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**Interinstitutional File:
2018/0193(COD)**

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control <i>- Presidency proposal for a revised mandate for sequences 1 to 6</i>

Delegations will find hereafter:

- in Annex 1 a revised 4-column document with:
 - the Presidency's suggested approach on several provisions of sequences 1 to 6 of the above-mentioned proposal, following the trilogues which took place between September and November 2021 and in view of the next trilogue on 7 December 2021;
 - comments on the state of play as regards provisions addressed in inter-institutional negotiations;
- in Annex 2 a revised Annex II to the above-mentioned proposal with the Presidency's suggested approach on Annex II to Regulation (EC) No 1005/2008;
- in Annex 3 an "overview of sequences" followed in the inter-institutional negotiations.

The Presidency underlines that, where the European Parliament has not put forward an amendment, the Presidency will as a principle defend the Council's General Approach.

The Presidency also reminds delegations that recitals will need to be examined once an agreement has been reached on the related Articles, and are thus currently excluded from the suggested approach, with the exception of specific provisions where agreement on a recital is crucial for agreement on the provision. Such recitals are addressed in the particular row relating to the provision.

While the Presidency makes specific suggestions on numerous provisions, it should be noted that sequence 6 has not entirely been addressed in inter-institutional negotiations. Delegations are invited to express flexibilities on rows pertaining to that sequence.

The documents set out in Annex 1 and 2 will be discussed in the Working Party of 25 November 2021.

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

15-11-2021 at 16h45

Note: The institutions work under the premise that “nothing is agreed until everything is agreed”. Where this document mentions that individual institutions agree on specific text or an approach, this only means a tentative agreement. The same applies to comments that an institution withdraws a proposal.

Column 4 (“comments”) provides information on the state of play in the negotiations and suggestions by the Presidency on changes to the General Approach in view of achieving an agreement in the inter-institutional negotiations. Where specific input from delegations is required, the number of the row and relevant text are highlighted for better visibility.

The numbering of the rows is overall identical to the numbering in doc. ST 10406 (4-column document of 2 July 2021), except for a very limited number of rows which have been renumbered, including for technical reasons linked to the database used. Proposed changes to Annex II to Regulation (EC) No 1005/2008 (IUU Regulation) (distributed before in doc. ST 10406 ADD 1-3) are set out at the end of this document (see Annex 2).

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, introductory part				
131	Regulation (EC) No 1224/2009 is amended as follows:		Regulation (EC) No 1224/2009 is amended as follows:	Sequence 2

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (1), introductory part				
132	(1) Article 4 is amended as follows:		(1) Article 4 is amended as follows:	Sequence 2
Article 1, first paragraph, point (1)(a), introductory part				
133	(a) The introductory sentence is replaced by the following:		(a) The introductory sentence <u>is sentences are</u> replaced by the following:	GA accepted by EP and COM Sequence 2
Article 1, first paragraph, point (1)(a), amending provision, first paragraph				
134	" For the purpose of this regulation the definitions set out in Article 4 of Regulation (EU) No 1380/2013 and Article 5 of Regulation (EU) No 1379/2013 shall apply unless otherwise provided for in this regulation. "		" For the purpose <u>purposes</u> of this Regulation, the definitions set out in Article 4 of Regulation (EU) No 1380/2013 and Article 5 of Regulation (EU) No 1379/2013 shall apply, unless otherwise provided for in this Regulation, <u>as well as the following definitions:</u> "	GA accepted by EP and COM Sequence 2
Article 1, first paragraph, point (1)(b), amending provision(2)				
136	" 2. 'rules of the common		" 2. 'rules of the common fisheries	In order to take into account the Commission and EP positions that this definition should also

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	fisheries policy' means legally binding Union acts, including international agreements concluded by the Union, on the conservation, management and exploitation of marine biological resources, on aquaculture and on processing, transport and marketing of fisheries and aquaculture products; "		policy' means legally binding Union acts, including international agreements concluded by the Union, on the conservation, management and exploitation of marine biological resources, on aquaculture and on processing, transport and marketing of fisheries and aquaculture products; "	<i>cover the Union's international obligations, the Presidency asks for flexibility to explore, with the assistance of the Legal Service, alternative drafting that would correctly cover those obligations.</i> Sequence 6
Article 1, first paragraph, point (1)(ba), introductory part				
136a		<u>(ba) point 3 is replaced by the following:</u> EP AM 35, EX CA 1A		<i>EP withdraws its proposed amendment</i> <i>EP text deleted</i> Sequence 6
Article 1, first paragraph, point (1)(ba), amending provision, numbered paragraph				
136b		" <u>'control' means monitoring and surveillance of all activities covered by this Regulation, including distribution and</u>		<i>EP withdraws its proposed amendment</i> <i>EP text deleted</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		<u>marketing activities throughout the market chain;</u> " EP AM 35, EX CA 1A		Sequence 6
Article 1, first paragraph, point (1)(bb), introductory part				
136c		<u>(bb) point 4 is replaced by the following:</u> EP AM 36, EX AM 188 (S&D)		EP withdraws its proposed amendment EP text deleted Sequence 6
Article 1, first paragraph, point (1)(bb), amending provision, numbered paragraph				
136d		" <u>'inspection' means any on site check which is carried out by officials regarding compliance with the rules of the common fisheries policy and which is noted in an inspection report;</u> " EP AM 36, EX AM 188 (S&D)		EP withdraws its proposed amendment EP text deleted Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (1)(bc), introductory part				
136e		<p><u>(bc) point 5 is replaced by the following:</u></p> <p>EP AM 37, EX AM 189 (S&D)</p>	<p><u>(ba) point 5 is replaced by the following:</u></p> <p>corresponds to (b1) in the GA</p>	<p>Linked to the next row (row 136e)</p> <p>Sequence 6</p>
Article 1, first paragraph, point (1)(bc), amending provision, numbered paragraph				
136f		<p>"</p> <p><u>'surveillance' means the observation by officials of fishing activities on the basis of sightings by inspection vessels, official aircrafts and vehicles or other means, including technical detection and identification methods;</u></p> <p>EP AM 37, EX AM 189 (S&D)</p> <p>"</p>	<p>"</p> <p><u>'surveillance' means the observation of fishing activities on the basis of sightings by inspection vessels, official aircrafts or official remotely piloted aircraft systems (RPAS) and technical detection and identification methods;</u></p> <p>"</p>	<p>Presidency suggests agreeing to following text that merges the EP amendment and the GA. The text is acceptable to EP and COM:</p> <p>"</p> <p><u>'surveillance' means the observation of fishing activities on the basis of sightings by inspection vessels, official aircraft, official remotely piloted aircraft systems (RPAS), vehicles or other means, including technical detection and identification methods;</u></p> <p>"</p> <p>See former Council 136b (in ST 10406/21), moved for better comparison.</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				Sequence 6
Article 1, first paragraph, point (1)(bd), introductory part				
136g		<p><u>(bd) point 6 is replaced by the following:</u></p> <p>EP AM 38, EX AM 190 (S&D)</p>		<p>Linked to the new row (row 136h)</p> <p>Sequence 6</p>
Article 1, first paragraph, point (1)(bd), amending provision, numbered paragraph				
136h		<p>"</p> <p><u>'official' means a person authorised by a national fisheries control authority, the Commission or the European Fisheries Control Agency to carry out an inspection;</u></p> <p>EFCA</p> <p>EP AM 38, EX AM 190 (S&D)</p> <p>"</p>		<p>Presidency suggests to agree to the following compromise text that would be acceptable to the EP and COM:</p> <p><u>'official' means any person authorised by a competent authority of a Member State, the Commission or the European Fisheries Control Agency to carry out control or inspections;</u></p> <p>Sequence 1 Sequence 6</p>


	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (1)(be), introductory part				
136i		<p><u>(be) point 7 is replaced by the following:</u></p> <p>EP AM 39, EX AM 191 (S&D) and ENVI 23</p>		<p>Linked to the next row (row 136j)</p> <p>Sequence 6</p>
Article 1, first paragraph, point (1)(be), amending provision, numbered paragraph				
136j		<p>"</p> <p><u>'Union inspectors' means officials of a Member State, of the Commission or of the European Fisheries Control Agency, whose names are contained in the list established in accordance with Article 79;</u></p> <p>EP AM 39, EX AM 191 (S&D) and ENVI 23</p> <p>"</p>		<p><i>Presidency suggests to accept EP proposal, which updates the current text in Article 4(7) of the Control Regulation:</i></p> <p>'Union inspectors' means officials of a Member State, of the Commission or of the European Fisheries Control Agency, whose names are contained in the list established in accordance with Article 79;</p> <p>Sequence 6</p> <p>Text Origin: EP Mandate</p>
Article 1, first paragraph, point (1)(c), amending provision(9)				
138	"		"	GA accepted by EP and COM
	9. 'fishing licence' means an		9. 'fishing licence' means an	

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	official document conferring on its holder the right, as determined by national rules, to use a certain fishing capacity for the commercial exploitation of marine biological resources. It contains minimum requirements concerning the identification, technical characteristics and fitting out of a fishing vessel; "		official document conferring on its holder the right, as determined by national rules, to use a certain fishing capacity for the commercial exploitation of marine biological resources. It contains minimum requirements concerning the identification, technical characteristics and fitting out of a fishing vessel; "	Sequence 3
Article 1, first paragraph, point (1)(g), introductory part				
145	(g) point 24 is replaced by the following:		(g) point 24 is replaced by the following:	COM proposal accepted by Council and EP Sequence 2
Article 1, first paragraph, point (1)(g), amending provision(24)				
146	" 24. 'multiannual plans' means plans referred to in Articles 9 and 10 of Regulation (EU) 1380/2013, management plans adopted in accordance with Article 18 of Regulation (EU) 1380/2013 as well as other Union measures adopted on the basis of Article 43(3) of the Treaty and providing for		" 24. 'multiannual plans plan' means plans referred to in Articles 9 and 10 of Regulation (EU) 1380/2013, management plans No 1380/2013, <u>conservation measures</u> adopted in accordance with Article 18 of Regulation (EU) 1380/2013 No <u>1380/2013</u> as well as other Union measures adopted on the basis of Article 43(3) of the Treaty and	<i>Presidency suggests to agree to the following text, which is acceptable to EP and COM and corrects a mistake in the COM proposal (i.e. the Commission did not intend to refer to Article 18 of Reg. (EU) 1380/2013, but to Article 18 of Council Regulation (EC) No 1967/2006 and confirmed that this reference is not needed. Further, the Commission also clarified</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	specific management or recovery of particular fish stocks for more than a year; "		providing for specific management or recovery of particular fish stocks for <u>and covering a period of</u> more than a <u>one</u> year; "	<i>that it intended to refer to the second para. of Article 43 and not the third para of that article).</i> 24. 'multiannual plan ' means plans referred to in Articles 9 and 10 of Regulation (EU) No 1380/2013 , as well as other Union measures adopted on the basis of Article 43(2) of the TFEU providing for specific management or recovery of particular fish stocks and covering a period of more than one year; Sequence 2
Article 1, first paragraph, point (1)(j)				
150	(j) point 31 is deleted.		(j) point 31 is <u>replaced by the following:</u> deleted.	<i>Linked to next row (row 150a)</i> Sequence 3
Article 1, first paragraph, point (1)(j)(1)				
150a			<u>(31) 'fishing vessel' means any vessel equipped for commercial exploitation of marine biological</u>	<i>The Presidency suggests to accept the following definition, which is based on the GA and additionally mentions two</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
			<p><u>resources, including catching vessels, support vessels, fish processing vessels, vessels engaged in transshipment and carrier vessels equipped for the transportation of fishery products, except container vessels;¹</u></p> <p><u>1. Recital (10) of the proposal will be replaced by the following: The definition of a 'fishing vessel' should be replaced by a more detailed definition, which clarifies that the term covers any vessel equipped for commercial exploitation of marine biological resources, including catching vessels, support vessels, fish processing vessels, vessels engaged in transshipment and carrier vessels equipped for the transportation of fishery products. While most of the provisions of this Regulation should relate to catching vessels, an effective Union fisheries control system requires that in certain cases other vessels, which play a role in the exploitation of marine biological resources are also covered. Container vessels should be excluded from the definition of a 'fishing vessel' used for the purpose of this Regulation. Vessels exclusively used for aquaculture should also not be covered by this definition. The specific definition of 'fishing vessel' set out in this regulation should apply only for the purposes of this regulation and be without prejudice to the definition of 'fishing vessel' in other acts for other</u></p>	<p><i>further examples of fishing vessels (towing and auxiliary vessels) in order to further enhance clarity through a more comprehensive list of examples of fishing vessels. The definition is acceptable to EP and COM.</i></p> <p>(31) 'fishing vessel' means any vessel equipped for commercial exploitation of marine biological resources, including catching vessels, support vessels, fish processing vessels, towing vessels, auxiliary vessels, vessels engaged in transshipment and carrier vessels equipped for the transportation of fishery products, except container vessels.^{1151a}</p> <p><i>The Presidency asks for flexibility to explore, with the assistance of the Legal Service, whether to would be legally preferable to exclude explicitly 'aquaculture vessels' in the definition rather than mentioning only in a recital that 'aquaculture vessels' are not fishing vessels (which might not be clear).</i></p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
			<p>purposes.</p>	<p><i>The Presidency also suggests amending the related recital as follows. The deletion of the sentence on 'aquaculture vessels' depends on the just mentioned issue, whether this should not preferably be clarified in the definition itself. EP and COM indicated that the text would be acceptable to them.</i></p> <p>1. Recital (10) of the proposal will be replaced by the following: The definition of a 'fishing vessel' should be replaced by a more detailed definition, which clarifies that the term covers any vessel equipped for commercial exploitation of marine biological resources, including catching vessels, support vessels, fish processing vessels, <u>towing vessels, auxiliary vessels,</u> vessels engaged in transshipment and carrier vessels equipped for the transportation of fishery products. While most of the provisions of this</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				<p>Regulation should relate to catching vessels, an effective Union fisheries control system requires that in certain cases other vessels, which play a role in the exploitation of marine biological resources are also covered. Container vessels should be excluded from the definition of a 'fishing vessel' used for the purpose of this Regulation. Vessels exclusively used for aquaculture should also not be covered by this definition. The specific definition of 'fishing vessel' set out in this regulation should apply only for the purposes of this regulation and be without prejudice to the definition of 'fishing vessel' in other acts for other purposes.</p> <p>Sequence 3 Sequence 7</p>
Article 1, first paragraph, point (1)(k), amending provision(34)				
153	34. 'catching vessel' means a fishing vessel used for the purpose of the capture of marine biological resources.		34. 'catching vessel' means a fishing vessel used for the purpose of the capture of marine biological resources- 	<i>Presidency asks for flexibility to agree, pending further negotiations, to one of the following alternative proposals for definitions:</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	"			<p>34. 'catching vessel' means a fishing vessel equipped for the purpose of the capture of marine biological resources;</p> <p>34. 'catching vessel' means a fishing vessel equipped or used for the purpose of the capture of marine biological resources;</p> <p>Sequence 3 Sequence 7</p>
Article 1, first paragraph, point (1)(kd)				
153g		<p><u>(kd) the following point is added:</u></p> <p><u>34d. 'fishing without vessels' means engaging in a fishing activity without using a fishing vessel, such as shellfishing, fishing on foot or ice fishing.</u></p> <p>EP AM 53, EX AM 211 (EPP)</p>		<p><i>Flexibility to include a definition on "fishing without a fishing vessel" which merges the GA's proposed examples (see row 508a) and the EP proposed amendment, as follows:</i></p> <p>'fishing without a fishing vessel' means engaging in a fishing activity without using a fishing vessel, such as on shore fisheries, shellfishing, fishing on foot or ice fishing".</p> <p>Sequence 4</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (2)				
154	(2) In Article 5, paragraph 6 is deleted.		(2) In Article 5, paragraph 6 is deleted.	<i>COM proposal accepted by Council and EP</i>
Article 1, first paragraph, point (3), introductory part				
155	(3) Article 6 is replaced by the following:		(3) Article 6 is replaced by the following:	<i>COM proposal accepted by Council and EP</i>
Article 1, first paragraph, point (3), amending provision, first paragraph				
156	" Article 6		" Article 6	<i>COM proposal accepted by Council and EP</i>
Article 1, first paragraph, point (3), amending provision, second paragraph				
157	Fishing licence		Fishing licence	<i>COM proposal accepted by Council and EP</i>
Article 1, first paragraph, point (3), amending provision(1)				
158	1. A Union fishing vessel may be used for commercial exploitation of marine		1. A Union fishing <u>catching</u> vessel may be used for commercial exploitation of marine biological	<i>Defend GA</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	biological resources only if it has a valid fishing licence.		resources only if it has a valid fishing licence.	
Article 1, first paragraph, point (3), amending provision(2)				
159	2. The flag Member State shall ensure that the information contained in the fishing licence is accurate and consistent with that contained in the Union fishing fleet register referred to in Article 24 of Regulation (EU) No 1380/2013.		2. The flag Member State shall ensure that the <u>fishing licence meets the minimum information requirements concerning the identification, technical characteristics and fitting out of a catching vessel and that the</u> information contained in the fishing licence is accurate and consistent with that contained in the Union fishing fleet register referred to in Article 24 <u>24(3)</u> of Regulation (EU) No 1380/2013.	<i>GA accepted by EP and COM</i> Sequence 3
Article 1, first paragraph, point (3), amending provision(3)				
160	3. The flag Member State shall suspend temporarily the fishing licence of a vessel which is subject to temporary immobilisation decided by that Member State or which has had its fishing authorisation suspended in accordance with Article 91b.	" 3. The flag Member State shall suspend temporarily the fishing licence of <u>aan owner, operator or</u> vessel which is subject to temporary immobilisation decided <u>imposed</u> by that Member State or which has had its fishing authorisation suspended in	3. The flag Member State shall suspend temporarily the fishing licence of a vessel which is subject to temporary immobilisation decided by that Member State or which has had its fishing authorisation suspended in accordance with Article 91b.	<i>Discussion postponed to sequence 10 (Enforcement, infringements and sanctions)</i> Sequence 3 Sequence 10

