat by 31 May each year.

11. Union fishing vessels shall record and submit all data reports for all deep-sea sharks to the lowest taxonomical level possible when engaged in fishing fishery resources.

Article 42

National report

1. At least 40 days before the start of each ordinary meeting of the SIOFA Scientific Committee, flag Member States shall provide an annual national report to the Commission on their fishing, research and management activities in accordance with the following:
 - (a) for the first report, the national report shall include details of activities of the previous five calendar years;
 - (b) for all reports after that, the national report shall include details of activities of the previous calendar year;
 - (c) in either case, the national report shall take into account the guidelines prepared by the SIOFA Scientific Committee for preparing those reports.
2. The Commission shall send the information referred to in paragraph 1 to the SIOFA Secretariat at least 30 days before the start of each ordinary meeting of the Scientific Committee.

Article 43

Scientific observer data

1. Flag Member States shall implement national scientific observer programmes to collect the following data and information from activities carried out by vessels flying their flag:
 - (a) vessel information, effort and catch data for its fishing activities in the Area, including target, non-target and associated and dependent species including marine mammals, marine reptiles, seabirds or other species of concern as defined by SIOFA Scientific Committee;
 - (b) biological or other data and information relevant to the management of fishery resources in the Area, as specified in Annex VII, as amended from time to time, or as identified from time to time by the Scientific Committee or through processes identified by the Meeting of the Parties;
 - (c) scientific information related to the implementation of obligations.
2. The function and tasks of the scientific observer are described in Annex VII.
3. Flag Member States shall, in their national report, provide an annual observer programme implementation report to the Commission. That report should include summary sections covering: observer training, programme design and coverage, type of data collected, and any problems encountered during the previous calendar year.
4. Flag Member States shall, for all observed trips, collect observer data in accordance with the relevant sections of Annex VII.
5. Flag Member States shall, where appropriate, ensure that observers are briefed and provided with documented length-frequency and biological sampling protocols and

the specific priorities for the trip for the sampling activities documented in Annex VII.

6. Flag Member States shall endeavour to collect tissue, otolith and/or stomach samples in accordance with any research programmes developed by the SIOFA Scientific Committee.
7. All observer data collected by flag Member States shall be reported to the Commission by 15 May each year for the previous calendar year. The Commission shall send this information to the SIOFA Secretariat by 31 May each year for the previous calendar year.

Article 44

Data verification and submission

1. Flag Member States shall:
 - (a) ensure that fishery data are verified and cross-checked in accordance with Article 109 of Council Regulation (EC) No 1224/2009;
 - (b) develop, implement and improve data verification mechanisms, which may include:
 - (i) position verification through vessel monitoring systems;
 - (ii) independent monitoring, including scientific observer programmes and approved electronic observer programmes, to verify industry data on catch, effort, catch composition (target and non-target), discards and other details of fishing operations;
 - (iii) vessel trip, landing and transshipment reports;
 - (iv) port sampling.
 - (c) provide to the Commission, through their national report referred to in Article 42(1), an annual data verification report, which should provide information about the development and implementation of their data verification mechanisms.
2. Member States shall report all data required to be reported by this Regulation to the Commission in accordance with Annex VI and the following guidelines:
 - (a) times, latitudinal/longitudinal information and units of measurement are to be reported in accordance with the format described in Annex C to CMM 02, as amended from time to time;
 - (b) species are to be described using the FAO 3-alpha Codes;
 - (c) fishing methods are to be described using the codes set out in the International Standard Classification of Fishing Gear (ISSCFG – 29 July 1980);
 - (d) types of fishing vessels are to be described using the codes set out in the International Standard Classification of Fishery Vessels (ISSCFV).

Article 45

Compliance reporting

1. Member States shall submit information on compliance (Compliance Report) to the Commission for the preceding calendar year 90 days before the annual meeting of the SIOFA. This information shall contain relevant actions taken to the implementation of each obligation assessed for compliance.
2. The Commission shall compile the information and send it to the SIOFA Secretariat at least 60 days before each ordinary Meeting of the Parties.

Chapter 8

Final provisions

Article 46

Confidentiality and data protection

1. Data collected and exchanged in the framework of this Regulation shall be treated in accordance with the applicable rules on data protection and on confidentiality pursuant to Articles 112 and 113 of Council Regulation (EC) No 1224/2009, unless provided otherwise in this Article.
2. Personal data collected under this Regulation shall be processed for the purposes of implementation and enforcement of the management, conservation and control measures as laid down by this Regulation, including any enquiries pertaining to complaints and infringements, and judicial or administrative procedures relating to thereto.
3. Personal data processed under this Regulation shall not be stored for a period longer than 10 years, except if those personal data are necessary to allow the follow-up of an infringement, an inspection or judicial or administrative procedures. In those cases, the personal data may be stored for a maximum period of 20 years. If the information is retained for a longer period, the personal data shall be anonymised.

Article 47

SIOFA format, data exchange documents and guides

1. The Commission shall provide Member States that have fishing opportunities for SIOFA fishery resources with CMMs or guides, in particular:
 - (a) Transshipment Notification (Annex XIII);
 - (b) Transshipment Declaration (Annex XIV);
 - (c) Transshipment Logsheet (Annex XIV);
 - (d) Transfer Notification (Annex XVI);
 - (e) Data for daily information on start and end points of sets (Annex IV);
 - (f) the FAO Identification guide to the deep-sea cartilaginous fishes of the Indian Ocean.
2. Member States shall ensure that those documents are provided to the masters of their vessels engaged in SIOFA fisheries in the Area at the latest when issuing fisheries authorisation.
3. The Commission shall send updated versions of documents referred to in paragraph 1 to Member States as soon as they are adopted by the SIOFA Contracting Parties

Article 48

Delegation of power

1. The Commission is empowered to adopt delegated acts to amend or supplement this Regulation in accordance with Article 49 concerning measures adopted by the SIOFA in the following areas:
 - (a) Reference to international acts set out in Article 6, Article 9(3), Article 11(3), Article 22(1), Article 25(1), point (d), Article 27(1), Article 29, Article 31(1), point (a), Article 32, Article 37 and Article 44(2);
 - (b) information required for vessel authorisation (Article 4(2));
 - (c) changes to type of fishing and permitted fishing gears (Article 6(2));
 - (d) number of catch/recovery of VME-indicator units (Article 9(1));
 - (e) distances within which to cease bottom fishing where evidence of a VME is encountered above threshold levels within the course of fishing operations (Article 9(2));
 - (f) scientific observer coverage for bottom fishing and the introduction of an electronic observer programme (Article 10);
 - (g) measures for the toothfish fishery in the Del Cano Rise area (Article 11) in relation to the fishing season period, frequency of VMS automatic reporting, number of scientific observers and methodology of observing, tag and release rates, setting lines by fishing vessels, reporting frequency to SIOFA secretariat, depths of setting lines, and measures to protect other species;
 - (h) changes to annexes to this Regulation.
2. Amendments in accordance with paragraph 1 shall be strictly limited to the implementation of amendments to the CMMs concerned in Union law.