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		<p>accordance with Article 91b <u>and notify the European Fisheries Control Agency immediately. During the period of suspension, neither the vessel nor the licence may be sold, rented or transferred.</u></p> <p>EFCA</p> <p>EP AM 55, EX AMs 215 (EPP) and 214 (S&D)</p>		
Article 1, first paragraph, point (3), amending provision(4)				
161	4. The flag Member State shall withdraw permanently the fishing licence of a vessel which is the subject of a capacity adjustment measure referred to in Article 22 of Regulation (EU) No 1380/2013 or which has had its fishing authorisation withdrawn in accordance with Article 91b.		<p>4. The flag Member State shall withdraw permanently the fishing licence of a <u>catching</u> vessel which is the subject of a <u>fishing</u> capacity adjustment measure referred to in Article 22 of Regulation (EU) No 1380/2013 or which has had its fishing authorisation withdrawn in accordance with Article 91b.</p>	<p><i>Discussion postponed to sequence 10 (Enforcement, infringements and sanctions)</i></p> <p>Sequence 3 Sequence 10</p>
Article 1, first paragraph, point (3), amending provision(5)				
162	5. The Commission may, by means of implementing acts, lay		5. The Commission may, by means of implementing acts, lay	<p><i>GA accepted by EP and COM</i></p> <p>Sequence 3</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	down rules on the validity of fishing licences issued by the flag Member State as well as the minimum information contained therein. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). ”		down rules on the validity of fishing licences issued by the flag Member State <u>States</u> as well as the minimum information <u>requirements concerning the identification, technical characteristics and fitting out of a catching vessel</u> contained therein. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). ”	
Article 1, first paragraph, point (4), introductory part				
163	(4) Article 7 is amended as follows:		(4) Article 7 is amended as follows:	<i>COM proposal accepted by Council and EP</i>
Article 1, first paragraph, point (4)(a), introductory part				
164	(a) paragraph 2 is replaced by the following:		(a) paragraph 2 is replaced by the following:	<i>COM proposal accepted by Council and EP</i>
Article 1, first paragraph, point (4)(a), amending provision(2)				
165	" 2. Where a Member State has a specific national fishing		" 2. Where a Member State has a specific national fishing	<i>GA accepted by EP and COM</i> <u>Sequence 3</u>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	authorisation scheme for fishing vessels flying its flag, it shall send to the Commission at its request a summary of the information contained in the authorisation issued and the related aggregated figures on fishing effort. "		authorisation scheme for — fishing vessels flying its flag, it shall send to the Commission at its request a summary of the information contained in the <u>fishing</u> authorisation issued and the related aggregated figures <u>data</u> on fishing effort. "	
Article 1, first paragraph, point (4)(b), introductory part				
166	(b) paragraph 5 is replaced by the following:		(b) paragraph 5 is <u>paragraphs 4 and 5 are</u> replaced by the following:	GA accepted by EP and COM Sequence 3
Article 1, first paragraph, point (4)(b), amending provision(4)				
166a			" <u>4. A fishing authorisation shall not be issued for a catching vessel if the vessel concerned does not have a fishing licence obtained in accordance with Article 6 or if its fishing licence has been suspended or withdrawn. A fishing authorisation for a catching vessel shall be automatically</u>	GA accepted by EP and COM Sequence 3

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
			<u>withdrawn where the fishing licence corresponding to that vessel has been withdrawn permanently. It shall be suspended where the fishing licence has been suspended temporarily.</u>	
Article 1, first paragraph, point (4)(b), amending provision(5)				
167	" 5. The Commission may, by means of implementing acts, lay down rules on the validity of fishing authorisations issued by the flag Member State as well as the minimum information contained therein. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "		5. The Commission may, by means of implementing acts, lay down <u>detailed</u> rules on the validity of fishing authorisations issued by the flag Member State as well <u>as and on</u> the minimum information <u>to be</u> contained therein. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "	<i>GA accepted by EP and COM</i> " <u>Sequence 3</u>
Article 1, first paragraph, point (4)(c), introductory part				
168	(c) paragraph 6 is inserted:		(c) paragraph 6 is inserted <u>added</u> :	<i>GA accepted by EP and COM</i> <u>Sequence 3</u>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (4)(c), amending provision(6)				
169	<p>"</p> <p>6. The Commission is empowered to adopt delegated acts in accordance with Article 119a providing for derogations from the obligation to obtain fishing authorisations for Union fishing vessels below 10 metres' length overall.</p> <p>"</p>		<p>"</p> <p>6. The Commission is empowered to adopt delegated acts in accordance with Article 119a providing for derogations from the obligation to obtain <u>Member States may exclude Union fishing vessels of less than 10 metres' length overall flying their flag which carry out</u> fishing authorisations for Union fishing vessels below 10 metres' length overall <u>activities exclusively in their territorial waters from the obligation to have a fishing authorisation.</u></p> <p>"</p> <p>Sequence 3</p>	<p><i>Flexibility to agree to alternatives, including providing delegated powers to the Commission to provide for derogations from the obligation to obtain fishing authorisation for Union fishing vessels below 10 metres' length overall flying their flag which carry out fishing activities exclusively in their territorial waters.</i></p> <p><i>Should delegations prefer to defend the GA, the Presidency asks for flexibility to explore adding further text that ensures that international obligations are being complied with</i></p> <p>Sequence 3</p>
Article 1, first paragraph, point (5), introductory part				
170	<p>(5) Article 8 is amended as follows:</p>		<p>(5) Article 8 is amended as follows:</p>	<p><i>COM proposal accepted by Council and EP</i></p> <p>Sequence 3</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (5)(a), introductory part				
171	(a) the heading of Article 8 is replaced by the following:		(a) the heading of Article 8 is replaced by the following:	COM proposal accepted by Council and EP Sequence 3
Article 1, first paragraph, point (5)(a), amending provision, first paragraph				
172	" Article 8		" Article 8	COM proposal accepted by Council and EP Sequence 3
Article 1, first paragraph, point (5)(a), amending provision, second paragraph				
173	Marking and identification of Union fishing vessels and gears "		Marking and identification of Union fishing <u>catching</u> vessels and gears <u>fishing gear</u> "	Defend GA Sequence 3
Article 1, first paragraph, point (5)(a1), introductory part				
173a			<u>(a1) in paragraph 1, 'fishing vessel' is replaced by 'Union catching vessel';</u>	Defend GA Sequence 3

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (5)(b), introductory part				
174	(b) paragraph 2 is replaced by the following:		(b) paragraph 2 is replaced by the following:	<i>COM proposal accepted by Council and EP</i> Sequence 3
Article 1, first paragraph, point (5)(b), amending provision(2), first subparagraph, introductory part				
175	“ 2. The Commission may, by means of implementing acts, lay down rules on:		“ 2. The Commission may, by means of implementing acts, lay down <u>detailed</u> rules on:	<i>GA accepted by EP and COM</i> Sequence 3
Article 1, first paragraph, point (5)(b), amending provision(2), first subparagraph, point (a)				
176	(a) marking and identification of vessels		(a) marking and identification of <u>catching</u> vessels;	<i>Defend GA</i> Sequence 3
Article 1, first paragraph, point (5)(b), amending provision(2), first subparagraph, point (b)				
177	(b) vessel identification documents to be carried on board;		(b) vessel identification documents to be carried on board;	<i>COM proposal accepted by Council and EP</i> Sequence 3

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (5)(b), amending provision(2), first subparagraph, point (c)				
178	(c) marking and identification of crafts and fishing aggregating devices;		(c) marking and identification of crafts and fishing aggregating devices;	<i>COM proposal accepted by Council and EP</i> Sequence 3
Article 1, first paragraph, point (5)(b), amending provision(2), first subparagraph, point (d)				
179	(d) marking and identification of fishing gears;		(d) marking and identification of fishing gears <u>gear</u> ;	<i>GA accepted by EP and COM</i> Sequence 3
Article 1, first paragraph, point (5)(b), amending provision(2), first subparagraph, point (e)				
180	(e) labels for the marking of gears;		(e) labels for the marking of gears <u>fishing gear</u> ;	<i>GA accepted by EP and COM</i> Sequence 3
Article 1, first paragraph, point (5)(b), amending provision(2), first subparagraph, point (f)				
181	(f) marking of buoys and setting of cords.		(f) marking of buoys and setting of cords.	<i>COM proposal accepted by Council and EP</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	Article 1, first paragraph, point (5)(b), amending provision(2), first subparagraph, point (fa)			
181a		<p>“</p> <p><u>(fa) procedures for the notification of the end of use fishing gears in line with Directives (EU) 2019/883¹ and (EU) 2019/904² of the European Parliament and of the Council.</u></p> <p>”</p> <p><u>1. Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (OJ L 151, 7.6.2019, p. 116).</u></p> <p><u>2. Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment (OJ L 155, 12.6.2019, p. 1).</u></p> <p>EP AM 56, EX ENVI 25</p>		<p><i>Flexibility to agree to the following compromise proposal by COM (paragraph and recital), which is acceptable to the EP and to further explore the need to add a corresponding obligation which this empowerment implements, if needed”.</i></p> <p>(fa) procedures for the notification and return to port of the end of use fishing gears.</p> <p>Recital:</p> <p>(X) Abandoned, lost or otherwise discarded fishing gears (ALDFGs), including those made of plastic, constitute one of the most harmful form of marine debris, as well as plastic waste at sea. In order to reduce the long-term and significant impact of ALDFGs on marine life and ecosystems, it is essential to ensure that fishing</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				<p>gears, at their end of life cycle, are returned to shore for treatment in the port reception facilities established under the provisions of Directive (EU) 2019/883. This will also allow Member States to report to the Commission on waste fishing gear, including end of life fishing gear they collected each year under Directive (EU) 2019/904.</p> <p>For that purpose, the Commission should be empowered to adopt procedures ensuring that masters of Union fishing vessels notify to the competent authorities and return their end of life fishing gears to port reception facilities or other equivalent collection systems.</p> <p>Further, the Presidency asks for flexibility to explore</p> <p>Sequence 3</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (5)(b), amending provision(2), second subparagraph				
182	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "	<i>COM proposal accepted by Council and EP</i> Sequence 3
Article 1, first paragraph, point (11), amending provision, numbered paragraph (1a)				
223a		“ <u>1a. Masters of Union fishing vessels of less than 12 metres' length overall, as well as natural persons engaging in fishing without vessels, shall keep an electronic logbook in a simplified format.</u> Electronic Logbook EP AM 73, EX CA 5A		<i>Defend GA object EP proposed amendments, in particular as regards logbooks for fishing without a fishing vessel.</i> Sequence 4 Sequence 7
Article 1, first paragraph, point (21), amending provision(6), first subparagraph(a)				
400	(a) the format and content of the landing declaration;	(a) the <u>harmonised</u> format and content of the landing declaration;	(a) the format, <u>content and procedure for submission</u> and	<i>Flexibility for a compromise that merges GA and EP proposed amendments:</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		Landing Declaration EP AM 117, EX CA 11	content of the landing declaration;	(a) the <u>harmonised</u> format, <u>content and procedure for submission</u> and content of the landing declaration; Sequence 6 Sequence 7
Article 1, first paragraph, point (27), amending provision(1)				
423	1. Each flag Member State shall record all data related to catches and fishing effort referred to in this Regulation, in particular data referred to in Articles 14, 21, 23, 55, 59a, 62, 66 and 68, and shall keep the originals of those data for a period of at least three years in accordance with national rules.		1. Each flag Member State <u>or, in the case of fisheries without a fishing vessel as referred to in Article 54d, each coastal Member State</u> , shall record all data related to catches and fishing effort referred to in this Regulation, in particular data referred to in Articles 14, 21, 23, 55, 59a <u>54d</u> , 62, 66 and 68, and shall keep the originals of those data for a period of at least three years in accordance with national rules.	<i>Defend GA</i> Sequence 4
Article 1, first paragraph, point (27), amending provision(2), introductory part				
424	2. Before the 15th of each month, each flag Member State shall submit electronically to the		2. Before the 15th of each month, each flag Member State <u>or, in the case of fisheries without a fishing</u>	<i>Defend GA</i> Sequence 4

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	Commission or the body designated by it, the aggregated data:		<u>vessel as referred to in Article 54d, each coastal Member State</u> shall submit electronically <u>by electronic means</u> to the Commission or the body designated by it, the aggregated data <u>on</u> :	
Article 1, first paragraph, point (27), amending provision(2)(c)				
426a			<u>(c) the quantities of each species, if applicable by stock or group of stocks, caught in the case of fisheries without a fishing vessel as referred to in Article 54d, and the quantities of each species discarded, in live-weight equivalent, during the preceding month, including, as separate entry, those below the applicable minimum conservation reference size.</u>	Defend GA Sequence 4
Article 1, first paragraph, point (39), introductory part				
489	(39) Article 43 is amended as follows:		(39) Article 43 is amended as follows:	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (39)(a), introductory part				
490	(a) paragraph 1 is replaced by the following:		(a) paragraph 1 is <u>paragraphs 1 and 2 are</u> replaced by the following:	Sequence 6
Article 1, first paragraph, point (39)(a), amending provision(1)				
491	" 1. A multiannual plan may set a threshold applicable to the live weight of species subject to that plan, above which a fishing vessel shall be required to land its catches in a designated port or place close to the shore." "		" 1. <u>In</u> a multiannual plan may set a threshold <u>may be set</u> applicable to the live weight of species subject to that plan, above which a <u>Union</u> fishing vessel shall be required to land its catches in a designated port or place close to the shore.	<i>Flexibility to replace "place close to the shore" with "landing site" as in EMFAF.</i> Sequence 6
Article 1, first paragraph, point (39)(a), amending provision(2)				
491a			<u>2. Where quantities exceeding the threshold referred to in paragraph 1 are retained on board, the master of a Union fishing vessel shall ensure that the landing of catches is carried out in a designated port or place close to the shore in the Union.</u>	<i>Defend GA, but flexibility to replace "place close to the shore" with "landing site" as in EMFAF.</i> Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (39)(b)				
492	(b) paragraph 7 is deleted.		(b) paragraph 7 is deleted.	
Article 1, first paragraph, point (39a), introductory part				
492a		<u>(39a) Article 44 is replaced by the following:</u> EP AM 142, EX CA 13	<u>(39a) Article 44 is replaced as follows:</u>	COM proposal accepted by Council and EP Sequence 6
Article 1, first paragraph, point (39a), amending provision, first paragraph				
492b		" <u>Article 44</u> EP AM 142, EX CA 13	" <u>Article 44</u>	COM proposal accepted by Council and EP Sequence 6
Article 1, first paragraph, point (39a), amending provision, second paragraph				
492c		<u>Separate stowage of demersal catches subject to multiannual plans</u> EP AM 142, EX CA 13	<u>Separate stowage of demersal catches subject to multiannual plans</u>	COM proposal accepted by Council and EP Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (39a), amending provision(1)				
492d		<p><u>1. All catches of target demersal stocks subject to a recovery plan, specific control and inspection programs adopted pursuant to Article 95 including provisions on separate stowage, or specific control measures as defined in multiannual plans, retained on board a Union fishing vessel of 12 metres' length overall or more shall be placed in boxes, compartments or containers separately for each of such stocks in such a way that they are identifiable from other boxes, compartments or containers.</u></p> <p>EP AM 142, EX CA 13</p>	<p><u>1. Catches of demersal stocks subject to a multiannual plan which are retained on board a Union catching vessel of 12 metres' length overall or more and which are not below the minimum conservation reference size shall be placed in boxes, compartments or containers separately for each of such stocks in such a way that they are identifiable from other boxes, compartments or containers.</u></p>	<p>Defend GA</p> <p>Sequence 6</p>
Article 1, first paragraph, point (39a), amending provision(2)				
492e		<p><u>2. Masters of Union fishing vessels shall keep the catches of demersal stocks referred to in paragraph 1 according to a stowage plan describing the location of the different species in the holds.</u></p>	<p><u>2. Masters of Union catching vessels shall keep the catches referred to in paragraph 1 according to a stowage plan that describes the location of the different species in the holds.</u></p>	<p>Defend GA</p> <p>Sequence 6</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		EP AM 142, EX CA 13		
Article 1, first paragraph, point (39a), amending provision(3)				
492f		<p><u>3. It shall be prohibited to retain on board a Union fishing vessel in any box, compartment or container any quantity of catches of demersal stocks referred to in paragraph 1 mixed with any other fisheries product.</u></p> <p>EP AM 142, EX CA 13</p>	<p><u>3. It shall be prohibited to retain on board a Union catching vessel in any box, compartment or container any quantity of catches referred to in paragraph 1 mixed with any other fishery products.</u></p>	<p>Defend GA</p> <p>Sequence 6</p>
Article 1, first paragraph, point (39a), amending provision(4)				
492g			<p><u>4. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning the exemption of certain demersal stocks from the obligation set out in this Article.</u></p>	<p>Defend GA</p> <p>Sequence 6</p>
Article 1, first paragraph, point (42a)				
499a			<p><u>(42a) In Article 49, paragraph 1, 'fishing vessel' is replaced by</u></p>	<p>Defend GA</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
			<u>'catching vessel'</u> .	Sequence 6
Article 1, first paragraph, point (42b)				
499b			<u>(42b) In Article 49a, paragraphs 1 and 2(b), 'fishing vessel' is replaced by 'catching vessel'.</u>	Defend GA Sequence 6
Article 1, first paragraph, point (43a), introductory part				
508b			<u>(43a) the following Chapter is inserted after Article 54:</u>	Defend GA Sequence 4
Article 1, first paragraph, point (43a), amending provision, first paragraph				
508c			" <u>CHAPTER IVa</u>	Defend GA Sequence 4
Article 1, first paragraph, point (43a), amending provision, second paragraph				
508d			<u>Control of fisheries without a fishing vessel</u>	Defend GA Sequence 4

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (43a), amending provision, third paragraph				
508e			Article 54d	Defend GA Sequence 4
Article 1, first paragraph, point (43a), amending provision, fourth paragraph				
508f			Fisheries without a fishing vessel¹ 1. A recital will explain the scope of the new Article on "fishing without a vessel", in particular, its geographical scope and that it only relates to commercial fisheries. It should be stressed that the Article only covers the exploitation of 'marine biological resources', a term defined under Article 4(1)(2) of Regulation (EU) No 1380/2013.	Defend GA as regards terminology "fisheries without a fishing vessel", but, linked to this row, Presidency asks for flexibility concerning the introduction of an explicit definition (see row 153g) Sequence 4
Article 1, first paragraph, point (43a), amending provision(1)				
508g			1. Member States shall ensure that fisheries without a fishing vessel exploiting marine biological resources on their territory and in Union waters¹ are conducted in a manner compatible with the objectives and rules of the common	Defend GA Sequence 4

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
			<u>fisheries policy.</u> <u>1. A recital will mention examples of fisheries without a vessel, such as on shore fisheries and ice-fishing activities.</u>	
Article 1, first paragraph, point (43a), amending provision(2)				
508h			<u>2. For the purpose referred to in paragraph 1, Member States shall:</u>	<i>Defend GA</i> Sequence 4
Article 1, first paragraph, point (43a), amending provision(2)(a)				
508i			<u>(a) put in place a licensing or other alternative system for natural and legal persons conducting such activities; and</u>	<i>Presidency asks for flexibility to use the term “registration system” instead of “other alternative system”.</i> Sequence 4
Article 1, first paragraph, point (43a), amending provision(2)(b)				
508j			<u>(b) ensure that the quantities of species, stocks or group of stocks caught are recorded and submitted by electronic means to the competent authorities.</u>	<i>Defend GA</i> Sequence 4

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (43a), amending provision(3)				
508k			<u>3. This Article shall apply from ... [24 months after the date of application of this Regulation].</u>	<i>Defend GA</i> Sequence 4
Article 1, first paragraph, point (43a), amending provision(4)				
508l			<u>4. The Commission may, by means of implementing acts, lay down detailed rules on the format, content and submission of the record of the quantities caught as referred to in point (b) of paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</u>	<i>Flexibility to set out details on the content of the “record” in the Control Regulation itself.</i> Sequence 4
Article 1, first paragraph, point (43a), amending provision(5)				
508m			<u>5. This Article shall not apply to recreational fisheries.</u> "	<i>Defend GA</i> Sequence 4

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (44a), introductory part				
527a		<p><u>(44a) In Title IV, the following chapter is added:</u></p> <p>EP AM 161, EX 675 (EPP)</p>		<p><i>Defend GA</i></p> <p>Sequence 4</p>
Article 1, first paragraph, point (44a), amending provision, Chapter Va				
527b		<p>"</p> <p><u>CHAPTER Va</u></p> <p><u>Control of fishing without vessels</u></p> <p>EP AM 161, EX 675 (EPP)</p>		<p><i>Defend GA, oppose EP amendment</i></p> <p>Sequence 4</p>
Article 1, first paragraph, point (44a), amending provision, Article 55a				
527c		<p><u>Article 55a</u></p> <p><u>Fishing without vessels</u></p> <p>EP AM 161, EX 675 (EPP)</p>		<p><i>Defend GA, oppose EP amendment</i></p> <p>Sequence 4</p>
Article 1, first paragraph, point (44a), amending provision, Article 55a(1)				
527d		<p><u>1. Member States shall ensure that fishing without vessels on their territory is conducted in a manner compatible with the objectives and rules of the</u></p>		<p><i>Defend GA</i></p> <p>Sequence 4</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		<u>common fisheries policy.</u> EP AM 161, EX 675 (EPP)		
Article 1, first paragraph, point (44a), amending provision, Article 55a(2)				
527e		<u>2. To that end, Member States shall put in place a registration or licensing system monitoring the number of natural and legal persons engaged in fishing without vessels.</u> EP AM 161, EX 675 (EPP)	"	<i>Presidency asks for flexibility to use the term "registration system" instead of "other alternative system". See also row 508i.</i> Sequence 4
Article 1, first paragraph, point (46), amending provision(5)(b)				
565	(b) the unique fishing trip identification number(s) referred to in Article 14(2)(a) of all fishery products included in the lot, or the name and registration number of the aquaculture production unit;		(b) <u>in the case of products not imported into the Union,</u> the unique fishing trip identification number(s) <u>or the unique identifier(s) in the system</u> referred to in <u>point (a) of Article 14(2)(a)</u> of 54d(2) for all fishery products included in the lot, or the name and, <u>where available, the</u> registration number of the aquaculture production unit;	<i>Defend GA</i> Sequence 4

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (54), amending provision(2), introductory part				
663b			<u>2. By way of derogation from paragraph 1, in the case of fisheries referred to in Article 54d, the sales note shall contain the following data:</u>	Defend GA Sequence 4 Sequence 8
Article 1, first paragraph, point (54), amending provision(2)(a)				
663c			<u>(a) the unique identifier in the system referred to in point (a) of Article 54d(2);</u>	Defend GA Sequence 4 Sequence 8
Article 1, first paragraph, point (54), amending provision(2)(b)				
663d			<u>(b) the information referred to in points (c), (d), (e), (f), (g), (i), (j), (l) and (m) of paragraph 1 of this Article.</u>	Defend GA Sequence 4 Sequence 8
Article 1, first paragraph, point (54), amending provision(5)				
681b			<u>5. By way of derogation from paragraph 3, in the case of fisheries referred to in Article 54d, the take-over declaration shall contain at least the following information:</u>	Defend GA Sequence 4 Sequence 8

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	Article 1, first paragraph, point (54), amending provision(5)(a)			
681c			<u>(a) the unique identifier in the system referred to in point (a) of Article 54d(2);</u>	Defend GA Sequence 4 Sequence 8
	Article 1, first paragraph, point (54), amending provision(5)(b)			
681d			<u>(b) the information referred to in points (d), (e), (h), (i) and (j) of paragraph 1 of this Article.</u>	Defend GA Sequence 4 Sequence 8
	Article 1, first paragraph, point (54), amending provision(5a)			
681e			<u>5a. In the case of fisheries referred to in Article 54d, this Article shall apply from 124 months after the date of application of this Regulation.</u>	Defend GA Sequence 4 Sequence 8
	Article 1, first paragraph, point (56), amending provision, numbered paragraph (4b), introductory part			
698b			<u>4b. By way of derogation from paragraph 4, in the case of fisheries referred to in Article 54d, the transport document shall</u>	Defend GA Sequence 8 Sequence 4

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
			<u>contain at least the following information:</u>	
Article 1, first paragraph, point (56), amending provision, numbered paragraph (4b)(a)				
698c			<u>(a) the unique identifier in the system referred to in point (a) of Article 54d(2);</u>	Defend GA Sequence 8 Sequence 4
Article 1, first paragraph, point (56), amending provision, numbered paragraph (4b)(b)				
698d			<u>(b) the information referred to in points (a), (c), (d), (g), (h) and (i) of paragraph 1 of this Article.</u>	Defend GA Sequence 8 Sequence 4
Article 1, first paragraph, point (56), amending provision(7a)				
700c			<u>7a. In the case of fisheries referred to in Article 54d, this Article shall apply from ... [24 months after the date of application of this Regulation].</u>	Defend GA Sequence 8 Sequence 4

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (57a)				
701a		<p><u>(57a) in Article 71(1), point (a) is replaced by the following:</u> <u>"(a) sightings of fishing vessels by inspection vessels, surveillance aircrafts or other surveillance means;"</u></p> <p>EP AM 208, EX AM 804</p>		Sequence 6
Article 1, first paragraph, point (57b)				
701b		<p><u>(57b) in Article 71, paragraph 3 is replaced by the following:</u> <u>"3. If the sighting or detection refers to a fishing vessel of another Member State or a third country and the information does not correspond to any other information that is available to the coastal Member State and if that coastal Member State is not in a position to undertake further action, it shall record its findings in a surveillance report, the format of which shall be uniform throughout the Union, and shall transmit that report without delay, by electronic means, to the flag Member State or to the third</u></p>		Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		<u>country concerned. In case of a third country vessel, the surveillance report shall also be sent to the Commission or the body designated by it.</u> EP AM 209, EX AM 805 (Greens/EFA)		
Article 1, first paragraph, point (58), introductory part				
702	(58) in Article 71, paragraph 5 is replaced by the following:		(58) in Article 71, paragraph 5 is replaced by the following:	Sequence 6
Article 1, first paragraph, point (58), amending provision(5)				
703	" 5. The Commission may, by means of implementing acts, lay down rules on the format of the surveillance report. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "		" 5. The Commission may, by means of implementing acts, lay down rules on the format of the surveillance report. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (59), introductory part				
704	(59) Article 73 is amended as follows:		(59) Article 73 is amended as follows:	Sequence 6
Article 1, first paragraph, point (59)(a), introductory part				
705	(a) paragraph 1 and 2 are replaced by the following:		(a) paragraph 1 and 2 are replaced by the following:	Sequence 6
Article 1, first paragraph, point (59)(a), amending provision(1)				
706	" 1. Where a Union control observer scheme has been established in accordance with the Treaty, control observers on board fishing vessels designated by Member States shall monitor the fishing vessel's compliance with the rules of the common fisheries policy. They shall fulfill all the tasks of the observer scheme and in particular record the vessel's fishing activities and examine relevant documents.	" 1. Where a Union control observer scheme has been established in accordance with the Treaty, control observers on board fishing vessels designated by Member States shall monitor the fishing vessel's compliance with the rules of the common fisheries policy, <u>with the rules applicable in the waters of the third country or in the high seas where the vessel is operating, including obligations related to technical measures and the protection of the marine environment</u> . They shall fulfill all the tasks of the observer scheme and in particular	" 1. Where a Union control observer scheme has been established in accordance with the Treaty, control observers on board fishing vessels designated by Member States shall monitor the fishing vessel's compliance with the rules of the common fisheries policy <u>relating to the fishing vessel</u> . They shall fulfill all the tasks of the observer scheme and in particular record the vessel's fishing activities and examine relevant documents.	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		record the vessel's fishing activities and examine relevant documents. EP AM 210, EX AMs 807 (S&D) and 808 (The Left)		
Article 1, first paragraph, point (59)(a), amending provision(2), introductory part				
707	2. Control observers shall		2. Control observers shall	Sequence 6
Article 1, first paragraph, point (59)(a), amending provision(2)(a)				
708	(a) be certified and trained for their tasks by Member State;	(a) be certified and trained, <u>in compliance with the rules of the common fisheries policy and the technical measures for the conservation of fishery resources and the protection of marine ecosystems, to carry out</u> for their tasks by <u>the</u> Member State <u>States</u> ; EP AM 211, EX AM 809 (Renew)	(a) be certified <u>qualified</u> and trained for their tasks by Member State <u>States</u> ;	Sequence 6
Article 1, first paragraph, point (59)(a), amending provision(2)(aa)				
708a		<u>(aa) receive regular training which enables them to adapt to</u>		Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		<u>changes in Union rules;</u> "EP AM 212, EX AM 810 (The Left)"		
Article 1, first paragraph, point (59)(a), amending provision(2)(b)				
709	(b) be independent of the owner, licence holder, the master of the fishing vessel and any crew member;		(b) be independent of the owner, licence holder, the master of the fishing vessel and any crew member;	Sequence 6
Article 1, first paragraph, point (59)(a), amending provision(2)(c)				
710	(c) have no economic link with the operator;		(c) have no economic link with the operator;	Sequence 6
Article 1, first paragraph, point (59)(a), amending provision(2)(d)				
711	(d) accomplish their tasks in a non-discriminatory manner;		(d) accomplish their tasks in a non-discriminatory manner;	Sequence 6
Article 1, first paragraph, point (59)(a), amending provision(2)(e)				
712	(e) be equipped with a two way communication device independent from the vessel at sea.		(e) be equipped with a two way communication device independent from the vessel at sea.	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	"		"	
Article 1, first paragraph, point (59)(b), introductory part				
713	(b) paragraph 4 is replaced by the following:		(b) paragraph 4 is replaced by the following:	Sequence 6
Article 1, first paragraph, point (59)(b), amending provision(4)				
714	" 4. In the event control observers notice a serious infringement, including the act of obstructing or otherwise preventing the performance by control observers of their their duties, they shall inform without delay the competent authorities of the flag Member State. "	Infringements	" 4. In the event control observers notice a serious infringement, <i>including the act of obstructing or otherwise preventing the performance by control observers of their their duties,</i> they shall inform without delay the competent authorities of the flag Member State. "	Sequence 6
Article 1, first paragraph, point (59)(ba)				
714a		<u>(ba) paragraph 5 is replaced by the following:</u> <u>"5. Control observers shall draw up an observer report electronically and forward it without delay, using if deemed</u>		Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		<p><u>necessary electronic means of transmission on board the fishing vessel, to their competent authorities and to the competent authorities of the flag Member State. Member States shall insert the report in the database referred to in Article 78."</u></p> <p>EP AM 213, EX AM 811 (Greens/EFA)</p>		
Article 1, first paragraph, point (59)(bb)				
714b		<p><u>(bb) paragraph 6 is replaced by the following:</u></p> <p><u>"6. In the event that the observer report indicates that the vessel observed has engaged in fishing activities contrary to the rules of the common fisheries policy, the rules applicable in the waters of the third country or in the high seas where the vessel is operating, the competent authorities referred to in paragraph 4 shall take all appropriate action to investigate the matter. "</u></p> <p>EP AM 214, EX AM 812 (S&D)</p>		Sequence 6