Article 49

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 48 shall be conferred on the Commission for a period of five years from the date of entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power at least nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension at least three months before the end of each period.
3. The delegation of power referred to in Article 48 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated act already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Article 48 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 50

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President
[...]

For the Council
The President
[...]

LEGISLATIVE FINANCIAL AND DIGITAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

Regulation of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Area of Application of the Southern Indian Ocean Fisheries Agreement (SIOFA)

1.2. Policy area(s) concerned

Fisheries

1.3. Objective(s)

1.3.1. General objective(s)

The purpose of this proposal is to implement into EU law the management, conservation and control measures adopted under the remit of the SIOFA, to which the European Union has been a Contracting Party since 2008. The EU currently has one to two fishing vessels active in the SIOFA area that must comply with these measures.

1.3.2. Specific objective(s)

1.3.3. Expected result(s) and impact

Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.

Implementation of SIOFA rules into EU law.

1.3.4. Indicators of performance

Specify the indicators for monitoring progress and achievements.

Not applicable.

1.4. The proposal/initiative relates to:

☒ **a new action**

☐ **a new action following a pilot project/preparatory action** ²⁵

☐ **the extension of an existing action**

☐ **a merger or redirection of one or more actions towards another/a new action**

1.5. Grounds for the proposal/initiative

1.5.1. Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative

Implementation of EU international obligations.

1.5.2. Added value of EU involvement (it may result from different factors, e.g. coordination gains, legal certainty, greater effectiveness or complementarities). For the purposes of this section 'added value of EU involvement' is the value resulting from EU action, that is additional to the value that would have been otherwise created by Member States alone.

²⁵

As referred to in Article 58(2), point (a) or (b) of the Financial Regulation.

Fisheries is exclusive EU competence.

1.5.3. *Lessons learned from similar experiences in the past*

Not applicable.

1.5.4. *Compatibility with the multiannual financial framework and possible synergies with other appropriate instruments*

Not applicable.

1.5.5. *Assessment of the different available financing options, including scope for redeployment*

Not applicable.

1.6. **Duration of the proposal/initiative and of its financial impact**

☐ **limited duration**

☐ in effect from [DD.MM]YYYY to [DD.MM]YYYY

☐ financial impact from YYYY to YYYY for commitment appropriations and from YYYY to YYYY for payment appropriations.

☒ **unlimited duration**

Implementation with a start-up period from YYYY to YYYY, followed by full-scale operation.

1.7. **Method(s) of budget implementation planned²⁶**

☐ **Direct management** by the Commission

☐ by its departments, including by its staff in the Union delegations;

☐ by the executive agencies

☐ **Shared management** with the Member States

☐ **Indirect management** by entrusting budget implementation tasks to:

☐ third countries or the bodies they have designated;

☐ international organisations and their agencies (to be specified);

☐ the European Investment Bank and the European Investment Fund;

☐ bodies referred to in Articles 70 and 71 of the Financial Regulation;

☐ public law bodies;

☐ bodies governed by private law with a public service mission to the extent that they are provided with adequate financial guarantees;

☐ bodies governed by the private law of a Member State that are entrusted with the implementation of a public-private partnership and that are provided with adequate financial guarantees;

²⁶ Details of budget implementation methods and references to the Financial Regulation may be found on the BUDGpedia site: <https://myintracomm.ec.europa.eu/corp/budget/financial-rules/budget-implementation/Pages/implementation-methods.aspx>.

- ☐ bodies or persons entrusted with the implementation of specific actions in the common foreign and security policy pursuant to Title V of the Treaty on European Union, and identified in the relevant basic act
- ☐ bodies established in a Member State, governed by the private law of a Member State or Union law and eligible to be entrusted, in accordance with sector-specific rules, with the implementation of Union funds or budgetary guarantees, to the extent that such bodies are controlled by public law bodies or by bodies governed by private law with a public service mission, and are provided with adequate financial guarantees in the form of joint and several liability by the controlling bodies or equivalent financial guarantees and which may be, for each action, limited to the maximum amount of the Union support.

Comments

[...]

2. **MANAGEMENT MEASURES**

2.1. **Monitoring and reporting rules**

Not applicable

2.2. **Management and control system(s)**

2.2.1. *Justification of the budget implementation method(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed*

Not applicable.

2.2.2. *Information concerning the risks identified and the internal control system(s) set up to mitigate them*

Not applicable.

2.2.3. *Estimation and justification of the cost-effectiveness of the controls (ratio between the control costs and the value of the related funds managed), and assessment of the expected levels of risk of error (at payment & at closure)*

Not applicable.

2.3. **Measures to prevent fraud and irregularities**

Not applicable.

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

Existing budget lines

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./Non-diff. ²⁷	from EFTA countries ²⁸	from candidate countries and potential candidates ²⁹	from other third countries	other assigned revenue
	[XX.YY.Y Y.YY]	Diff./Non-diff.	YES/NO	YES/NO	YES/NO	YES/NO
	[XX.YY.Y Y.YY]	Diff./Non-diff.	YES/NO	YES/NO	YES/NO	YES/NO
	[XX.YY.Y Y.YY]	Diff./Non-diff.	YES/NO	YES/NO	YES/NO	YES/NO

New budget lines requested

In order of multiannual financial framework headings and budget lines.

²⁷ Diff. = Differentiated appropriations / Non-diff. = Non-differentiated appropriations.

²⁸ EFTA: European Free Trade Association.

²⁹ Candidate countries and, where applicable, potential candidates from the Western Balkans.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./non-diff.	from EFTA countries	from candidate countries and potential candidates	from other third countries	other assigned revenue
	[XX.YY.Y Y.YY]	Diff./Non-diff.	YES/NO	YES/NO	YES/NO	YES/NO
	[XX.YY.Y Y.YY]	Diff./Non-diff.	YES/NO	YES/NO	YES/NO	YES/NO
	[XX.YY.Y Y.YY]	Diff./Non-diff.	YES/NO	YES/NO	YES/NO	YES/NO

3.2. Estimated financial impact of the proposal on appropriations

3.2.1. Summary of estimated impact on operational appropriations

- ☐ The proposal/initiative does not require the use of operational appropriations
- ☐ The proposal/initiative requires the use of operational appropriations, as explained below:

3.2.1.1. Appropriations from voted budget

EUR million (to three decimal places)

Heading of multiannual financial framework	Number					
			Year	Year	Year	Year
DG: <.....>						TOTAL MFF

			2024	2025	2026	2027	2021-2027
Operational appropriations							
Budget line	Commitments	(1a)					0.000
	Payments	(2a)					0.000
Budget line	Commitments	(1b)					0.000
	Payments	(2b)					0.000
Appropriations of an administrative nature financed from the envelope of specific programmes ³⁰							
Budget line		(3)					0.000
TOTAL appropriations for DG <.....>	Commitments	=1a+1b+3	0.000	0.000	0.000	0.000	0.000
	Payments	=2a+2b+3	0.000	0.000	0.000	0.000	0.000
DG: <.....>			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
Operational appropriations							
Budget line	Commitments	(1a)					0.000
	Payments	(2a)					0.000
Budget line	Commitments	(1b)					0.000