Commission Proposal		EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (59)(bc)				
714c		<p><u>(bc) paragraph 7 is replaced by the following:</u> <u>"7. Masters of Union fishing vessels shall provide adequate accommodation for assigned control observers, facilitate their work and avoid interference with the discharge of their duties. Masters of Union fishing vessels shall also provide control observers with access to relevant parts of the vessel, including the catch, and to the vessel's documents including electronic files."</u></p> <p>EP AM 215, EX ENVI 75</p>		Sequence 6
Article 1, first paragraph, point (59)(bd)				
714d		<p><u>(bd) paragraph 8 is replaced by the following:</u> <u>"8. All costs arising from the operation of control observers under this Article shall be borne by the flag Member States."</u></p> <p>EP AM 216, EX AM 813 (Greens/EFA)</p>		Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (59)(c), introductory part				
715	(c) paragraph 9 is replaced by the following:		(c) paragraph 9 is replaced by the following:	Sequence 6
Article 1, first paragraph, point (59)(c), amending provision(9), introductory part				
716	" 9. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning:		" 9. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning <u>may, by means of implementing acts, lay down detailed rules on:</u>	Sequence 6
Article 1, first paragraph, point (59)(c), amending provision(9)(a)				
717	(a) the identification of vessels for the application of a control observer scheme;		(a) the identification of vessels for the application of a control observer scheme;	Sequence 6
Article 1, first paragraph, point (59)(c), amending provision(9)(b)				
718	(b) format and content of observers reports;	" (b) format <u>– which shall be the same throughout the Union –</u> and content of observers reports;	(b) format and content of <u>control</u> observers reports;	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		EP AM 217, EX AM 816 (Greens/EFA)		
Article 1, first paragraph, point (59)(c), amending provision(9)(c)				
719	(c) the communication system for control observers;		(c) the communication system for control observers;	Sequence 6
Article 1, first paragraph, point (59)(c), amending provision(9)(d)				
720	(d) rules pertaining to the security of control observers on vessels;		(d) rules pertaining to the security of control observers on vessels;	Sequence 6
Article 1, first paragraph, point (59)(c), amending provision(9)(e)				
721	(e) measures to ensure independence of control observers including modalities of their remuneration;		(e) measures to ensure independence of control observers including modalities of their remuneration;	Sequence 6
Article 1, first paragraph, point (59)(c), amending provision(9)(f)				
722	(f) the duties of control observers including in the event of a suspicion of serious infringement. "		(f) the duties of control observers including in the event of a suspicion of serious infringement; "	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (59)(c), amending provision(9)(g)				
722a			<u>(g) minimum standards relating to the qualification and training of control observers.</u>	Sequence 6
Article 1, first paragraph, point (59)(c), amending provision(9)(fa)				
722b		<u>(fa) minimum Union training requirements for Union control observers.</u> "EP AM 218, EX ENVI 76"		Sequence 6
Article 1, first paragraph, point (59)(c), amending provision, second paragraph				
722c			<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</u> "	Sequence 6
Article 1, first paragraph, point (60), amending provision, third paragraph				
726	Article 74		Article 74	

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				Sequence 6
Article 1, first paragraph, point (60), amending provision, fourth paragraph				
727	Conduct of inspections		Conduct of inspections	Sequence 6
Article 1, first paragraph, point (60), amending provision(1)				
728	1. Member States shall set up and keep up to date a list of officials responsible for carrying out inspections.		1. Member States shall set up and keep up to date a list of officials responsible for carrying out inspections.	Sequence 6
Article 1, first paragraph, point (60), amending provision(2)				
729	2. Officials shall carry out their duties in accordance with Union law. They shall prepare and conduct inspections in a non-discriminatory manner at sea, in ports, during transport, on processing premises and along the supply chain of the fisheries products.	" 2. Officials shall carry out their duties in accordance with Union law. They shall prepare and conduct inspections in a non-discriminatory manner at sea, <u>along the shoreline</u> , in ports, during transport, on processing premises and along the supply chain of the fisheries products. EP AM 219, EX AM 817 (S&D)	2. Officials shall carry out their duties in accordance with Union law. They shall prepare and conduct inspections in a non-discriminatory manner at sea, in ports, during transport, on processing premises and along the supply chain of the fisheries products.	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision(3), introductory part				
730	3. Officials shall verify compliance of the activities carried out by the operators and the masters with the rules of the common fisheries policy, and in particular:		3. Officials shall verify compliance of the activities carried out by the operators and the masters with the rules of the common fisheries policy, and in particular:	Sequence 6
Article 1, first paragraph, point (60), amending provision(3)(a)				
731	(a) the legality of the fisheries products kept on board, stored, transported, transhipped, transferred, landed, processed or marketed and the accuracy of the documentation or electronic transmissions relating to them;		(a) the legality of the fisheries products kept on board, stored, transported, transhipped, transferred, landed, processed or marketed and the accuracy of the documentation or electronic transmissions relating to them;	Sequence 6
Article 1, first paragraph, point (60), amending provision(3)(b)				
732	(b) the legality of fishing gears used for the targeted species and for the catches kept on board and the equipment used for the retrieval of the fishing gears as referred to in Article 48;	(b) the legality of fishing gears used for the targeted <u>and by-catch</u> species and for the catches kept on board and the equipment used for the retrieval of the fishing gears as referred to in Article 48; EP AM 220, EX AMs 820 (Greens/EFA) and ENVI 79	(b) the legality of fishing gears <u>gear</u> used for the targeted species and for the catches kept on board, and the equipment used <u>compliance with other technical measures</u> for the retrieval of the fishing gears as referred to in Article 48 <u>conservation of fishery</u>	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
			<u>resources and the protection of marine ecosystems;</u>	
Article 1, first paragraph, point (60), amending provision(3)(b1)				
732a			<u>(b1) the presence on board of equipment for the retrieval of the fishing gear as referred to in Article 48;</u>	Sequence 6
Article 1, first paragraph, point (60), amending provision(3)(c)				
733	(c) if appropriate, the stowage plan and the separate stowage of species;		(c) if appropriate <u>applicable</u> , the stowage plan and the separate stowage of species;	Sequence 6
Article 1, first paragraph, point (60), amending provision(3)(d)				
734	(d) the markings of the vessels and gears;	(d) the markings <u>and identification</u> of the vessels and gears; EP AM 221, EX AM 821 (S&D)	(d) the markings of the vessels and gears <u>gear</u> ;	Sequence 6
Article 1, first paragraph, point (60), amending provision(3)(e)				
735	(e) the information on the engine referred to in Article 40;		(e) the information on the engine referred to in Article 40;	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision(3)(f)				
736	(f) the use of CCTVs and other electronic monitoring devices;	(f) the use of CCTVs, <u>where applicable</u> , and other electronic monitoring devices <u>such as Full Documentation of Fisheries when it is admitted</u> ; CCTV -EMS EP AM 222, EX AM 825 (EPP)	(f) <u>if applicable</u> , the use of CCTVs and other electronic monitoring devices <u>and functioning of REM systems</u> ;	Sequence 6
Article 1, first paragraph, point (60), amending provision(3)(g)				
737	(g) compliance with technical measures for the conservation of fishery resources and the protection of marine ecosystems.	(g) compliance with <u>the applicable</u> technical measures for the conservation of fishery resources and the protection of marine ecosystems. EP AM 223, EX AMs 831 (EPP) and 832 (Renew)	(g) compliance with technical measures for the conservation of fishery resources and the protection of marine ecosystems.	Sequence 6
Article 1, first paragraph, point (60), amending provision(3)(h)				
737a			<u>(h) if applicable, the obligation to have on board control observers.</u>	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision(4)				
738	4. Officials shall be able to examine all relevant areas, decks and rooms. They shall also be able to examine catches, processed or not, nets or other gear, equipment, containers and packages containing fish or fisheries products and any relevant documents or electronic transmissions which they deem necessary to verify compliance with the rules of the common fisheries policy. They shall also be able to question persons deemed to have information on the matter that is the subject of the inspection.	4. Officials shall be able to examine all relevant areas, decks and rooms. They shall also be able to examine catches, processed or not, nets or other gear <u>fishing gear used and on board</u> , equipment, containers and packages containing fish or fisheries products and any relevant documents or electronic transmissions which they deem necessary to verify compliance with the rules of the common fisheries policy. They shall also be able to question persons deemed to have information on the matter that is the subject of the inspection. EP AM 224, EX AM 833 (S&D)	4. Officials shall be able to <u>may</u> examine all relevant areas, decks and rooms. They shall also be able to <u>may also</u> examine catches, processed or not, nets or other gear, equipment, containers and packages containing fish or fisheries products and any relevant documents or electronic transmissions which they deem necessary to verify compliance with the rules of the common fisheries policy. They shall also be able to <u>may</u> question persons deemed to have information on the matter that is the subject of the inspection.	Sequence 6
Article 1, first paragraph, point (60), amending provision, numbered paragraph (4a)				
738a		<u>4a. Inspectors shall receive the training necessary to perform the tasks assigned to them and shall be equipped with the tools necessary to conduct the</u>		Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		<u>inspections.</u> EP AM 225, EX AM 835 (S&D)		
Article 1, first paragraph, point (60), amending provision(5)				
739	5. Officials shall conduct inspections in such manner as to cause the least disturbance or inconvenience to the vessel or transport vehicle and its activities, and to the storing, processing and marketing of the catch. They shall, as far as possible, prevent any degradation of the catch during the inspection.	5. Officials shall conduct inspections in such manner as to cause the least disturbance or inconvenience to the vessel or transport vehicle and its activities, and to the storing, processing and marketing of the catch. They shall, as far as possible, <u>in order to</u> prevent any degradation of the catch during the inspection. EP AM 226, EX AM 836 (S&D)	5. Officials shall conduct inspections in such manner as to cause the least disturbance or inconvenience to the vessel or transport vehicle and its activities, and to the storing, processing and marketing of the catch. They shall, as far as possible, prevent any degradation of the catch during the inspection.	Sequence 6
Article 1, first paragraph, point (60), amending provision, numbered paragraph (5a)				
739a			<u>5a. Member States shall have procedures in place to ensure that any complaint regarding the conduct of inspections is properly investigated.</u>	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision, numbered paragraph (5b)				
739b			<u>5b. Coastal Member States may, subject to appropriate arrangements with the flag Member State of a fishing vessel, invite officials of the competent authorities of that Member State to participate in inspections of fishing vessels of that Member State, whilst those vessels are operating in waters of the coastal Member State or landing in its ports.</u>	Sequence 6
Article 1, first paragraph, point (60), amending provision, numbered paragraph (5c)				
739c			<u>5c. Member States shall adopt a risk-based approach for the selection of targets for inspection, using all available information.</u>	Sequence 6
Article 1, first paragraph, point (60), amending provision(6), introductory part				
740	6. The Commission is empowered to adopt delegated acts in accordance with Article 119a in order to set specific		6. The Commission is empowered to adopt delegated acts in accordance with Article 119a in order to set <u>may, by means of</u>	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	rules on the conduct of the inspections. Those rules may concern:		<u>implementing acts, lay down</u> specific rules on the conduct of the inspections. Those rules may concern:	
Article 1, first paragraph, point (60), amending provision(6)(a)				
741	(a) the authorisation and qualification of the officials responsible to conduct inspection at sea or on land;		(a) the authorisation and <u>minimum standards for the</u> qualification of the officials responsible to conduct inspection <u>inspections</u> at sea or on land;	Sequence 6
Article 1, first paragraph, point (60), amending provision(6)(b)				
742	(b) the adoption by Member States of a risk-based approach for the selection of inspection targets;	(b) the adoption by Member States of a risk-based approach for the selection of inspection targets <u>and minimum frequency of inspections</u> ; <small>EP AM 227, EX ENVI 82</small>	(b) the adoption by Member States of a risk-based approach for the selection of inspection targets;	Sequence 6
Article 1, first paragraph, point (60), amending provision(6)(c)				
743	(c) the coordination of control inspection and enforcement activities among Member		(c) the coordination of control, inspection and enforcement activities among Member States;	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	States;			
Article 1, first paragraph, point (60), amending provision(6)(d)				
744	(d) duties of officials during the preparation of the inspection;		(d) the duties of officials during the preparation of the inspection <u>inspections</u> ;	Sequence 6
Article 1, first paragraph, point (60), amending provision(6)(e)				
745	(e) the duties of officials authorised to conduct inspections;		(e) the duties of officials authorised to conduct <u>when conducting</u> inspections;	Sequence 6
Article 1, first paragraph, point (60), amending provision(6)(f)				
746	(f) the obligations of Member States, Commission and European Fisheries Control Agency on relation to the conduct of inspections;		(f) the obligations of Member States, Commission and European Fisheries Control Agency on relation to the conduct of inspections;	Sequence 6
Article 1, first paragraph, point (60), amending provision(6)(g)				
747	(g) inspections at sea and in ports, transport inspections, and market inspection.	(g) inspections at sea, <u>along the shoreline</u> and in ports, transport inspections, and market inspection.	(g) <u>the conduct of</u> inspections at sea and in ports, transport inspections, and market inspection <u>inspections</u> .	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		EP AM 228, EX AM 840 (S&D)		
Article 1, first paragraph, point (60), amending provision, fifth paragraph				
747a			<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</u>	Sequence 6
Article 1, first paragraph, point (60), amending provision, eleventh paragraph				
748	Article 75		Article 75	Sequence 6
Article 1, first paragraph, point (60), amending provision, twelfth paragraph				
749	Duties of the operator and the master		Duties of the operator and the master	Sequence 6
Article 1, first paragraph, point (60), amending provision(1)				
750	1. The operator and the master shall cooperate with officials in the performance of their duties. They shall facilitate the safe access to the vessel, transport vehicle or room where the	1. The operator and the master shall cooperate with officials in the performance of their duties. They shall facilitate the safe access to the vessel, <u>vessel holds, transport vehicle, containers or</u>	1. The operator and the master shall cooperate with <u>and follow instructions of</u> officials in the performance of their duties <u>relating to inspections</u> . They shall facilitate the safe access to the	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	fisheries products are stored, processed or marketed. They shall ensure the safety of the officials and shall not obstruct, intimidate or interfere with the officials in the performance of their duties.	<u>storage rooms</u> or room where the fisheries products are stored, processed or marketed, <u>or facilities where fishing gears are stored or repaired</u> . They shall ensure the safety of the officials and shall not obstruct, intimidate or interfere with the officials in the performance of their duties. EP AM 229, EX AM 841 (S&D)	vessel, transport vehicle or room where the fisheries products are stored, processed or marketed. They shall ensure the safety of the officials and shall not obstruct, intimidate or interfere with the officials in the performance of their duties.	
Article 1, first paragraph, point (60), amending provision(2)				
751	2. The Commission is empowered to adopt delegated acts in accordance with Article 119a on the duties operators and masters during inspections.		2. The Commission is empowered to adopt delegated acts in accordance with Article 119a on the duties <u>of</u> operators and masters during <u>relating to</u> inspections.	Sequence 6
Article 1, first paragraph, point (60), amending provision, fifteenth paragraph				
752	Article 76		Article 76	Sequence 6
Article 1, first paragraph, point (60), amending provision, sixteenth paragraph				
753	Inspection report		Inspection report	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	Article 1, first paragraph, point (60), amending provision(1), first subparagraph			
754	<p>1. Officials shall draw up an inspection report after each inspection and shall forward it to their competent authorities. Data contained in this report shall be recorded and transmitted by electronic means. In the case of the inspection of a fishing vessel flying the flag of another Member State, a copy of the inspection report shall be sent by electronic means and without delay to the flag Member State.</p>	<p>1. Officials shall draw up an inspection report after each inspection, <u>based on an electronic form which contains the same information for all Member States</u>, and shall forward it to their competent authorities, <u>the European Fisheries Control Agency, and the operator or the master. Member States may include information additional to that contained in the common electronic form</u>. Data contained in this report shall be recorded and transmitted by electronic means. In the case of the inspection of a fishing vessel flying the flag of another Member State, a copy of the inspection report shall be sent by electronic means and without delay to the flag Member State.</p> <p>EFCA</p> <p>EP AM 230, EX AM 74 (Rapporteur)</p>	<p>1. Officials shall draw up an inspection report after each inspection and shall forward it to their competent authorities. Data contained in this report shall be recorded and transmitted by electronic means. In the case of the inspection of a fishing vessel flying the flag of another Member State, a copy of the inspection report shall be sent by electronic means and without delay to the flag Member State.</p>	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision(1), second subparagraph				
755	In the case of the inspection of a fishing vessel flying the flag of a third country, a copy of the inspection report shall be sent by electronic means and without delay to the competent authorities of the third country concerned and to the Commission in the case of detected serious infringements.	In the case of the inspection of a fishing vessel flying the flag of a third country, a copy of the inspection report shall be sent by electronic means and without delay to the competent authorities of the third country concerned, <u>to the European Fisheries Control Agency, the operator and to the master</u> and to the Commission in the case of detected serious infringements. Infringements EFCA EP AM 231, EX AM 848 (Renew)	In the case of the inspection of a fishing vessel flying the flag of a third country, a copy of the inspection report shall be sent by electronic means and without delay to the competent authorities of the third country concerned and to the Commission in the case of detected ¹ serious infringements. <u>1. A recital will explain that the term 'detected' was introduced in various Articles of the regulation to ensure the uniform use of one term for the same activity or situation. It will clarify that a detected infringement is different from a confirmed infringement, as the latter requires a decision by a competent authority.</u>	Sequence 6
Article 1, first paragraph, point (60), amending provision(1), third subparagraph				
756	In case of an inspection carried out in the waters or ports under the jurisdiction of another Member State than the inspecting Member State or of a third country in accordance with	In case of an inspection carried out in the waters or ports under the jurisdiction of another Member State than the inspecting Member State or of a third country in accordance with	In case of an inspection carried out in the waters or ports under the jurisdiction of another <u>the</u> Member State <u>other</u> than the inspecting Member State, <u>in accordance with this Regulation.</u>	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	international agreements, a copy of the inspection report shall be sent by electronic means and without delay to that Member State or that third country.	international agreements, a copy of the inspection report shall be sent by electronic means and without delay to that Member State or that third country <u>and to the European Fisheries Control Agency, the operator and to the master.</u> EFCA EP AM 232, EX AM 850 (Renew)	<u>or in the waters or ports</u> or of a third country in accordance with international agreements, a copy of the inspection report shall be sent by electronic means and without delay to that Member State or that third country.	
Article 1, first paragraph, point (60), amending provision(2)				
757	2. Officials shall communicate their findings from the inspection to the operator or to the master, who shall have the possibility to comment on the inspection and its findings. The operator's or master's comments shall be reflected in the inspection report. Officials shall indicate in the fishing logbook that an inspection has been made.		2. Officials shall communicate their findings from the inspection to the operator or to the master, who shall have the possibility to comment on the inspection and its findings. The operator's or master's <u>Those</u> comments shall be reflected in the inspection report. Officials shall indicate in the fishing logbook that an inspection has been made.	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision(3)				
758	3. A copy of the inspection report shall be sent as soon as possible to the operator or to the master, and in any case no later than 15 working days after the completion of the inspection.	3. A copy of the inspection report shall be sent, <u>preferably by electronic means</u> , as soon as possible to the operator or to the master, and in any case no later than 15 working days after the completion of the inspection. EP AM 233, EX AM 852 (S&D)	3. A copy of the inspection report shall be sent as soon as possible to the operator or to the master, and in any case no later than 15 working days after the completion of the inspection.	Sequence 6
Article 1, first paragraph, point (60), amending provision(4)				
759	4. The Commission may, by means of implementing acts, lay down common rules on the minimum format and content of inspection reports, on the completion of inspection reports and on the transmission of inspection reports. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).		4. The Commission may, by means of implementing acts, lay down common rules on the minimum format and content of inspection reports, on the completion of inspection reports and on the transmission of inspection reports. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision, twenty-first paragraph				
760	Article 77		Article 77	Sequence 6
Article 1, first paragraph, point (60), amending provision, twenty-second paragraph				
761	Admissibility of inspection and surveillance reports		Admissibility of inspection and surveillance reports	Sequence 6
Article 1, first paragraph, point (60), amending provision, twenty-third paragraph				
762	Inspection and surveillance reports drawn up by Union inspectors or officials of another Member State or Commission officials or competent authorities from a third country shall constitute admissible evidence in administrative or judicial proceedings of any Member State. For establishing facts, they shall be treated as equivalent to inspection and surveillance reports of the Member States.		Inspection and surveillance reports drawn up by Union inspectors or officials of another Member State or Commission officials or competent authorities from a third country shall constitute admissible evidence in administrative or judicial proceedings of any Member State. For establishing facts, they <u>inspection and surveillance reports drawn up by Union inspectors or officials of another Member State or Commission officials</u> shall be treated as equivalent to inspection	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
			and surveillance reports of the Member States.	
Article 1, first paragraph, point (60), amending provision, twenty-fourth paragraph				
763	Article 78		Article 78	Sequence 6
Article 1, first paragraph, point (60), amending provision, twenty-fifth paragraph				
764	Electronic database		Electronic database	Sequence 6
Article 1, first paragraph, point (60), amending provision(1)				
765	1. Member States shall set up and keep up to date an electronic database where they upload all inspection reports and surveillance reports concerning the fishing vessels flying their flag drawn up by their officials or other Member States officials or third country officials, as well as other inspections reports and surveillance report drawn up by their officials.	1. Member States shall set up and keep up to date an electronic database <u>which shall be publicly accessible with respect to non-confidential and non-sensitive information</u> where they upload all inspection reports and surveillance reports concerning the fishing vessels flying their flag drawn up by their officials or other Member States officials or third country officials, as well as	1. <u>Each</u> Member States <u>State</u> shall set up and keep up to date <u>up-to-date</u> an electronic database where they upload <u>it uploads</u> all inspection reports and surveillance reports concerning the <u>operators established in its territory and</u> fishing vessels flying their <u>its</u> flag drawn up by their officials or other Member States officials or third country <u>its</u> officials, as well as other inspections reports and	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		<p>other inspections reports and surveillance report drawn up by their officials. <u>The European Fisheries Control Agency shall centralise the Member States' databases.</u></p> <p>EFCA</p> <p>EP AM 234, EX AMs 77 (Rapporteur) and ENVI 83</p>	<p>surveillance report <u>reports</u> drawn up by their <u>its</u> officials.</p>	
Article 1, first paragraph, point (60), amending provision(2)				
766	2. The Commission may, by means of implementing acts, lay down detailed rules concerning the operation of the electronic database. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).		2. The Commission may, by means of implementing acts, lay down detailed rules concerning the operation of the electronic database. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).	Sequence 6
Article 1, first paragraph, point (60), amending provision, twenty-eighth paragraph				
767	Article 79		Article 79	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision, twenty-ninth paragraph				
768	Union inspectors		Union inspectors	Sequence 6
Article 1, first paragraph, point (60), amending provision(1)				
769	1. Member States and Commission shall notify a list of officials to the European Fisheries Control Agency (here after called 'the Agency') to be included in the list of Union inspectors. The Agency shall keep and update the list of Union inspectors including Member States, Commission and officials of the Agency. The Agency shall make such list available to the Commission and Member States.		1. Member States and Commission shall notify a list of officials to the European Fisheries Control Agency (here after called 'the Agency') to be included in the list of Union inspectors. The Agency shall keep and update the list of Union inspectors including Member States, Commission and officials of the Agency. The Agency shall make such list available to the Commission and Member States.	Sequence 6
Article 1, first paragraph, point (60), amending provision(2)				
770	2. Without prejudice to the primary responsibility of the coastal Member States, Union inspectors may carry out inspections in accordance with		2. Without prejudice to the primary responsibility of the coastal Member States, Union inspectors may carry out inspections in accordance with	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	this Regulation on the territory of Member States and in Union waters, and on Union fishing vessels outside Union waters.		this Regulation on the territory of Member States and in Union waters, and on Union fishing vessels outside Union waters.	
Article 1, first paragraph, point (60), amending provision, numbered paragraph (2a)				
770a		<p><u>2a. Union inspectors shall report to the authorities of the Member State or to the Commission any non-compliant fishing activity by fishing vessels flying the flag of a third country in international waters subject to requirements and/or recommendations issued by a regional international body.</u></p> <p>EP AM 235, EX AM 859 (S&D)</p>		Sequence 6
Article 1, first paragraph, point (60), amending provision(3), introductory part				
771	3. Union inspectors may be assigned in particular for:		3. Union inspectors may be assigned in particular for:	Sequence 6
Article 1, first paragraph, point (60), amending provision(3)(a)				
772	(a) the implementation of the specific control and inspection		(a) the implementation of the specific control and inspection	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	programmes adopted in accordance with Article 95;		programmes adopted in accordance with Article 95;	
Article 1, first paragraph, point (60), amending provision(3)(b)				
773	(b) international fisheries control programmes, where the Union is under an obligation to provide for controls.		(b) international fisheries control programmes, where the Union is under an obligation to provide for controls.	Sequence 6
Article 1, first paragraph, point (60), amending provision(3)(ba)				
773a		<u>(ba) the training of third country fisheries inspectors who provide support in the monitoring of Union vessels operating outside the Union.</u> EP AM 236, EX AM 861 (S&D)		Sequence 6
Article 1, first paragraph, point (60), amending provision(4), first subparagraph, introductory part				
774	4. For the accomplishment of their tasks and subject to paragraph 5, Union inspectors shall have access without delay to:		4. For the accomplishment of their tasks and subject to paragraph 5, Union inspectors shall have access without delay to:	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision(4), first subparagraph(a)				
775	(a) all areas on board Union fishing vessels and any other vessels carrying out fishing activities, public premises or places and means of transport; and		(a) all areas on board Union fishing vessels and any other vessels carrying out fishing activities, public premises or places and means of transport; and	Sequence 6
Article 1, first paragraph, point (60), amending provision(4), first subparagraph(b)				
776	(b) all information and documents which are needed to fulfil their tasks, in particular fishing logbooks, fishing licence, certification of engine power, CCTVs data, landing declarations, catch certificates, transshipment declarations, sales notes, and other relevant information and documents;	(b) all information and documents which are needed to fulfil their tasks, in particular fishing logbooks, fishing licence, certification of engine power, CCTVs data <u>data from electronic monitoring devices</u> , landing declarations, catch certificates, transshipment declarations, sales notes, and other relevant information and documents; CCTV -EMS EP AM 237, EX AM 863 (S&D)	(b) all <u>relevant</u> information and documents which are needed to fulfil their tasks, in particular fishing logbooks, fishing licence, certification of engine power, CCTVs data, landing declarations, catch certificates, transshipment declarations, sales notes, and other relevant information and documents;	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision(4), second subparagraph				
777	to the same extent and under the same conditions as officials of the Member State in which the inspection takes place.		to the same extent and under the same conditions as officials of the Member State in which the inspection takes place.	Sequence 6
Article 1, first paragraph, point (60), amending provision(5)				
778	5. Union inspectors shall have no police and enforcement powers beyond the territory of their Member State of origin, or outside the Union waters under the sovereignty and jurisdiction of their Member State of origin.		5. Union inspectors shall have no police and enforcement powers beyond the territory of their Member State of origin, or outside the Union waters under the sovereignty and jurisdiction of their Member State of origin.	Sequence 6
Article 1, first paragraph, point (60), amending provision(6)				
779	6. When assigned as Union inspectors, officials of the Commission or of the body designated by it shall have no police and enforcement powers.		6. When assigned as Union inspectors, officials of the Commission or of the body designated by it shall have no police and enforcement powers.	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision, numbered paragraph (6a)				
779a		<p><u><i>6a. The Commission is empowered to adopt delegated acts in accordance with Article 119a supplementing this Regulation by setting out the powers and duties of Union inspectors.</i></u></p> <p>Delegated Acts</p> <p>EP AM 238, EX AM 868 (Greens/EFA)</p>		Sequence 6
Article 1, first paragraph, point (60), amending provision(7), first subparagraph, introductory part				
780	7. The Commission shall, by means of implementing acts, lay down detailed rules concerning:		7. The Commission shall, by means of implementing acts, lay down detailed rules concerning:	Sequence 6
Article 1, first paragraph, point (60), amending provision(7), first subparagraph(a)				
781	(a) the notification of Union inspectors to the Agency;		(a) the notification of Union inspectors to the Agency;	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision(7), first subparagraph(b)				
782	(b) the adoption and maintenance of the list of Union inspectors;		(b) the adoption and maintenance of the list of Union inspectors;	Sequence 6
Article 1, first paragraph, point (60), amending provision(7), first subparagraph(c)				
783	(c) the notification of Union inspectors to Regional Fisheries Management Organisations;		(c) the notification of Union inspectors to Regional Fisheries Management Organisations;	Sequence 6
Article 1, first paragraph, point (60), amending provision(7), first subparagraph(d)				
784	(d) the powers and duties of Union inspectors;		(d) the powers and duties of Union inspectors;	Sequence 6
Article 1, first paragraph, point (60), amending provision(7), first subparagraph(e)				
785	(e) the reports of Union inspectors;		(e) the reports of Union inspectors;	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision(7), first subparagraph(f)				
786	(f) the follow-up of reports of Union inspectors.		(f) the follow-up of reports of Union inspectors.	Sequence 6
Article 1, first paragraph, point (60), amending provision(7), first subparagraph(fa)				
786a		<p><u>(fa) minimum training requirements for Union inspectors, covering in-depth knowledge of the common fisheries policy as well as relevant Union environmental law.</u></p> <p>"</p> <p>EP AM 239, EX ENVI 85</p>		Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (60), amending provision(7), second subparagraph				
787	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "	Sequence 6
Article 1, first paragraph, point (61), introductory part				
788	(61) in Article 80 paragraph 4 is replaced as follows:		(61) in Article 80 paragraph 4 is replaced as follows:	Sequence 6
Article 1, first paragraph, point (61), amending provision(4)				
789	" 4. A Member State may inspect Union fishing vessels flying its own flag or the flag of another Member State in waters or ports of third countries in accordance with international agreements. "		" 4. A Member State may inspect Union fishing vessels flying its own flag or the flag of another Member State in waters or ports of third countries in accordance with international agreements. "	Sequence 6
Article 1, first paragraph, point (70), introductory part				
950	(70) in Title IX, the following Article 93a is inserted:		(70) in Title IX, the following Article 93a is inserted:	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (70), amending provision, first paragraph				
951	" Article 93a		" Article 93a	Sequence 6
Article 1, first paragraph, point (70), amending provision, second paragraph				
952	National control programmes and annual reports		National control programmes and annual reports	Sequence 6
Article 1, first paragraph, point (70), amending provision(1), first subparagraph				
953	1. Member States shall establish annual or multiannual national control programmes for the inspections and the control of the rules of the common fisheries policy.	" 1. Member States shall establish annual or multiannual national control programmes for the inspections and the <u>inspections,</u> <u>surveillance and</u> control of the rules of the common fisheries policy. EP AM 271, EX CA 22	1. Member States shall establish annual or multiannual national control programmes for the inspections and the control of the rules of the common fisheries policy.	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 1, first paragraph, point (70), amending provision(1), second subparagraph				
954	National control programmes shall be risk-based and shall be updated at least once a year in particular taking into account newly adopted conservation and control measures.	National control programmes shall be risk-based and shall be updated at least once a year in particular taking into account newly adopted conservation and control measures <u>and the conclusions of the annual evaluation report referred to in paragraph 2b.</u> EP AM 272, EX CA 22	National control programmes shall be risk-based and shall be updated at least once a year <u>when necessary</u> , in particular taking into account newly adopted conservation and control measures <u>and any additional data.</u>	Sequence 6
Article 1, first paragraph, point (70), amending provision(1), third subparagraph				
955	National control programmes shall be notified to the Commission before the 31 December of each year and shall cover at least the following calendar year.		National control programmes shall be notified to the Commission before the 31 December of each year <u>period</u> and shall cover at least the following calendar year <u>or years.</u>	Sequence 6
Article 1, first paragraph, point (70), amending provision(2)				
956	2. By 30 June every year, Member States shall submit to the Commission a report on	2. By 30 June <u>31 March</u> every year, Member States shall submit to the Commission a report on	2. By 30 June every year <u>Within 6 months after the end of the respective period referred in</u>	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	inspections and controls performed in the previous year, in accordance with the national control programmes and in compliance with the present Regulation.	inspections, <u>surveillance</u> and controls performed in the previous year, in accordance with the national control programmes and in compliance with <u>this Regulation. Those reports shall be made public on the official website of the Member States by 31 March every year</u> the present Regulation. EP AM 273, EX CA 22	<u>paragraph 1</u> , Member States shall submit to the Commission a report on inspections and controls performed in the previous year , in accordance with the national control programmes and in compliance with the present Regulation. <u>For the purpose of reporting, Member States may refer to information provided under the implementing act referred to in Article 95.</u>	
Article 1, first paragraph, point (70), amending provision, numbered paragraph (2a), introductory part				
956a		<u>2a. The report on inspections, surveillance and controls referred to in paragraph 2 shall contain, at least, the following information:</u> EP AM 274, EX CA 22		Sequence 6
Article 1, first paragraph, point (70), amending provision, numbered paragraph (2a)(a)				
956b		<u>(a) the total budget allocated to fisheries control;</u> EP AM 274, EX CA 22		Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	Article 1, first paragraph, point (70), amending provision, numbered paragraph (2a)(b)			
956c		<u>(b) the number and type of inspections, surveillance and controls performed;</u> EP AM 274, EX CA 22		Sequence 6
	Article 1, first paragraph, point (70), amending provision, numbered paragraph (2a)(c)			
956d		<u>(c) the number and type of suspected and confirmed infringements, including serious infringements;</u> EP AM 274, EX CA 22		Sequence 6
	Article 1, first paragraph, point (70), amending provision, numbered paragraph (2a)(d)			
956e		<u>(d) the type of follow-up actions to confirmed infringements (such as simple warning, administrative sanction, criminal sanction, immediate enforcement measure or number of penalty points administered).</u>		Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		EP AM 274, EX CA 22		
Article 1, first paragraph, point (70), amending provision, numbered paragraph (2b)				
956f		<p><u>2b. By 1 September every year, the Commission shall publish a report with an evaluation of the implementation of the national control programmes. That report shall include the main findings of the reports referred to in paragraph 2, and shall also analyse the application of this Regulation by fishing vessels registered in third countries fishing in Union waters, particularly fishing vessels registered in neighbouring countries of the Union. That report shall be made public on the website of the Commission.</u></p> <p>EP AM 275, EX CA 22</p>		Sequence 6
Article 1, first paragraph, point (70), amending provision(3)				
957	3. The Commission is empowered to adopt delegated		3. The Commission is empowered to adopt delegated acts in	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	acts in accordance with Article 119a to adopt minimum requirements for national control programmes and annual reports and to set the benchmarks for controls taking into account the objectives of the common fisheries policy and technical progress and scientific developments. "		accordance with Article 119a to adopt <u>may, by means of implementing acts, lay down</u> minimum requirements for national control programmes and annual reports and to set the benchmarks for controls taking into account the objectives of the common fisheries policy and technical progress and scientific developments. <u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</u> "	
Article 1, first paragraph, point (71), introductory part				
958	(71) in Article 95, paragraph 1 is replaced by the following:		(71) in Article 95, paragraph 1 is replaced by the following:	Sequence 6
Article 1, first paragraph, point (71), amending provision(1)				
959	" 1. Certain fisheries may be subject to specific control and inspection programmes. The Commission may, by means of implementing acts and in		" 1. Certain fisheries may be subject to specific control and inspection programmes. The Commission may, by means of implementing acts and in concert	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	concert with the Member States concerned, determine which fisheries shall be subject to the specific control and inspection programmes on the basis of the need for specific and coordinated control of the fisheries in question. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "		with the Member States concerned, determine which fisheries shall be subject to the specific control and inspection programmes on the basis of the need for specific and coordinated control of the fisheries in question. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "	
Article 2				
1146	Article 2 Amendments to Regulation (EC) No 768/2005		Article 2 Amendments to Regulation (EC <u>EU</u>) No 768/2005 <u>2019/473</u>	<i>GA accepted by EP and COM</i> Sequence 1
Article 2(1), introductory part				
1147	(1) Article 1 is replaced by the following:		(1) Article 1 is replaced by the following:	 Sequence 1
Article 2(1), amending provision, first paragraph				
1148	" Article 1		" Article 1	<i>COM proposal accepted by Council and EP</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				Sequence 1
Article 2(1), amending provision, second paragraph				
1149	Objective		Objective	COM proposal accepted by Council and EP Sequence 1
Article 2(1), amending provision(1)				
1150	1. This Regulation establishes a European Fisheries Control Agency ('the Agency') for the purpose of ensuring a high, uniform and effective level of control and compliance with the rules of the Common Fisheries Policy, including its external dimension.		1. This Regulation establishes a European Fisheries Control Agency ('the Agency') for the purpose of ensuring a high, uniform and effective level of control, <u>inspection</u> and compliance with the rules of the Common Fisheries Policy, including its external dimension.	<p>Presidency suggests to agree to the following text, that is based on the GA but also uses part of text of the currently applicable codified EFCA Regulation (Article 1 thereof):</p> <p>1. This Regulation establishes <u>makes provision for</u> a European Fisheries Control Agency ('the Agency') for the purpose of ensuring a high, uniform and effective level of control, <u>inspection</u> and compliance with the rules of the Common Fisheries Policy, including its external dimension.</p> <p>Sequence 1</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(1), amending provision(2)				
1151	2. To that end, the Agency shall cooperate with the Member States and the Commission and provide them technical, operational and scientific assistance as regards the fields mentioned in paragraph 1 of this Article within the limits of the missions and tasks set out in Chapter II. "		2. To that end, the Agency shall cooperate with the Member States and the Commission and provide them technical, operational and scientific assistance as regards the fields mentioned in paragraph 1 of this Article within the limits of the missions and tasks set out in Chapter II.	<i>GA acceptable to EP and COM, if text in row 1151a is deleted (see next row).</i> Sequence 1
Article 2(1), amending provision(2a)				
1151a			<u>2a. When providing the assistance referred to in paragraph 2, the Agency shall organise the operational coordination of fisheries control and inspection activities by the Member States and contribute to the overall efficiency of the control, inspection and combat of IUU fishing activities, to facilitate the uniform application of the rules of the Common Fisheries Policy relating to control and inspection.</u> "	<i>Presidency suggests to delete paragraph 2a, in order to ensure agreement by the EP for text in row 1151 and other EFCA-related provisions.</i> Delete text of GA. Sequence 1