³⁰ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

	Payments	(2b)					0.000
Appropriations of an administrative nature financed from the envelope of specific programmes ³¹							
Budget line		(3)					0.000
TOTAL appropriations for DG <.....>	Commitments	=1a+1b+3	0.000	0.000	0.000	0.000	0.000
	Payments	=2a+2b+3	0.000	0.000	0.000	0.000	0.000
			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
TOTAL operational appropriations	Commitments	(4)	0.000	0.000	0.000	0.000	0.000
	Payments	(5)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations under HEADING <....> of the multiannual financial framework	Commitments	=4+6	0.000	0.000	0.000	0.000	0.000
	Payments	=5+6	0.000	0.000	0.000	0.000	0.000
Heading of multiannual financial framework		Number					
DG: <.....>			Year	Year	Year	Year	TOTAL MFF

³¹ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

			2024	2025	2026	2027	2021-2027
Operational appropriations							
Budget line	Commitments	(1a)					0.000
	Payments	(2a)					0.000
Budget line	Commitments	(1b)					0.000
	Payments	(2b)					0.000
Appropriations of an administrative nature financed from the envelope of specific programmes ³²							
Budget line		(3)					0.000
TOTAL appropriations for DG <.....>	Commitments	=1a+1b +3	0.000	0.000	0.000	0.000	0.000
	Payments	=2a+2b+3	0.000	0.000	0.000	0.000	0.000
DG: <.....>			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
Operational appropriations							
Budget line	Commitments	(1a)					0.000
	Payments	(2a)					0.000
Budget line	Commitments	(1b)					0.000

³² Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

	Payments	(2b)						0.000
Appropriations of an administrative nature financed from the envelope of specific programmes ³³								
Budget line		(3)						0.000
TOTAL appropriations for DG <.....>	Commitments	=1a+1b +3	0.000	0.000	0.000	0.000		0.000
	Payments	=2a+2b+3	0.000	0.000	0.000	0.000		0.000
			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027	
TOTAL operational appropriations	Commitments	(4)	0.000	0.000	0.000	0.000		0.000
	Payments	(5)	0.000	0.000	0.000	0.000		0.000
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)	0.000	0.000	0.000	0.000		0.000
TOTAL appropriations under HEADING <....> of the multiannual financial framework	Commitments	=4+6	0.000	0.000	0.000	0.000		0.000
	Payments	=5+6	0.000	0.000	0.000	0.000		0.000
			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027	
TOTAL operational	Commitments	(4)	0.000	0.000	0.000	0.000		0.000

³³ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

appropriations (all operational headings)	Payments	(5)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes (all operational headings)		(6)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations Under Heading 1 to 6 of the multiannual financial framework (Reference amount)	Commitments	=4+6	0.000	0.000	0.000	0.000	0.000
	Payments	=5+6	0.000	0.000	0.000	0.000	0.000
Heading of multiannual financial framework		7		'Administrative expenditure' ³⁴			
DG: <.....>			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
Human resources			0.000	0.000	0.000	0.000	0.000
Other administrative expenditure			0.000	0.000	0.000	0.000	0.000
TOTAL DG <.....>	Appropriations		0.000	0.000	0.000	0.000	0.000
DG: <.....>			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
Human resources			0.000	0.000	0.000	0.000	0.000
Other administrative expenditure			0.000	0.000	0.000	0.000	0.000

³⁴

The necessary appropriations should be determined using the annual average cost figures available on the appropriate BUDGpedia webpage.

TOTAL DG <.....>	Appropriations	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations under HEADING 7 of the multiannual financial framework	(Total commitments = Total payments)	0.000	0.000	0.000	0.000	0.000

EUR million (to three decimal places)

		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
TOTAL appropriations under HEADINGS 1 to 7 of the multiannual financial framework	Commitments	0.000	0.000	0.000	0.000	0.000
	Payments	0.000	0.000	0.000	0.000	0.000

3.2.1.2. *Appropriations from external assigned revenues*

EUR million (to three decimal places)

Heading of multiannual financial framework		Number				
DG: <.....>		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
Operational appropriations						
Budget line	Commitments	(1a)				0.000
	Payment	(2a)				0.000

	s						
Budget line	Commitments	(1b)					0.000
	Payments	(2b)					0.000
Appropriations of an administrative nature financed from the envelope of specific programmes ³⁵							
Budget line		(3)					0.000
TOTAL appropriations for DG <.....>	Commitments	=1a+1b+3	0.000	0.000	0.000	0.000	0.000
	Payments	=2a+2b+3	0.000	0.000	0.000	0.000	0.000
DG: <.....>			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
Operational appropriations							
Budget line	Commitments	(1a)					0.000
	Payments	(2a)					0.000
Budget line	Commitments	(1b)					0.000

³⁵ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

	Payments	(2b)					0.000
Appropriations of an administrative nature financed from the envelope of specific programmes ³⁶							
Budget line		(3)					0.000
TOTAL appropriations for DG <.....>	Commitments	=1a+1b+3	0.000	0.000	0.000	0.000	0.000
	Payments	=2a+2b+3	0.000	0.000	0.000	0.000	0.000
			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
TOTAL operational appropriations	Commitments	(4)	0.000	0.000	0.000	0.000	0.000
	Payments	(5)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations under HEADING <....> of the multiannual financial framework	Commitments	=4+6	0.000	0.000	0.000	0.000	0.000
	Payment	=5+6	0.000	0.000	0.000	0.000	0.000

³⁶ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

	s						
Heading of multiannual financial framework		Number					
DG: <.....>			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
Operational appropriations							
Budget line	Commit ments	(1a)					0.000
	Payment s	(2a)					0.000
Budget line	Commit ments	(1b)					0.000
	Payment s	(2b)					0.000
Appropriations of an administrative nature financed from the envelope of specific programmes ³⁷							
Budget line		(3)					0.000
TOTAL appropriations for DG <.....>	Commit ments	=1a+1b+3	0.000	0.000	0.000	0.000	0.000
	Payment s	=2a+2b+3	0.000	0.000	0.000	0.000	0.000

³⁷ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

DG: <.....>			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
Operational appropriations							
Budget line	Commitments	(1a)					0.000
	Payments	(2a)					0.000
Budget line	Commitments	(1b)					0.000
	Payments	(2b)					0.000
Appropriations of an administrative nature financed from the envelope of specific programmes ³⁸							
Budget line		(3)					0.000
TOTAL appropriations for DG <.....>	Commitments	=1a+1b+3	0.000	0.000	0.000	0.000	0.000
	Payments	=2a+2b+3	0.000	0.000	0.000	0.000	0.000
			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027

³⁸ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

TOTAL operational appropriations	Commitments	(4)	0.000	0.000	0.000	0.000	0.000
	Payments	(5)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations under HEADING <...> of the multiannual financial framework	Commitments	=4+6	0.000	0.000	0.000	0.000	0.000
	Payments	=5+6	0.000	0.000	0.000	0.000	0.000
			Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
TOTAL operational appropriations (all operational headings)	Commitments	(4)	0.000	0.000	0.000	0.000	0.000
	Payments	(5)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes (all operational headings)		(6)	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations under Headings 1 to 6	Commitments	=4+6	0.000	0.000	0.000	0.000	0.000

of the multiannual financial framework (Reference amount)	Payments	=5+6	0.000	0.000	0.000	0.000	0.000
Heading of multiannual financial framework		7		'Administrative expenditure' ³⁹			

EUR million (to three decimal places)

DG: <.....>		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
Human resources		0.000	0.000	0.000	0.000	0.000
Other administrative expenditure		0.000	0.000	0.000	0.000	0.000
TOTAL DG <.....>	Appropriations	0.000	0.000	0.000	0.000	0.000
DG: <.....>		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
Human resources		0.000	0.000	0.000	0.000	0.000
Other administrative expenditure		0.000	0.000	0.000	0.000	0.000
TOTAL DG <.....>	Appropriations	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations under HEADING 7 of the multiannual financial framework		0.000	0.000	0.000	0.000	0.000
		(Total commitments)				

³⁹

The necessary appropriations should be determined using the annual average cost figures available on the appropriate BUDGpedia webpage.

	= Total payme nts)					
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EUR million (to three decimal places)

		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021- 2027
TOTAL appropriations under HEADINGS 1 to 7 of the multiannual financial framework	Commitments	0.000	0.000	0.000	0.000	0.000
	Payments	0.000	0.000	0.000	0.000	0.000

3.2.2. *Estimated output funded from operational appropriations (not to be completed for decentralised agencies)*

Commitment appropriations in EUR million (to three decimal places)

Indicate objective s and outputs ↓			Year 2024	Year 2025	Year 2026	Year 2027	Enter as many years as necessary to show the duration of the impact (see Section 1.6)										TOTAL	
	OUTPUTS																	
	Type ⁴⁰	Average cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	Total No	Total Cost
SPECIFIC OBJECTIVE No 1 ⁴¹ : [...]																		

⁴⁰ Outputs are products and services to be supplied (e.g.: number of student exchanges financed, number of km of roads built, etc.).

- Output																	
- Output																	
- Output																	
Subtotal for specific objective No 1																	
SPECIFIC OBJECTIVE No 2 ...																	
- Output																	
Subtotal for specific objective No 2																	
TOTALS																	

3.2.3. *Summary of estimated impact on administrative appropriations*

☐ The proposal/initiative does not require the use of appropriations of an administrative nature

⁴¹ As described in point 1.4.2. 'Specific objective(s)...

☐ The proposal/initiative requires the use of appropriations of an administrative nature, as explained below:

3.2.3.1. *Appropriations from voted budget*

VOTED APPROPRIATIONS	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other administrative expenditure	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 7	0.000	0.000	0.000	0.000	0.000
Outside HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL	0.000	0.000	0.000	0.000	0.000

3.2.3.2. *Appropriations from external assigned revenues*

EXTERNAL ASSIGNED REVENUES	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
HEADING 7					

Human resources	0.000	0.000	0.000	0.000	0.000
Other administrative expenditure	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 7	0.000	0.000	0.000	0.000	0.000
Outside HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL	0.000	0.000	0.000	0.000	0.000

3.2.3.3. *Total appropriations*

TOTAL VOTED APPROPRIATIONS + EXTERNAL ASSIGNED REVENUES	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other administrative expenditure	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 7	0.000	0.000	0.000	0.000	0.000

Outside HEADING 7					
Human resources	0.000	0.000	0.000	0.000	0.000
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL	0.000	0.000	0.000	0.000	0.000

The appropriations required for human resources and other expenditure of an administrative nature will be met by appropriations from the DG that are already assigned to management of the action and/or have been redeployed within the DG, together, if necessary, with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

3.2.4. *Estimated requirements of human resources*

- ☐ The proposal/initiative does not require the use of human resources
- ☐ The proposal/initiative requires the use of human resources, as explained below

3.2.4.1. *Financed from voted budget*

Estimate to be expressed in full-time equivalent units (FTEs) ⁴²

VOTED APPROPRIATIONS	Year 2024	Year 2025	Year 2026	Year 2027
Establishment plan posts (officials and temporary staff)				

⁴² Please specify below the table how many FTEs within the number indicated are already assigned to the management of the action and/or can be redeployed within your DG and what are your net needs.

20 01 02 01 (Headquarters and Commission's Representation Offices)		0	0	0	0
20 01 02 03 (EU Delegations)		0	0	0	0
01 01 01 01 (Indirect research)		0	0	0	0
01 01 01 11 (Direct research)		0	0	0	0
Other budget lines (specify)		0	0	0	0
External staff (in FTEs)					
20 02 01 (AC, END from the 'global envelope')		0	0	0	0
20 02 03 (AC, AL, END and JPD in the EU Delegations)		0	0	0	0
Admin. support line [XX.01.YY.YY]	- at Headquarters	0	0	0	0
	- in EU Delegations	0	0	0	0
01 01 01 02 (AC, END - Indirect research)		0	0	0	0
01 01 01 12 (AC, END - Direct research)		0	0	0	0
Other budget lines (specify) - Heading 7		0	0	0	0
Other budget lines (specify) - Outside Heading 7		0	0	0	0
TOTAL		0	0	0	0

3.2.4.2. *Financed from external assigned revenues*

EXTERNAL ASSIGNED REVENUES	Year	Year	Year	Year
----------------------------	------	------	------	------

		2024	2025	2026	2027
Establishment plan posts (officials and temporary staff)					
20 01 02 01 (Headquarters and Commission's Representation Offices)		0	0	0	0
20 01 02 03 (EU Delegations)		0	0	0	0
01 01 01 01 (Indirect research)		0	0	0	0
01 01 01 11 (Direct research)		0	0	0	0
Other budget lines (specify)		0	0	0	0
External staff (in full time equivalent units)					
20 02 01 (AC, END from the global envelope)		0	0	0	0
20 02 03 (AC, AL, END and JPD in the EU Delegations)		0	0	0	0
Admin. support line [XX.01.YY.YY]	- at Headquarters	0	0	0	0
	- in EU Delegations	0	0	0	0
01 01 01 02 (AC, END - Indirect research)		0	0	0	0
01 01 01 12 (AC, END - Direct research)		0	0	0	0
Other budget lines (specify) - Heading 7		0	0	0	0
Other budget lines (specify) - Outside Heading 7		0	0	0	0
TOTAL		0	0	0	0