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(1a)				
1151b		<p><u>1a. In Article 2(1), point (a) is replaced by the following:</u> <u>"(a) 'control and inspection' means any measures taken by Member States to control and inspect fishing activities within the scope of the common fisheries policy including surveillance and monitoring activities such as vessel monitoring systems and observer schemes; "</u></p> <p>Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473.</p> <p>VMS EFCA</p> <p>EP AM 285, EX AM 1074 (S&D)</p>		<p>EP willing to delete this proposed amendment, but to refer to definitions of control and inspection in the Control Regulation (see next rows).</p> <p>deleted</p> <p>Sequence 1</p>
Article 2(1b)				
1151c				<p>Presidency suggests to agree to inserting the following text, which refers to the definition of control in the Control Regulation. At the same time, the</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				<p><i>proposed EP amendment in row 1151b is deleted. These changes are accepted by EP and COM.</i></p> <p>1b. In Article 2, point (a) is replaced by the following: "(a) 'control' means control as defined in Article 4 point 3 of Regulation (EC) No 1224/2009."</p> <p>Sequence 1</p>
Article 2(1c)				
1151d				<p><i>Presidency suggests to agree to inserting the following text, which refers to the definition of inspection in the Control Regulation. At the same time, the proposed EP amendment in row 1151b is deleted. These changes are accepted by EP and COM.</i></p> <p>1c. In Article 2, the following point is inserted: "(aa) 'inspection' means inspection as defined in Article 4 point 4 of Regulation (EC) No 1224/2009."</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				Sequence 1
Article 2(2), introductory part				
1152	(2) Article 3 is amended as follows:		(2) Article 3 is amended as follows:	Sequence 1
Article 2(2), point (a), introductory part				
1153	(a) point (e) is replaced by the following:		(a) point (e) is replaced by the following:	Sequence 1
Article 2(2), point (a), amending provision, first paragraph				
1154	" (e) to assist Member States and the Commission in harmonising the application of the common fisheries policy; "	" (e) to assist Member States and the Commission in harmonising the application <u>and ensuring the sustainability</u> of the common fisheries policy <u>including its external dimension</u> ; " Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 3(e) of Regulation (EC) No 768/2005 corresponds to Article 3(e) of Regulation (EU) 2019/473.	" (e) to assist Member States and the Commission in harmonising the application of the common fisheries policy; "	<i>Presidency proposes to agree to the following changes which constitutes a compromise acceptable to the EP and COM and is highly important to the EP:</i> (e) to assist Member States and the Commission in harmonising the application of the rules of the common fisheries policy, and thereby to contribute to the achievement of its objectives, including the sustainable exploitation of

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		EFCA EP AM 286, EX ENVI 129		<u>marine biological resources</u> ; Sequence 1
Article 2(2), point (b), introductory part				
1155	(b) point (f) is replaced by the following:		(b) point (f) is replaced by the following:	Linked to next row (row 1156) (b) point (f) is replaced by the following: Sequence 1
Article 2(2), point (b), amending provision, first paragraph				
1156	" (f) to contribute to the work of Member States and the Commission on research into and development of control and inspection techniques and to initiate research into and development of control and inspection techniques; "		" (f) to contribute to <u>and, where relevant, participate in</u> the work of Member States and the Commission on research into and development of control and inspection techniques and to initiate research into and development of control and inspection techniques; "	<i>Presidency suggests to agree to the following text, which uses other regulations on executive agencies, in particular, Regulation (EU) 2019/189 (Frontex Regulation) as model and which, as compromise, is acceptable to the EP and COM:</i> (f) to contribute to, <u>and participate in</u> , the work of Member States and the Commission on research into, and development of, control and inspection techniques and to <u>develop pilot projects on</u> research into, and development

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				<p>of <u>such</u> techniques;</p> <p>"</p> <p><i>Linked to that provision, the Presidency suggests to agree to the following recital, which is contains the necessary adjustments to recital (67) of the Commission proposal (see row 117 in doc. ST 10406 for the original version of the recital) and is acceptable to the EP and COM:</i></p> <p>(67) For reasons of consistency with the scope of Regulation (EC) No 1224/2009, the objectives of Regulation (<u>EU</u>) <u>No 2019/473</u>¹ should be enlarged. The <u>mission</u> of the European Fisheries Control Agency should cover the harmonisation of the application <u>of the rules</u> of the common fisheries policy. <u>It</u> should <u>comprise</u> research and development in the area of control and inspection techniques, <u>including, in cooperation with Member States, the development of pilot projects</u>, and provision of assistance to the Commission in</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				specific fields. 1. Regulation (EU) No 2019/473 of the European Parliament and of the Council of 19 March 2019 on the European Fisheries Control Agency (codification) (OJ L 83, 2.3.2019, p. 18). Sequence 1
Article 2(2), point (ba)				
1156a		<p><u>(ba) In Article 3, the following point is added:</u></p> <p><u>"(ja) to work together with the European Environment Agency and the European Maritime Safety Agency in sharing relevant data and information to support the creation and common use of knowledge on the marine environment."</u></p> <p>Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473.</p> <p>EFCA</p> <p>EP AM 287, EX CA 14</p>		<p><i>In view of a compromise with the EP and aim to avoid a specific reference to data sharing between EFCA and the EEA and EMSA, the Presidency suggests to support the following text, which is general and describes actual practice today, paired with a new recital. The text is acceptable to EP and COM.</i></p> <p>(ba) In Article 3, the following point is added: "(ja) where appropriate, to cooperate with and coordinate activities with other decentralised Agencies of the European Union within the scope of their tasks, missions, and areas of activity."</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				<p><i>The Presidency also suggests to agree on the following recital that would complement the proposed paragraph. The text is accepted by EP and COM. This text would be included in row 66a and replace the recital proposed by the EP set out in that row (see doc. ST 10406).</i></p> <p>(55a) In accordance with the Joint Statement of the European Parliament, the Council of the European Union and the European Commission on decentralised agencies, for every agency an evaluation commissioned by the Commission should take place every five years. Given that a number of fisheries and environmental challenges are strongly interlinked, the Commission, in the context of the next periodical evaluation of the European Environment Agency, will consider how to enhance cooperation and relevant sharing of data between the European Fisheries Control Agency and the European</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				Environmental Agency and in what format such enhanced cooperation could be formalized, including, if necessary, by submitting any relevant legislative proposal or other measures to this effect. Sequence 1
Article 2(2), point (c), introductory part				
1157	(c) the following point (k) is added:		(c) the following point (k) is added:	<i>COM proposal accepted by Council and EP</i> Sequence 1
Article 2(2), point (c), amending provision, first paragraph				
1158	" (k) to assist the Commission in the performance of tasks assigned to the Commission in legislative acts of the Union with regard to the objectives of the Agency." "		" (k) to assist the Commission in the performance of tasks assigned to the Commission in legislative acts of the Union with regard to the objectives of the Agency." "	<i>COM proposal accepted by Council and EP</i> Sequence 1 "

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(2), point (ca), introductory part				
1158a		<p><u>(ca) In Article 3, the following paragraph is added:</u></p> <p>EP AM 288, EX CA 14</p>		<p><i>EP accepts to delete this proposed amendment as part of the compromise proposed in row 1156a, that is, the inclusion of a more generally-worded paragraph on cooperation among agencies and the linked recital (see rows 1156a).</i></p> <p>deleted</p> <p>Sequence 1</p>
Article 2(2), point (ca), amending provision, first paragraph				
1158b		<p>"</p> <p><u>1a. The Commission shall draw up a partnership protocol between the agencies referred to in point (ja) of the first paragraph as the framework for their enhanced cooperation.</u></p> <p>"</p> <p>Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473.</p> <p>EFCA</p> <p>EP AM 288, EX CA 14</p>		<p><i>EP accepts to delete this proposed amendment as part of the compromise proposed in row 1156a, that is, the inclusion of a more generally-worded paragraph on cooperation among agencies and the linked recital (see rows 1156a).</i></p> <p>deleted</p> <p>Sequence 1</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
<i>Article 2(3), introductory part</i>				
1159	(3) Article 16 is replaced by the following:		(3) Article 16 ¹⁷ is replaced by the following:	<i>GA accepted by EP and COM</i> Sequence 1
<i>Article 2(3), amending provision, first paragraph</i>				
1160	" Article 16		" Article 16 ¹⁷	<i>GA accepted by EP and COM</i> Sequence 1
<i>Article 2(3), amending provision, second paragraph</i>				
1161	Exchange and processing of data and information		Exchange and processing of data and information	<i>COM proposal accepted by Council and EP</i> Sequence 1
<i>Article 2(3), amending provision(1)</i>				
1162	1. The Commission, the Agency and the competent authorities of Member States shall exchange relevant data and information available to them regarding joint control and inspection activities within Union and international waters		1. The Commission, the Agency and the competent authorities of Member States shall exchange relevant data and information available to them regarding joint control and inspection activities within <u>the territory of Member States and</u> Union and	<i>GA accepted by EP and COM</i> Sequence 1

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	in accordance with Regulation (EC) No 1224/2009.		international waters in accordance with Regulation (EC) No 1224/2009.	
Article 2(3), amending provision(2)				
1163	2. The Agency shall take, in accordance with the relevant Union legislation, measures to ensure appropriate protection of the confidentiality of the information received pursuant to this Regulation in accordance with Article 113 of Regulation (EC) No 1224/2009.		2. The Agency shall take, in accordance with the relevant Union legislation, measures to ensure appropriate protection of the confidentiality of the information received pursuant to this Regulation in accordance with Article 113 of Regulation (EC) No 1224/2009.	<i>COM proposal accepted by Council and EP</i> Sequence 1
Article 2(3), amending provision(3)				
1164	3. Regulation (EU) 2018/XX of the European Parliament and of the Council(*) shall apply to the processing of personal data carried out by the Agency.		3. Regulation (EU) 2018/XX 2018/1725 of the European Parliament and of the Council(*) shall apply to the processing of personal data carried out by the Agency.	<i>GA accepted by EP and COM</i> Sequence 1

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(3), amending provision(4)				
1165	4. In relation to the processing of personal data referred to in Article 110(1) and (2) of Regulation (EC) No 1224/2009, the Agency shall be regarded as a controller as defined in point (b) of Article 3(2) of Regulation (EU) 2018/XX.		4. In relation to the processing of personal data referred to in Article 110(1) and (2) of Regulation (EC) No 1224/2009, the Agency shall be regarded as a controller as defined in point (b) of Article 3(2) <u>3(8)</u> of Regulation (EU) 2018/XX <u>2018/1725</u> .	<i>GA accepted by EP and COM</i> Sequence 1
Article 2(3), amending provision(5)				
1166	5. The Agency shall process personal data referred to in Article 110(1) and (2) of Regulation (EC) No 1224/2009 for the purpose of coordinating controls and inspections, assisting Member States and the Commission to conduct their tasks under the common fisheries policy, and coordinating operations to combat illegal, unreported and unregulated fishing.		5. The Agency shall <u>may</u> process personal data referred to in Article 110(1) and (2) of Regulation (EC) No 1224/2009 for the purpose of coordinating controls and inspections, assisting Member States and the Commission to conduct their tasks under the common fisheries policy, and coordinating operations to combat illegal, unreported and unregulated fishing.	<i>Discussion postponed to sequence 12 (data protection)</i> Sequence 1 Sequence 12

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(3), amending provision(6), first subparagraph				
1167	6. Personal data referred to in Article 110(1) and (2) of Regulation (EC) 1224/2009 shall not be stored for a period longer than 5 years, except for personal data that is necessary to allow the follow-up of a complaint, an infringement, an inspection, a verification or an audit or on-going judicial or administrative proceedings which may be retained for 10 years.		6. Personal data referred to in Article 110(1) and (2) of Regulation (EC) 1224/2009 shall not be stored for a period longer than 5 <u>five</u> years, except for personal data that is necessary to allow the follow-up of a complaint, an infringement, an inspection, a verification or an audit or on-going judicial or administrative proceedings which may be retained for <u>until the completion of the procedure concerned and for no longer than</u> 10 years.	<i>Discussion postponed to sequence 12 (data protection)</i> Sequence 1 Sequence 12
Article 2(3), amending provision(6), second subparagraph				
1168	If the information is retained for a longer period of time, the data shall be anonymized.		If the information is retained for a longer period of time, the data shall be anonymized.	<i>COM proposal accepted by Council and EP</i> Sequence 1
Article 2(3), amending provision, numbered paragraph (6a)				
1168a			<u>6a. Personal data contained in CCTV footage/images collected under Article 13 shall be not be stored for a period longer than 1</u>	<i>Discussion postponed to sequence 12 (data protection)</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
			<u>year except where necessary to allow the follow up of a complaint, an infringement, an inspection, a verification or an audit or on-going judicial or administrative proceedings, until the completion of the procedure concerned and for no longer than 10 years.</u>	Sequence 1
Article 2(3), amending provision(7)				
1169	7. The transfer of the following personal data contained in fishing activity data to a third Country or to an international organization shall only be performed in accordance with Chapter V of Regulation (EU) 2018/XX and in compliance with agreement with that third country or with the applicable rules of that international organisation.		7. The transfer of the following personal data contained in fishing activity data to a third Country or to an international organization shall only be performed in accordance with Chapter V of Regulation (EU) 2018/XX <u>2018/1725</u> and in compliance with agreement with that third country or with the applicable rules of that international organisation.	<i>GA accepted by EP and COM</i> Sequence 1