3.2.4.3. *Total requirements of human resources*

TOTAL VOTED APPROPRIATIONS + EXTERNAL ASSIGNED REVENUES		Year 2024	Year 2025	Year 2026	Year 2027
Establishment plan posts (officials and temporary staff)					
20 01 02 01 (Headquarters and Commission's Representation Offices)		0	0	0	0
20 01 02 03 (EU Delegations)		0	0	0	0
01 01 01 01 (Indirect research)		0	0	0	0
01 01 01 11 (Direct research)		0	0	0	0
Other budget lines (specify)		0	0	0	0
External staff (in full time equivalent units)					
20 02 01 (AC, END from the global envelope)		0	0	0	0
20 02 03 (AC, AL, END and JPD in the EU Delegations)		0	0	0	0
Admin. support line [XX.01.YY.YY]	- at Headquarters	0	0	0	0
	- in EU Delegations	0	0	0	0
01 01 01 02 (AC, END - Indirect research)		0	0	0	0
01 01 01 12 (AC, END - Direct research)		0	0	0	0
Other budget lines (specify) - Heading 7		0	0	0	0

Other budget lines (specify) - Outside Heading 7	0	0	0	0
TOTAL	0	0	0	0

The staff required to implement the proposal (in FTEs):

	To be covered by current staff available in the Commission services	Exceptional additional staff*		
		To be financed under Heading 7 or Research	To be financed from BA line	To be financed from fees
Establishment plan posts			N/A	
External staff (CA, SNEs, INT)				

Description of tasks to be carried out by:

Officials and temporary staff	
External staff	

3.2.5. Overview of estimated impact on digital technology-related investments

Compulsory: the best estimate of the digital technology-related investments entailed by the proposal/initiative should be included in the table below.

Exceptionally, when required for the implementation of the proposal/initiative, the appropriations under Heading 7 should be presented in the designated line.

The appropriations under Headings 1-6 should be reflected as "Policy IT expenditure on operational programmes". This expenditure refers to the operational budget to be used to re-use/ buy/ develop IT platforms/ tools directly linked to the implementation of the initiative and their associated investments (e.g. licences, studies, data storage etc). The information provided in this table should be consistent with details presented under Section 4 "Digital dimensions".

TOTAL Digital and IT appropriations	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027
HEADING 7					
IT expenditure (corporate)	0.000	0.000	0.000	0.000	0.000
Subtotal HEADING 7	0.000	0.000	0.000	0.000	0.000
Outside HEADING 7					
Policy IT expenditure on operational programmes	0.000	0.000	0.000	0.000	0.000
Subtotal outside HEADING 7	0.000	0.000	0.000	0.000	0.000
TOTAL	0.000	0.000	0.000	0.000	0.000

3.2.6. *Compatibility with the current multiannual financial framework*

The proposal/initiative:

- ☐ can be fully financed through redeployment within the relevant heading of the multiannual financial framework (MFF).
- ☐ requires use of the unallocated margin under the relevant heading of the MFF and/or use of the special instruments as defined in the MFF Regulation.
- ☐ requires a revision of the MFF.

3.2.7. *Third-party contributions*

The proposal/initiative:

- ☐ does not provide for co-financing by third parties
- ☐ provides for the co-financing by third parties estimated below:

Appropriations in EUR million (to three decimal places)

	Year 2024	Year 2025	Year 2026	Year 2027	Total
Specify the co-financing body					
TOTAL appropriations co-financed					

3.3. **Estimated impact on revenue**

- ☐ The proposal/initiative has no financial impact on revenue.
- ☐ The proposal/initiative has the following financial impact:
 - ☐ on own resources
 - ☐ on other revenue
 - ☐ please indicate, if the revenue is assigned to expenditure lines

EUR million (to three decimal places)

Budget revenue line:	Appropriations available for the current financial year	Impact of the proposal/initiative ⁴³			
		Year 2024	Year 2025	Year 2026	Year 2027

⁴³ As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 20% for collection costs.

Article					
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For assigned revenue, specify the budget expenditure line(s) affected.

[...]

Other remarks (e.g. method/formula used for calculating the impact on revenue or any other information).

[...]

4. **DIGITAL DIMENSIONS**

4.1. **Requirements of digital relevance**

If the policy initiative is assessed as having no requirement of digital relevance:

Justification of why digital means cannot be used to enhance policy implementation and why the ‘digital by default’ principle is not applicable

[...]

Otherwise:

High-level description of the requirements of digital relevance and related categories (data, process digitalisation & automation, digital solutions and/or digital public services)

Reference to the requirement	Requirement description	Actors affected or concerned by the requirement	High-level Processes	Categories
Art. 4	Member States (MS) shall electronically submit detailed vessel data for authorisation. The Commission validates and transmits this data to the SIOFA Secretariat. Data must	Member Commission, Secretariat, Owners States, SIOFA Vessel	Manage fishing authorisations and vessel data exchange.	Data

	be kept up-to-date.			
Art. 5	MS must notify the Commission of any vessels suspected of fishing without being on the SIOFA Record of authorised vessels.	Member States, Commission	Compliance Monitoring, Notification	Data
Art. 8	MS must submit a request for authorisation for new/exploratory fisheries to the Commission, including a detailed fishery operations and data collection plan. The Commission forwards this to the SIOFA Secretariat.	Member States, Commission, SIOFA Secretariat	Management of new and exploratory fisheries.	Data
Art. 9	MS must notify the Commission of any Vulnerable Marine Ecosystem (VME) encounters as soon as possible. The Commission includes this information in the national report to the Scientific Committee.	Member States, Commission, SIOFA Scientific Committee	Environmental protection and monitoring.	Data
Art. 11	Vessels fishing for	Vessel Operators, Flag	Real-time vessel	Data

	toothfish in the Area must report VMS positions to their FMC at least every hour. The SIOFA Secretariat must be informed daily on start and end points of set longlines (Annex IV).	Member States, Commission, SIOFA Secretariat	monitoring.	
Art. 13	Vessels must record and submit data reports for all deep-sea sharks caught, in accordance with Annex VI.	Vessel Operators	Species-specific data collection.	Data
Art. 14	Information on any interactions with seabirds (collisions, bycatch) must be recorded in accordance with Annex VII.	Vessel Operators	Environmental impact monitoring.	Data
Art. 15	Vessels must have a functioning VMS satellite-tracking device, reporting automatically at least every two hours. Data is transmitted using the FLUX transportation layer and format in Annex XII.	Vessel Operators, Flag Member States (FMCs), Commission, SIOFA Secretariat	Vessel tracking and monitoring for control purposes.	Data; Digital solutions; Digital public services

Art. 16	Vessels must notify the SIOFA Secretariat of each entry into or exit from the SIOFA Area via VMS.	Vessel Operators, SIOFA Secretariat	Area access control and monitoring.	Data
Art. 18	MS must notify the Commission of the information concerning the marking of fixed gear used by their vessels.	Member States, Commission, SIOFA Secretariat	Gear identification and control.	Data
Art. 19	Masters must report detailed information on abandoned, lost, or retrieved fishing gear to their competent authority, which then notifies the Commission and SIOFA Secretariat.	Vessel Operators, Flag Member States, Commission, SIOFA Secretariat	Marine pollution control.	Data
Art. 20(1-4)	A multi-step electronic notification and declaration process for at-sea transshipments is required, using templates in Annexes XIII and XIV. Involves prior notifications and post-transshipment declarations with	Vessel Operators, Flag Member States, Port States, Commission, SIOFA Secretariat	Monitoring and control of transshipments.	Data

	specific timelines.			
Art. 20(5-8)	A separate electronic notification and declaration process for at-sea transfers of fuel, crew, or gear is required, using templates in Annexes XVI and XVII.	Vessel Operators, Flag Member States, Commission, SIOFA Secretariat	Monitoring and control of at-sea transfers.	Data
Art. 21	For each transshipment in port, the flag Member State of the unloading vessel must notify the Port State and the flag state of the receiving vessel at least 24 hours in advance with details of the transshipment. The flag Member State of the receiving vessel must inform the Port State of quantities on board before and after the transshipment. The unloading vessel must submit a Transshipment Declaration (Annex XIV) to its competent authority and the Port State within 24 hours of	Vessel Operators, Flag Member States, Port State Competent Authorities	Monitoring and notification of in-port transshipments	Data

	the transhipment.			
Art. 23	Member States must submit an annual report to the Commission on all transhipments and at-sea transfers carried out by vessels flying their flag during the previous calendar year, at least 30 days before each meeting of the Compliance Committee. The Commission forwards this information to the SIOFA Secretariat as part of the Compliance Report.	Member States, Commission, SIOFA Secretariat	Annual reporting of transhipment and transfer activities.	Data
Art. 25	Sighting and identification of non-CCP vessels presumed to be fishing must be reported to the Commission, which forwards the information to the SIOFA Secretariat.	Vessel Operators, Member States, Commission, SIOFA Secretariat	Sightings and identifications of non-CCP vessels.	Data
Art. 26	Member States notify the Commission of changes to designated	Member States, Commission, SIOFA	Reporting on designated ports and Port State	Data

	ports and points of contact. Member States also report to the Commission on Port State and flag state enforcement actions taken against IUU vessels. The Commission forwards both to the SIOFA Secretariat.	Secretariat	enforcement actions.	
Art. 27, 28	Third-country vessels submit a prior notice to the port Member State before arrival. The port Member State communicates its decision to authorise or deny port entry. Denials and subsequent withdrawals are notified to the flag state and the Commission, who forwards them to the SIOFA Secretariat.	Third-country Vessel Operators, Port Member States, Flag States, Commission, SIOFA Secretariat	Port entry request and authorisation or denial notification chain.	Data
Art. 29	Port Member States forward a written inspection report to the Commission within 25 days of each port inspection. The	Port Member States, Commission, Flag State Competent Authorities, SIOFA Secretariat	Port inspection reporting chain.	Data

	Commission sends the report to the flag state and the SIOFA Secretariat.			
Art. 32	Member States intending to carry out boarding and inspection activities must notify the Commission in advance with details of their authorised inspection vessels and inspectors. Any changes must be promptly notified. The Commission forwards all information to the SIOFA Secretariat.	Member States, Commission, SIOFA Secretariat	Prior notification of authorised inspection vessels and inspectors.	Data
Art. 33	The inspecting Member State simultaneously notifies the flag state and the Commission of any refusal to allow boarding. The Commission shall send the notification to the SIOFA Executive Secretary as soon as possible. The flag Member State notifies the Commission of action taken to compel	Inspecting Member States, Flag Member States, Commission, SIOFA Executive Secretary	Notification of boarding refusals, flag state compliance actions and use of force incidents.	Data

	the master's compliance; the Commission forwards this to the inspection vessel authorities and the SIOFA Executive Secretary. Any use of force is simultaneously reported to the fishing vessel authorities, the inspection vessel authorities, and the Commission, who forwards it to the SIOFA Executive Secretary.			
Art. 34	The inspecting Member State transmits an electronic copy of the boarding and inspection report (Annex 1 to CMM 14) simultaneously to the flag state authorities and the Commission within three working days. The Commission forwards it to the SIOFA Executive Secretary. Evidence of violations is provided to the Commission for transmission to the flag	Inspecting Member States, Commission, Flag State Authorities, SIOFA Executive Secretary	Electronic transmission of high seas inspection reports and violation evidence.	Data

	state.			
Art. 35	Where a serious violation is observed, the inspecting Member State notifies the Commission, which notifies the flag state and the SIOFA Executive Secretary. The flag Member State responds within three working days and submits an investigation report to the Commission within one month. Evidence and investigation outcomes are transmitted via the Commission to the flag state, inspection vessel authorities, and the SIOFA Executive Secretary within defined deadlines.	Inspecting Member States, Flag Member States, Commission, SIOFA Executive Secretary	Serious violation notification, investigation reporting and enforcement outcome chain.	Data
Art. 36	Inspecting Member States report non-CCP vessels identified during high seas operations to the Commission, which forwards the information to the	Inspecting Member States, Commission, SIOFA Executive Secretary, Non-CCP Flag States	Reporting of non-cooperating party vessel sightings and voluntary inspection findings.	Data

	SIOFA Executive Secretary. Where a non-CCP vessel consents to boarding, inspection findings are transmitted to the Commission, which forwards the information to the SIOFA Executive Secretary.			
Art. 37	Member States transmit information on vessels presumed to have engaged in IUU fishing to the Commission at least 110 days before each Meeting of the Parties, using the Reporting Form in Annex I to CMM 06 with supporting evidence. The Commission examines the information and transmits it to the SIOFA Secretariat at least 90 days before the Meeting, and provides the relevant flag state with a copy of the documented information and a notification of its	Member States, Commission, SIOFA Secretariat, Non-EU Flag States	Submission and forwarding of information on presumed IUU vessels.	Data

	relevance to the Draft IUU Vessel List.			
Art. 38	The Commission forwards to the flag Member State any official notification received from the SIOFA Secretariat of a Union vessel's inclusion in the Draft SIOFA IUU Vessel List, including supporting evidence. The flag Member State provides comments to the Commission within 45 days before the Meeting of the Parties; the Commission examines and forwards these to the SIOFA Secretariat. The flag Member State notifies the vessel owner of the inclusion.	Commission, Flag Member States, SIOFA Secretariat, Vessel Owners	Notification and response procedure for inclusion in the Draft IUU Vessel List.	Data
Art. 39	The Commission notifies Member States of the adopted SIOFA IUU Vessel List. Member States notify vessel owners of inclusion. Member	Commission, Member States, SIOFA Secretariat, Vessel Owners	Notification and information exchange following adoption of the SIOFA IUU Vessel List.	Data