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(3), amending provision, tenth paragraph				
1170	(*) Proposal for a Regulation of the European Parliament and of the Council on the protection of individuals 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 (COM (2017)8 final, 10.1.2017) "		<u>Regulation</u> (*EU) Proposal for a Regulation 2018/1725 of the European Parliament and of the Council <u>of 23 October 2018</u> on the protection of individuals <u>natural persons</u> 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 (COM (2017)8 final, 10.1.2017 <u>OJ L 295, 21.11.2018, p. 39</u>). "	<i>GA accepted by EP and COM</i> Sequence 1
Article 2(4), introductory part				
1171	(4) Article 17a is replaced by the following:		(4) Article 17a <u>19</u> is replaced by the following:	<i>GA accepted by EP and COM</i> Sequence 1

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(4), amending provision, first paragraph				
1172	" Article 17a		" Article 17a ¹⁹	<i>GA accepted by EP and COM</i> Sequence 1
Article 2(4), amending provision, second paragraph				
1173	Assignment of Agency officials as Union inspectors		Assignment of Agency officials as Union inspectors	<i>COM proposal accepted by Council and EP</i> Sequence 1
Article 2(4), amending provision, third paragraph				
1174	Officials of the Agency may be assigned as Union inspectors in accordance with Article 79 of Regulation (EC) No 1224/2009. "		Officials of the Agency may be assigned as Union inspectors in accordance with Article 79 of Regulation (EC) No 1224/2009. "	<i>COM proposal accepted by Council and EP</i> <i>COM proposal accepted by Council and EP</i> Sequence 1

Commission Proposal		EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(4b)				
1174a				<p><i>The Presidency suggests to add the following text, which is acceptable to the EP and COM. Similar to other provisions, it aligns the text with terminology used in Regulation (EU) 2019/715 (Framework Financial Regulation for decentralised agencies).</i></p> <p>4b. Article 24, paragraph 3 is replaced by the following: "3. The annual work programme referred to in Article 32(2)(c) shall be coherent with the multiannual work programme. It shall clearly indicate additions, changes or deletions compared with the previous year's work programme, and the progress made in the achievement of the overall objectives and priorities of the multiannual work programme."</p> <p>Sequence 1</p>


	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(4a)				
1174b		<p>"</p> <p><u>4a. Article 17g is replaced by the following:</u></p> <p><u>Article 17g</u></p> <p><u>Cooperation in maritime affairs</u></p> <p><u>"The Agency shall contribute to and help the implementation of the EU Integrated Maritime Policy, and in particular conclude administrative agreements with other bodies in matters covered by this Regulation after approval by the Administrative Board. The Executive Director shall inform the European Parliament, the Commission and the Member States thereof at an early stage of such negotiations."</u></p> <p>"</p> <p>Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 17g of Regulation (EC) No 768/2005 corresponds to Article 25 of Regulation (EU) 2019/473.</p> <p>EFCA</p>		<p>EP amendment linked to a set of provisions relating the role of the EP in EFCA. Presidency suggests to agree to the following text, which is accepted by EP and COM and part of an overall package of addressing the role of EP in EFCA:</p> <p>4c. Article 25 is replaced by the following:</p> <p>" Article 25</p> <p>Cooperation in maritime affairs</p> <p>The Agency shall contribute to the implementation of the EU Integrated Maritime Policy, and in particular conclude administrative agreements with other bodies in matters covered by this Regulation after approval by the Administrative Board. The Executive Director shall inform the Administrative Board thereof at an early stage of such negotiations."</p> <p>Sequence 1</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		EP AM 289, EX AMs 1078 (S&D) and ENVI 130		
Article 2(4b), introductory part				
1174c				Sequence 1 Sequence 3
Article 2(4b), amending provision, numbered paragraph				
1174d				Sequence 1 Sequence 3
Article 2(5), introductory part				
1175	(5) in Article 23, paragraph 2, is amended as follows:		(5) in Article 23 ³² , paragraph 2, is amended as follows:	<i>GA accepted by EP and COM</i> Sequence 1
Article 2(5), point (a)				
1176	(a) in point (b) the terms '30 April' are replaced by '30 June'.		(a) in point (b) the terms '30 April' are replaced by ' 30 June ¹ <u>July</u> '.	<i>GA accepted by EP and COM</i> Sequence 1
Article 2(5), point (b), introductory part				
1177	(b) the following point is inserted:		(b) the following point is inserted:	<i>COM proposal accepted by Council and EP</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				Sequence 1
Article 2(5), point (b), amending provision, first paragraph				
1178	" (i) ensure that the findings and recommendations stemming from evaluations carried out in accordance with Article 39 are adequately followed up in investigations conducted by the European Anti-Fraud Office (OLAF) and internal or external audits." "		" (i) ensure that the <u>adequate follow-up to</u> findings and recommendations stemming from evaluations carried out in accordance with Article 39 are adequately followed up in the <u>internal or external audit reports and evaluations, as well as from</u> investigations conducted by of the European Anti-Fraud Office (OLAF) and internal or external audits . "	GA accepted by EP and COM Sequence 1
Article 2(5a)				
1178a		<u>5a. In point (c) of Article 23(2), the first subparagraph is replaced by the following:</u> <u>"adopt by 31 October each year, and taking into account the opinion of the European Parliament, the Commission and the Member States, the work programme of the Agency for the</u>		<u>EP amendment linked to a set of provisions relating the role of the EP in EFCA. Presidency suggests agreeing to the following text, which is accepted by EP and COM and part of an overall package addressing the role of EP in EFCA. In addition, the text is improved to align it with Regulation (EU) 2019/715</u>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		<p><u><i>coming year and forward it to the European Parliament, the Council, the Commission and the Member States."</i></u></p> <p>Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 23 of Regulation (EC) No 768/2005 corresponds to Article 32 of Regulation (EU) 2019/473.</p> <p>EFCA</p> <p>EP AM 290, EX AMs 1079 and ENVI 131</p>	<p>2018/0193 (COD) Council Mandate</p>	<p><i>(Framework Financial Regulation for decentralised agencies), using recent regulations on decentralised agencies as model, in particular, Regulation (EU) 2019/1896 (Frontex)..</i></p> <p>5a. In point (c) of Article 32(2), the first subparagraph is replaced by the following: "(c) adopt, by 30 November each year, the Single Programming Document, containing, inter alia, the Agency's multiannual programming and annual programming for the following year."</p> <p>Sequence 1</p> <p><i>Linked to this paragraph, the Presidency asks for flexibility to insert a new recital along the following lines:</i></p> <p>(68a) For the purpose of ensuring consistent</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				programming and to align Regulation (EU) 2019/473 with Regulation (EU) 2019/715, the Agency should draw up a Single Programming Document containing annual and multiannual programming.
Article 2(5b)				
1178b		<p><u>5b. In point (c) of Article 23(2), the second subparagraph is replaced by the following:</u></p> <p><u>"The work programme shall contain the priorities of the Agency. It shall give priority to the duties of the Agency relating to control and surveillance programmes. It shall be adopted without prejudice to the annual Community budgetary procedure. In case the European Parliament or the Commission expresses, within 30 days from the date of adoption of the work programme, its disagreement with that programme, the Administrative Board shall re-examine the programme and adopt it, possibly amended, within a period of two months, in a second reading;"</u></p> <p>"</p>		<p>EP amendment linked to a set of provisions relating the role of the EP in EFCA. Presidency suggests agreeing to the following text, which is accepted by EP and COM and part of an overall package addressing the role of EP in EFCA. In addition, the text is improved to align it with Regulation (EU) 2019/715 (Framework Financial Regulation for decentralised agencies) and the 2012 Joint Statement by EP, Council and COM on decentralised agencies, using recent regulations on decentralised agencies as model, in particular, Regulation (EU) 2019/1896 (Frontex) as example.</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		<p>Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 23 of Regulation (EC) No 768/2005 corresponds to Article 32 of Regulation (EU) 2019/473.</p> <p>EFCA</p> <p>EP AM 291, EX AMs 1080 and ENVI 132</p>		<p>5b. In point (c) of Article 23(2), the second paragraph is replaced by the following:</p> <p>"The Single Programming Document shall contain the priorities of the Agency. It shall give priority to the duties of the Agency relating to control and inspection programmes. It shall be adopted without prejudice to the annual Union budgetary procedure.</p> <p>The Single Programming Document shall be adopted taking into account the opinion of the Commission and, as regards the multiannual programming, after having consulted the European Parliament and the Council. The Administrative Board shall forward the document to the European Parliament, to the Council and to the Commission without delay."</p> <p>Sequence 1</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(5c)				
1178c		<p><u>5c. in Article 24, paragraph 1 is replaced by the following:</u> <u>"1. The Administrative Board shall be composed of representatives of Member States, six representatives of the Commission and representatives of the European Parliament. Each Member State shall be entitled to appoint one member. The European Parliament shall be entitled to appoint two representatives. The Member States, the Commission and the European Parliament shall appoint one alternate to each member who will represent the member in his/her absence."</u></p> <p>Regulation (EC) No 768/2005 has been codified and repealed by Regulation (EU) 2019/473. Article 24(1) of Regulation (EC) No 768/2005 corresponds to Article 33(1) of Regulation (EU) 2019/473.</p> <p>EFCA</p> <p>EP AM 292, EX AM ENVI 133</p>		<p><i>EP amendment linked to a set of provisions relating the role of the EP in EFCA, of which it is the most relevant. Presidency urges to agreeing to accept giving the EP one seat in the Administrative Board, which is accepted by EP and COM and key to agreeing with the EP on numerous provisions on EFCA. The Presidency asks for flexibility with regard to the exact wording. A possible text could be as follows:</i></p> <p>1. The Administrative Board shall be composed of representatives of Member States, six representatives of the Commission and one representative appointed by [Alt: of] the European Parliament. Each Member State shall be entitled to appoint one member. The Member States, the Commission and the European Parliament shall appoint one alternate for each member to represent the member in his or her absence. Only representatives of the Member</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				<p><u>States and the Commission shall have the right to vote.</u></p> <p><i>In addition, the Presidency asks for flexibility to explore adding a recital along the lines of the following example. EP and COM in principle agree on adding a recital on the conflict of interest:</i></p> <p>The composition of the Administrative Board of the Agency should be aligned to the Common Approach annexed to the Joint Statement of the European Parliament, the Council of the European Union and the European Commission on decentralised agencies of 19 July 2012. For this reason, and without prejudice to the role of the European Parliament on discharge in respect of the implementation of the budget of the Agency, the European Parliament should be entitled to have one representative without the right to vote, including a former Member of the European</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				<p>Parliament or an expert, in the Administrative Board. All members of the Administrative Board should be appointed on the basis of their relevant experience and expertise in the field of fisheries control and inspection and should not have any direct or indirect conflict of interest that might be considered prejudicial to their independence.</p> <p>Sequence 1</p>
Article 2(5d)				
1178d				Sequence 1
Article 2(6), introductory part				
1179	(6) Article 26, is replaced by the following:		(6) Article 26 <u>35</u> , is replaced by the following:	<p><i>GA accepted by EP and COM</i></p> <p>Sequence 1</p>
Article 2(6), amending provision, first paragraph				
1180	" Article 26		" Article 26 <u>35</u>	<p><i>GA accepted by EP and COM</i></p> <p>Sequence 1</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(6), amending provision, second paragraph				
1181	Meetings		Meetings	<i>COM proposal accepted by Council and EP</i> Sequence 1
Article 2(6), amending provision(1)				
1182	1. The meetings of the Administrative Board shall be convened by its Chairperson. The agenda shall be determined by the Chairperson, taking into account the proposals of members of the Administrative Board and the Executive Director of the Agency.		1. The meetings of the Administrative Board shall be convened by its Chairperson. The agenda shall be determined by the Chairperson, taking into account the proposals of members of the Administrative Board and the Executive Director of the Agency.	<i>COM proposal accepted by Council and EP</i> Sequence 1
Article 2(6), amending provision(2)				
1183	2. The Executive Director and the representative appointed by the Advisory Board shall take part in the deliberations without the right to vote.		2. The Executive Director and the representative appointed by the Advisory Board shall take part in the deliberations without the right to vote.	<i>COM proposal accepted by Council and EP</i> Sequence 1

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(6), amending provision(3)				
1184	3. The Administrative Board shall hold an ordinary meeting at least once a year. In addition it shall meet on the initiative of the Chairperson or at the request of the Commission or of one-third of the Member States represented on the Administrative Board.		3. The Administrative Board shall hold an ordinary meeting at least once a year. In addition it shall meet on the initiative of the Chairperson or at the request of the Commission or of one-third of the Member States represented on the Administrative Board.	<i>COM proposal accepted by Council and EP</i> Sequence 1
Article 2(6), amending provision(4)				
1185	4. The Administrative Board may invite a representative of relevant Union institutions to attend its meetings.		4. The Administrative Board may invite a representative of relevant Union institutions to attend its meetings.	<i>GA accepted by EP and COM</i> Sequence 1
Article 2(6), amending provision(5)				
1186	5. The Administrative Board may invite any person whose opinion may be of interest to attend its meetings as an observer.		5. The Administrative Board may invite <u>a representative of relevant Union institutions or</u> any person whose opinion may be of interest to attend its meetings as an observer.	<i>GA accepted by EP and COM</i> Sequence 1

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(6), amending provision(6)				
1187	6. When there is a matter of confidentiality or conflict of interest, the Administrative Board may decide to examine specific items of its agenda without the presence of the representative appointed by the Advisory Board, the representatives appointed by relevant Union institutions as referred to in paragraph 4 and the person(s) referred to in paragraph 5. Detailed rules for the application of this provision may be laid down in the rules of procedure.		6. When there is a matter of confidentiality or conflict of interest, the Administrative Board may decide to examine specific items of its agenda without the presence of the representative appointed by the Advisory Board, the representatives appointed by relevant Union institutions as referred to in paragraph 4 and the person(s) referred to in paragraph 5. Detailed rules for the application of this provision may be laid down in the rules of procedure.	<i>GA accepted by EP and COM</i> Sequence 1
Article 2(6), amending provision(7)				
1188	7. The members of the Administrative Board may, subject to the provisions of its rules of procedure, be assisted by advisers or experts.		7. The members of the Administrative Board may, subject to the provisions of its rules of procedure, be assisted by advisers or experts.	<i>COM proposal accepted by Council and EP</i> Sequence 1
Article 2(6), amending provision(8)				
1189	8. The secretariat for the		8. The secretariat for the	<i>COM proposal accepted by Council and EP</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	Administrative Board shall be provided by the Agency. "		Administrative Board shall be provided by the Agency. "	Sequence 1
Article 2(7), introductory part				
1190	(7) in Article 29(3), point (a) is replaced by the following:		(7) in Article 29(3) 38(3), point (a) is replaced by the following:	GA accepted by EP and COM Sequence 1
Article 2(7), amending provision, first paragraph				
1191	" (a) he/she shall prepare the draft annual work programme and the draft multiannual work programme and submit them to the Administrative Board after consultation with the Commission and the Member States. He/she shall take the necessary steps for the implementation of the work programme and multiannual work programme within the limits specified by this Regulation, its implementing rules and any applicable law; "	" (a) he/she shall prepare the draft annual work programme and the draft multiannual work programme and submit them to the Administrative Board after consultation with the <u>European Parliament, the</u> Commission and the Member States. He/she shall take the necessary steps for the implementation of the work programme and multiannual work programme within the limits specified by this Regulation, its implementing rules and any applicable law; " Regulation (EC) No 768/2005 has	" (a) he/she shall prepare the draft annual work programme and the draft multiannual work programme and submit them to the Administrative Board after consultation with the Commission and the Member States. He/she shall take the necessary steps for the implementation of the work programme and multiannual work programme within the limits specified by this Regulation, its implementing rules and any applicable law; "	EP amendment linked to a set of provisions relating the role of the EP in EFCA. Presidency suggests agreeing to the following text, which is accepted by EP and COM and part of an overall package addressing the role of EP in EFCA. In addition, the text is improved to align it with Regulation (EU) 2019/715 (Framework Financial Regulation for decentralised agencies) and the 2012 Joint Statement by EP, Council and COM on decentralised agencies, using recent regulations on decentralised agencies as model, in particular, Regulation (EU) 2019/1896 (Frontex) as example.