	States collect and transmit to the Commission any relevant information on listed vessels; the Commission forwards it to the SIOFA Secretariat for sharing with other CCPs.			
Art. 40	The Commission transmits to the Member State concerned any information received from the SIOFA Secretariat indicating suspected non-compliance. The Member State provides the Commission with investigation findings and measures taken at least 75 days before the next Meeting of the Parties. The Commission forwards that information to the SIOFA Secretariat at least 30 days before the Meeting of the Parties.	Commission, Member States, SIOFA Secretariat	Transmission and response to alleged non-compliance reported by SIOFA.	Data
Art. 41	Vessels must maintain an electronic logbook	Vessel Operators, Flag	Collection of fundamental fisheries	Data; Digital solutions

	with detailed haul-by-haul catch and effort data (as per Annex VI) and submit it to their competent authority.	Member States	data.	
Art. 42	Flag Member States submit an annual national report on their fishing, research and management activities to the Commission at least 40 days before each ordinary meeting of the SIOFA Scientific Committee. The Commission forwards the report to the SIOFA Secretariat at least 30 days before the meeting.	Flag Member States, Commission, SIOFA Secretariat	Annual national reporting on fishing and management activities.	Data
Art. 43	Flag Member States collect scientific observer data in accordance with Annex VII and submit all observer data to the Commission by 15 May each year. The Commission forwards the data to the SIOFA Secretariat by 31 May. An annual observer	Flag Member States, Commission, SIOFA Secretariat	Collection and annual reporting of scientific observer data.	Data

	programme implementation report is also submitted to the Commission as part of the national report.			
Art. 44	Flag Member States must develop, implement and improve data verification mechanisms and submit an annual data verification report to the Commission through their national report. All data submitted under this Regulation must use specific international standards: FAO 3-alpha codes for species, ISSCFG codes for fishing methods, and ISSCFV codes for vessel types.	Member States, Commission	Ensuring data quality and standardisation of data submissions.	Data
Art. 45	Member States submit an annual Compliance Report to the Commission at least 90 days before the ordinary Meeting of the Parties, covering actions taken to implement each	Member States, Commission, Secretariat, SIOFA	Annual compliance reporting.	Data

	obligation assessed for compliance. The Commission compiles the information and sends it to the SIOFA Secretariat at least 60 days before the Meeting.			
Art. 46	Member States and the Commission must ensure confidential treatment of electronic reports and messages exchanged with the SIOFA Secretariat and protect all data against unauthorised access, loss or alteration. All personal data processed under this Regulation must comply with GDPR (Reg. 2016/679) and Reg. 2018/1725, with retention limits of 10 years (or 20 years in enforcement cases).	Member States, Commission	Data protection and confidentiality of electronic exchanges.	Data

4.2. Data

High-level description of the data in scope and any related standards/specifications

Type of data	Reference to the requirement(s)	Standard and/or specification (if applicable)
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Vessel authorisation data	Art. 4	UN/FLUX standard (FLAP domain).
VMS and position data	Art. 11, 12, 16	UN/FLUX standard (VMS domain). Format as per Annex VII.
Electronic logbook data	Art. 42	Data fields as per Annex VI. Cross-cutting standards from Art. 45(2) apply: FAO 3-alpha codes for species, ISSCFG for gear, ISSCFV for vessel type.
Species-specific catch and reporting data	Art. 11, 12, 14	Template in Annex IV (toothfish). Annexes I and III to CMM 15 (toothfish catch reports). Annex V (deep-sea sharks). Cross-cutting standards from Art. 45(2) apply.
Scientific observer data	Art. 15, 44	Data fields and sampling protocols as per Annex VII. Cross-cutting standards from Art. 45(2) apply.
Transshipment and transfer data	Art. 21, 22, 23	At-sea transshipment notification/declaration: Annexes XIII, XIV. In-port transshipment: Annex XV. At-sea transfers (fuel/crew): Annexes XVI, XVII. Position/time format as per Annex C to CMM 02.
Port State control data	Art. 28, 30	Prior notice for port entry: Annex I to CMM 08. Inspection report format: Annex IV to CMM 08. Accompanied by Catch Certificate (Reg. (EC) No 1005/2008).
Monitoring and inspection data	Art. 9, 19, 26, 34	High seas inspection report: Annex 1 to CMM 14. VME encounter reporting: Annex 2 to CMM 01. Lost gear reporting: Annex VI. Sighting reports position/time: Annex C to CMM 02.
IUU and compliance data	Art. 38	IUU activity reporting form: Annex I to CMM 06. Cross-cutting standards from Art. 45(2) apply to any data submitted.
Personal Data	Art. 47	Regulation (EU) 2016/679 (GDPR) and Regulation (EU) 2018/1725.

Alignment with the European Data Strategy

Explain how the requirement(s) are aligned with the European Data Strategy

This regulation supports the European Data Strategy by creating a common data space for fisheries control. It requires collecting and sharing detailed data, such as from VMS and electronic logbooks, to enable better decision-making, support scientific research, and ensure the sustainable management of marine resources. By enforcing common standards like UN/FLUX, the regulation makes it easier for Member States, the Commission, and the SIOFA RFMO to exchange and reuse data, advancing the EU's goal of using data for the public good of ocean conservation.

Alignment with the once-only principle

The proposal reuses existing data reporting systems mandated by the Common Fisheries Policy (CFP), including the UN/FLUX standard and FLUX Transportation Layer. This allows Member States to report data once through their national systems, which then serves multiple regulatory purposes (CFP, SIOFA, etc.), thus avoiding duplicative reporting and reducing administrative burden.

Explanation of how newly created data is findable, accessible, interoperable and reusable, and meets high-quality standards

Newly created data is managed according to FAIR principles. Data is findable in a central repository (SIOFA/Commission), accessible based on defined roles, made interoperable through mandated international standards (UN/FLUX, FAO codes), and reusable for both control and scientific purposes. Data quality is ensured through verification rules set in Article 44.

Data flows

For each data flow, please fill the table below:

Type of data	Reference(s) to the requirement(s)	Actor who provides the data	Actor who receives the data	Trigger for the data exchange	Frequency (if applicable)
Vessel & Licensing Data	Art. 4	Member State	Commission, SIOFA secretariat	Authorisation request/update	Ad-hoc

New/Exploratory Fishery Plan	Art. 8			Request for new fishery authorisation	50 days before Scientific Committee ordinary meeting
VME Encounter Report	Art. 9		Commission, SIOFA secretariat	VME encounter above threshold	As soon as possible
VMS Data	Art. 16	Vessel Operator (via ALC)	Flag MS (FMC), SIOFA Secretariat	Vessel operating in SIOFA Area	Every 2 hours (or 1 hour in specific zones)
Entry/Exit Report	Art. 17	Vessel Operator	SIOFA Secretariat	Vessel enters/exits SIOFA Area	Within 24 hours of event
Electronic Logbook Data	Art. 42	Vessel Operator	Flag MS (FMC)	Following fishing operations	Daily
Annual Catch Summary	Art. 42	Flag Member State	Commission, SIOFA Secretariat	Annual reporting cycle	Annually (by 15 May)
Scientific Observer Data	Art. 44	Scientific Observer / Flag MS	Commission, SIOFA Secretariat	Annual reporting cycle	Annually (by 15 May)

Transshipment Notification	Art. 21	Vessel Operator	Flag MS, Commission, SIOFA Sec.	Prior to scheduled transshipment	7 days and 24 hours prior
Transshipment Declaration	Art. 21	Vessel Operator	Flag MS, Commission, SIOFA Sec.	Following transshipment	Within 24 hours
At-Sea Transfer Notification	Art. 21	Vessel Operator	Flag MS, Commission, SIOFA Sec.	Prior to scheduled transfer	24 hours prior
At-Sea Transfer Declaration	Art. 21	Vessel Operator	Flag MS, Commission, SIOFA Sec.	Following transfer	Within 24 hours
IUU Sighting Report	Art. 26	Vessel Operator/ Member State	Commission, SIOFA Secretariat	Sighting of non-CCP vessel	As soon as practical
Inspection Report	Art. 34	Inspecting Member State	Flag MS, Commission,	Completion of inspection	Within 3 working days

			SIOFA Sec.		
Compliance Report	Art. 46	Member State	Commission, SIOFA Secretariat	Annual compliance cycle	Annually (90 days before MOP)

4.3. Digital solutions

High-level description of digital solutions

Digital solution	Reference(s) to the requirement(s)	Main mandated functionalities	Responsible body	How accessibility is catered for?	How reusability is considered?	Use of AI technologies (if applicable)
FLUX Transportation Layer (FLUX-TL)	Art. 16 (5)	Provides a standardised, secure, and reliable data exchange protocol for VMS data. Ensures interoperability between Member States and the SIOFA VMS.	Commission	No direct end-user interface. It is a back-end system for machine-to-machine communication	The FLUX-TL software is developed and maintained by the Commission and shared with all Member States for reuse, ensuring a single, harmonised transport layer for all fisheries data exchange.	No
Member States' national systems	Art 4, 16, 42	Data reception from vessels	Member States	The Commission does not have	The Commission does not have	Potential for AI/ML in

in FMCs		(VMS, E-logbook), data storage, data processing, data validation, and transmission to the Commission/SI OFA.		visibility of how Member State systems are implemented.	visibility of how Member State systems are implemented.	national data analysis for compliance risk assessment, but not mandated by this regulation.
Commission Licence & Authorisation System	Art. 4	Management of fishing authorisations.	Commission	System is accessible according to Commission rules	Re-use of EU Login and EU Access. System is re-used for authorisations, across all Member States.	No

For each digital solution, explanation of how the digital solution complies with applicable digital policies and legislative enactments

Digital solution #1 : FLUX Transportation Layer

Digital and/or sectorial policy (when these are applicable)	Explanation on how it aligns
<i>AI Act</i>	N/A This system does not use AI technologies.
<i>EU Cybersecurity framework</i>	As a back-end system developed and operated by the Commission, it adheres to the binding IT security standards and governance established in Commission Decision (EU, Euratom) 2017/46 and the cybersecurity provisions of Regulation (EU) 2018/1725.
<i>eIDAS</i>	N/A This is a machine-to-machine system with no user authentication interface.

<i>Single Digital Gateway and IMI</i>	N/A This is not a public-facing service for citizens.
<i>Others</i>	

Digital solution #2: Commission Licence & Authorisation System

Digital and/or sectorial policy (when these are applicable)	Explanation on how it aligns
<i>AI Act</i>	N/A This system does not use AI technologies.
<i>EU Cybersecurity framework</i>	Member States are required to ensure their FMCs implement appropriate technical, operational and organisational measures to manage cybersecurity risks.
<i>eIDAS</i>	N/A
<i>Single Digital Gateway and IMI</i>	N/A This is not a public-facing service for citizens.
<i>Others</i>	

Digital solution #3: Member States' national systems (in FMCs)

Digital and/or sectorial policy (when these are applicable)	Explanation on how it aligns
<i>AI Act</i>	N/A This system does not use AI technologies.
<i>EU Cybersecurity framework</i>	N/A
<i>eIDAS</i>	N/A
<i>Single Digital Gateway and IMI</i>	N/A

<i>Others</i>	
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4.4. Interoperability assessment

Describe the digital public service(s) affected by the requirements

Digital public service or category of digital public services	Description	Reference(s) to the requirement(s)	Interoperable Europe Solution(s)(NOT APPLICABLE)	Other interoperability solution(s)
VMS	Satellite-based Vessel Monitoring System	Article 15		FLUX Transportation Layer

Assess the impact of the requirement(s) on cross-border interoperability

Digital public service #1

Assessment		Potential remaining barriers (if applicable)
Alignment with existing digital and sectorial policies. Please list the applicable digital and sectorial policies identified	The proposal is fully aligned with the Common Fisheries Policy (CFP) control framework (Regulation (EC) No 1224/2009 and Implementing Regulation (EU) No 404/2011). The VMS system also falls under the scope of the NIS 2 Directive (Directive (EU) 2022/2555) as a critical public administration data system.	None. The proposal builds directly on the existing legal and technical framework.
Organisational measures for a smooth cross-border digital public services delivery. Please list the governance measures foreseen	The proposal relies on the established governance structure of the CFP, where Member States' Fisheries Monitoring Centres (FMCs) are the single points of contact for data exchange with the	Dependency on the availability and performance of the central Commission systems.

	Commission and other Member States. Data is then forwarded by the Commission to the SIOFA Secretariat as required.	
Measures taken to ensure a shared understanding of the data. Please list such measures	Semantic interoperability is ensured through the mandatory use of the UN/FLUX Data Exchange Standard, which provides a common business grammar and information model for fisheries data. It also mandates the use of internationally agreed code lists, such as FAO 3-alpha codes for species.	Differing interpretations or inconsistent application of codes at the national level could still lead to minor data discrepancies.
Use of commonly agreed open technical specifications and standards. Please list such measures	Technical interoperability is ensured through the mandatory use of the FLUX Transportation Layer for VMS data exchange, as specified in Annex XII of the regulation. This is an open, Commission-developed software component based on the UN/CEFACT FLUX standard.	Varying levels of technical capacity or slower adoption of updated standards within some Member States' national systems.

4.5. Measures to support digital implementation

High-level description of measures supporting digital implementation

Description of the measure	Reference(s) to the requirement(s)	Commission role (if applicable)	Actors to be involved (if applicable)	Expected
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				t i n e l i n e (i f a p p l i c a b l e
Adoption of Delegated Acts	Art, 49, 50	The Commission is empowered to adopt delegated acts to swiftly amend technical requirements (e.g., for VMS, e-observers, data formats) in line with new SIOFA measures, ensuring the legislation	Commission, Member State Experts	A s n e e d e d

		remains up-to-date.		, f o l l o w i n g S I C F A d e c i s i o n s .
Provision of Standardised Templates and Guides	Art. 48	The Commission provides Member States with all necessary digital templates and	Commission, Member States	C n g o

		guides (for transshipment, entry/exit, toothfish reporting, etc., as listed in Art. 48(1)) and distributes updated versions as they are adopted by SIOFA.		i n g .
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