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
		<p>been codified and repealed by Regulation (EU) 2019/473. Article 29 of Regulation (EC) No 768/2005 corresponds to Article 38 of Regulation (EU) 2019/473.</p> <p>EFCA</p> <p>EP AM 293, EX ENVI 134</p>		<p>"</p> <p>(a) "(a) he or she shall prepare the draft <u>Single Programming Document</u> and submit it to the Administrative Board <u>for endorsement before that draft is sent to the European Parliament, to the Council and to the Commission by 31 January</u>. He or she shall take the necessary steps for the implementation of the <u>Single Programming Document</u> within the limits specified by this Regulation, its implementing rules and any applicable law;"</p> <p>Sequence 1</p> <p><i>Linked to that provision, the Presidency suggests to agree to the following recital, which is slightly modified version of recital (69) of the Commission's proposal (see row 120 in doc. ST 10406) and which is acceptable to EP and COM.</i></p> <p>(69) It should be clarified that <u>the</u> draft <u>Single Programming Document</u> prepared <u>by</u> its</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				<p>executive Director is to be submitted to the Administrative Board of the Agency.</p> <p><i>The Presidency also asks for flexibility to explore adding the following recital linked to the same topic:</i></p>
Article 2(8), introductory part				
1192	(8) in Article 35, paragraph 1 is replaced by the following:		(8) in Article 35 ⁴⁴ , paragraph 1 is replaced by the following:	<p><i>GA accepted by EP and COM</i></p> <p>Sequence 1</p>
Article 2(8), amending provision(1), introductory part				
1193	" 1. The revenue of the Agency shall consist, without prejudice to other types of income, of:		" 1. The revenue of the Agency shall consist, without prejudice to other types of income, of:	<p><i>COM proposal accepted by Council and EP</i></p> <p>Sequence 1</p>
Article 2(8), amending provision(1), point (a)				
1194	(a) a contribution from the Union entered in the general budget of the European Union (Commission section);		(a) a contribution from the Union entered in the general budget of the European Union (Commission section);	<p><i>COM proposal accepted by Council and EP</i></p> <p>Sequence 1</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(8), amending provision(1), point (b)				
1195	(b) charges for services provided by the Agency to Member States in accordance with Article 6;		(b) charges for services provided by the Agency to Member States in accordance with Article 6;	<i>COM proposal accepted by Council and EP</i> Sequence 1
Article 2(8), amending provision(1), point (c)				
1196	(c) charges for publications, training and/or any other services provided by the Agency;		(c) charges for publications, training and/or any other services provided by the Agency;	<i>COM proposal accepted by Council and EP</i> Sequence 1
Article 2(8), amending provision(1), point (c1)				
1196a			<u>(c1) charges for services provided by the Agency to the European Border and Coast Guard Agency and the European Maritime Safety Agency, in the framework of the European cooperation on coast guard functions laid down in Article 8.</u>	<i>GA accepted by EP and COM</i> Sequence 1

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(8), amending provision(1), point (d)				
1197	(d) Union funding in the form of delegation agreements or ad-hoc grants in accordance with the Agency's financial rules referred to in Article 38 and with the provision of the relevant instruments supporting the policies of the Union. "		(d) Union funding in the form of delegation agreements or ad-hoc grants in accordance with the Agency's financial rules referred to in Article 38 ⁴⁷ and with the provision of the relevant instruments supporting the policies of the Union. "	<i>GA accepted by EP and COM</i> Sequence 1
Article 2(9), introductory part				
1198	(9) Article 39 is replaced by the following:		(9) Article 39 ⁴⁸ is replaced by the following:	<i>GA accepted by EP and COM</i> Sequence 1
Article 2(9), amending provision, first paragraph				
1199	" Article 39		" Article 39 ⁴⁸	<i>GA accepted by EP and COM</i> Sequence 1
Article 2(9), amending provision, second paragraph				
1200	Evaluation		Evaluation	<i>COM proposal accepted by Council and EP</i> Sequence 1

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(9), amending provision(1), introductory part				
1201	1. Within five years from the date of the Agency having taken up its responsibilities, and every five years thereafter, an evaluation of the Agency shall be performed. The Commission shall commission an independent external evaluation to assess in particular:		1. Within five years from the date of the Agency having taken up its responsibilities, and <u>At regular intervals, and at least</u> every five years thereafter, an evaluation of the Agency shall be performed. the Commission shall <u>carry out an</u> commission an independent external evaluation to assess in particular:	GA accepted by EP and COM Sequence 1 Linked to the topic of EFCA evaluations, the Presidency suggests to agree to replace recital (71) of the Commission's proposal (see row 122 in doc. 10406) by the following recital: (71) The provisions on the <u>periodic</u> evaluation of the Agency by the Commission should be clarified <u>and aligned to the Annex of the Common approach on decentralised agencies of 19 July 2012. The Member States and the Agency should provide the Commission with the information necessary to produce the evaluation. For the purpose of that evaluation, the Commission should also seek input from all relevant stakeholders. When establishing the terms of reference for the evaluation, the Commission should consult the Administrative Board of the Agency.</u>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 2(9), amending provision(1), point (a)				
1202	(a) the results achieved by the Agency having regard to its objectives, mission and tasks;		(a) the results achieved by the Agency having regard to its objectives, mission and tasks;	<i>COM proposal accepted by Council and EP</i> Sequence 1
Article 2(9), amending provision(1), point (b)				
1203	(b) the impact, effectiveness and efficiency of the Agency's performance and its working practices in relation to its objectives, mission and tasks.		(b) the impact, effectiveness and efficiency of the Agency's performance and its working practices in relation to its objectives, mission and tasks.	<i>COM proposal accepted by Council and EP</i> Sequence 1
Article 2(9), amending provision, third paragraph				
1203a			<u>The Commission shall consult the Administrative Board on the terms of reference for each evaluation.</u>	<i>GA accepted by EP and COM</i> Sequence 1
Article 2(9), amending provision(2)				
1204	2. The Commission shall send the evaluation report together with its conclusions on the report to the European		2. The Commission shall send the evaluation report together with its conclusions on the report to the European Parliament, to the	<i>COM proposal accepted by Council and EP</i> "

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	Parliament, to the Council and to the Administrative Board. The Administrative board may issue recommendations regarding changes to this Regulation to the Commission. The evaluation report and the conclusions on the report shall be made public. "		Council and to the Administrative Board. The Administrative Board may issue recommendations regarding changes to this Regulation to the Commission. The evaluation report and the conclusions on the report shall be made public. "	Sequence 1
Article 4, first paragraph, point (4), introductory part				
1221	(4) Article 10 is replaced by the following:		(4) Article 10 is replaced by the following:	Sequence 6
Article 4, first paragraph, point (4), amending provision, first paragraph				
1222	" Article 10		" Article 10	Sequence 6
Article 4, first paragraph, point (4), amending provision, second paragraph				
1223	Inspection procedure		Inspection procedure	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (4), amending provision, third paragraph				
1224	For the purpose of verifying compliance with applicable laws, regulations and relevant international conservation and management measures, Member States shall apply the provisions of Chapter I of Title VII of Regulation (EC) No 1224/2009. "		For the purpose of verifying compliance with applicable laws, regulations and relevant international conservation and management measures, Member States shall apply the provisions of Chapter I of Title VII of Regulation (EC) No 1224/2009. "	Sequence 6
Article 4, first paragraph, point (5), introductory part				
1225	(5) in Article 11, paragraphs 1 and 2 are replaced by the following:		(5) in Article 11, paragraphs 1 and 2 are replaced by the following:	Sequence 6
Article 4, first paragraph, point (5), amending provision(1), introductory part				
1226	" 1. If the information collected during the inspection provides evidence that leads the official to believe that a fishing vessel has engaged in IUU fishing in accordance with Article 3, the official shall:		" 1. If the information collected during the inspection <u>or any other relevant data or information</u> provides evidence that leads the official to believe that a fishing vessel has engaged in IUU fishing in accordance with Article 3, the official shall: <u>carry out the duties set out in Article 82 of Regulation</u>	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
			<u>(EC) No 1224/2009.</u>	
Article 4, first paragraph, point (5), amending provision(1)(1)				
1227	(1) record the suspected infringement in the inspection report;		(1) record the suspected infringement in the inspection report;	Sequence 6
Article 4, first paragraph, point (5), amending provision(1)(2)				
1228	(2) take all necessary action to ensure safekeeping of the evidence pertaining to such suspected infringement;		(2) take all necessary action to ensure safekeeping of the evidence pertaining to such suspected infringement;	Sequence 6
Article 4, first paragraph, point (5), amending provision(1)(3)				
1229	(3) immediately forward the inspection report to the competent authority.		(3) immediately forward the inspection report to the competent authority.	Sequence 6

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (5), amending provision(2)				
1230	2. If the results of the inspection provide evidence that a third country fishing vessel has engaged in IUU fishing in accordance with Article 3, the competent authority of the port Member State shall not authorise such vessels to land or tranship their catch or to have access to port services. "		2. If the results of the inspection provide evidence that a third country fishing vessel has engaged in IUU fishing in accordance with Article 3, the competent authority of the port Member State shall not authorise such vessels to land or tranship their catch or to have access to port services. "	Sequence 6
Article 4, first paragraph, point (5a)				
1230a				<p><i>The Presidency suggests to add the following text, which is acceptable to EP and COM and constitutes a correction.</i></p> <p>(5a) The heading of Chapter III is replaced as follows:</p> <p>"Catch certification scheme for fishery products"</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (5b)				
1230b				<p><i>This row is related to row 1303. The Presidency suggests to add the following text to ensure that there is no overlapping empowerment.</i></p> <p>(5b) In Article 12, paragraph 5 is deleted</p>
Article 4, first paragraph, point (6), introductory part				
1231	(6) the following Articles 12a to 12e are inserted:		(6) the following Articles 12a to 12e are inserted:	Sequence 5
Article 4, first paragraph, point (6), amending provision, first paragraph				
1232	" Article 12a		" Article 12a	Sequence 5
Article 4, first paragraph, point (6), amending provision, second paragraph				
1233	Integrated computerised information exchange,		Integrated computerised information exchange,	<i>Flexibility to agree to the following change that is accepted by EP and COM:</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	management and storage, submission, validation and quantity management under the Catch Certification Scheme for importation and exportation of fishery products (CATCH)		management and storage, submission, validation and quantity management under the Catch Certification Scheme for importation and exportation of fishery products (CATCH)	Integrated computerised information exchange, management and storage, submission, validation and quantity management under the Catch Certification Scheme for importation and exportation of fishery products (CATCH) Sequence 5
Article 4, first paragraph, point (6), amending provision(1)				
1234	1. For the purpose of allowing the integrated management, handling, storage and exchange of information and documents relevant for official checks, verifications, controls and other relevant official activities concerning importation and exportation of fishery products, a digital information management system (CATCH) for the Catch Certification Scheme shall be established by the Commission in line with Articles 12b to 12d. The CATCH shall be integrated in the Information Management System for Official Controls		1. For the purpose of allowing the integrated management, handling, storage and exchange of information and documents relevant for official checks, verifications, controls and other relevant official activities concerning importation and exportation <u>re-exportation</u> of fishery products, a digital information management system (CATCH) for the Catch Certification Scheme shall be established by the Commission in line with Articles 12b to 12d. The CATCH shall be integrated in the Information Management System for Official Controls (IMSOC)	Flexibility to agree to the following change that is accepted by EP and COM: 1. For the purpose of allowing the integrated management, handling, storage and exchange of information and documents relevant for official checks, verifications, controls and other relevant official activities concerning importation, <u>re-exportation and, where relevant,</u> and exportation of fishery products, a digital information management system (CATCH) for the Catch Certification Scheme shall be

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	(IMSOC) established by Regulation 2017/625(*).		<u>TRACES referred to in Regulation (EU) established by Regulation 2017/625(2017/625(*)</u> .	established by the Commission in line with Articles 12b to 12d. The CATCH shall be integrated in <u>TRACES referred to in Regulation (EU) the Information Management System for Official Controls (IMSOC) established by Regulation 2017/625(2017/625(*)</u> . Sequence 5
Article 4, first paragraph, point (6), amending provision(2)				
1235	2. All exchanges of information in relation to the importation of fishery products and related checks, risk management, verifications and controls, documents such as importer declarations, catch certificates, declarations and authorisations of transshipments, processing statements, applications or decisions, between the importer and the competent authorities of Member States, between Member States competent authorities or between Member States competent authorities and the Commission as foreseen in this Regulation, shall be made		2. All Exchanges of information <u>and data</u> in relation to the importation <u>and re-exportation</u> of fishery products and related checks, risk management, verifications and controls, documents <u>referred to in this Chapter</u> such as importer declarations, catch certificates, declarations and authorisations of transshipments, processing re-export certificates statements, applications or decisions, between the importer <u>and re-exporter</u> and the competent authorities of Member States, between Member States competent authorities or between Member States	<i>GA accepted by EP and COM</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	using CATCH.		competent authorities and the Commission as foreseen in this Regulation, shall be made using CATCH.	
Article 4, first paragraph, point (6), amending provision(3)				
1236	3. The Commission is empowered to adopt delegated acts in accordance with the Article 54b concerning the cases where, and the conditions under which, temporary exemptions from the application of paragraph 3 of this Article can be established.		3. The Commission is empowered to adopt delegated acts in accordance with the Article 54b concerning the cases where, and the conditions under which, temporary exemptions from the application of paragraph 32 of this Article can be established.	<i>GA accepted by EP and COM</i> Sequence 5
Article 4, first paragraph, point (6), amending provision(4)				
1237	4. Member States' competent authorities shall use the information submitted by importers by use of the CATCH, as established under paragraph 16(1), for quantity management as well as, based on risk management, for carrying out their checks and verifications and for taking decisions as established under this Chapter		4. Member States' competent authorities shall use the information submitted by importers by use of the CATCH, as established under paragraph <u>Article</u> 16(1), for quantity management as well as, based on risk management, for carrying out their checks and verifications and for taking decisions as established under this Chapter and delegated	<i>GA accepted by EP and COM</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	and delegated and implementing acts referred to in this Chapter and in Article 54a of this Regulation.		and implementing acts referred to in this Chapter and in Article 54a of this Regulation.	
Article 4, first paragraph, point (6), amending provision, seventh paragraph				
1238	Article 12b		Article 12b	<i>COM proposal accepted by Council and EP</i>
Article 4, first paragraph, point (6), amending provision, eighth paragraph				
1239	General functionalities of the CATCH		General functionalities of the CATCH	<i>COM proposal accepted by Council and EP</i>
Article 4, first paragraph, point (6), amending provision(1)				
1240	The CATCH shall:		<u>1.</u> The CATCH shall:	<i>GA accepted by EP and COM</i> Sequence 5
Article 4, first paragraph, point (6), amending provision(1)(a)				
1241	(a) allow for the computerised submission, handling, management and exchange of information, data and documents necessary for the performance of checks, risk		(a) allow for the computerised submission, handling, management and exchange of information, data and documents necessary for the performance of checks, risk management,	<i>GA accepted by EP and COM.</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	management, verifications, controls and decisions as referred to in this Chapter, the related rules in Commission Regulation (EC) No. 1010/2009 and delegated and implementing acts referred to in this Chapter and in Article 54a of this Regulation, among Member States' competent authorities, between Member States' competent authorities and the Commission and, where appropriate, between Member States' competent authorities and the Commission with competent authorities of flag States, countries of processing and other third countries concerned, importers and exporters;		verifications, controls, <u>quantity management</u> and decisions as referred to in this Chapter, and the related rules in Commission Regulation (EC) No. 1010/2009 and delegated and implementing acts referred to in this Chapter and in Article 54a of this Regulation, among Member States' competent authorities, between Member States' competent authorities and the Commission and, where appropriate, between Member States' competent authorities and the Commission , with competent authorities of flag States, countries of processing and other third countries concerned, importers and exporters;	
Article 4, first paragraph, point (6), amending provision(1)(b)				
1242	(b) provide for a quantity management mechanism, which ensures that the product weight declared by the importers for imports under one catch certificate are not higher than the weight recorded and		(b) provide for a quantity management mechanism, which ensures that the product weight declared by the importers for imports of the raw material for one or several importations under one <u>single</u> catch certificate are <u>is</u>	<i>GA accepted by EP and COM.</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	validated in such catch certificate;		not higher than the weight recorded and validated in such catch certificate;	
Article 4, first paragraph, point (6), amending provision(1)(c)				
1243	(c) provide for the possibility of exchange of information, data and documents relevant for the importation and exportation of fishery products in accordance with the provisions of this Chapter and delegated and implementing acts referred to in this Chapter and in Article 54a of this Regulation, with other Member States' authorities and with Member States' customs authorities through the EU Single Window;		(c) <u>by ... /24 months after the date of application of this Regulation/</u> provide for the possibility of exchange of information, data and documents relevant for the importation and exportation <u>re-exportation</u> of fishery products in accordance with the provisions of this Chapter and <u>the related</u> delegated and implementing acts referred to in this Chapter and in Article 54a of this Regulation, _ with other Member States' authorities and with Member States' customs authorities through the EU Single Window;	<i>GA accepted by EP and COM.</i> Sequence 5
Article 4, first paragraph, point (6), amending provision(1)(d)				
1244	(d) provide for the possibility of electronic risk management and analysis.		(d) provide for the possibility of electronic risk management and analysis.	<i>COM proposal accepted by Council and EP</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (6), amending provision(2)				
1244a			<u>2. The CATCH may interoperate with other systems relevant for the fight against IUU fishing, including through an interface with existing and fully functioning national IT-systems.</u>	GA accepted by EP and COM. Sequence 5
Article 4, first paragraph, point (6), amending provision, tenth paragraph				
1245	Article 12c		Article 12c	COM proposal accepted by Council and EP Sequence 5
Article 4, first paragraph, point (6), amending provision, eleventh paragraph				
1246	The functioning of the CATCH		The functioning of the CATCH	COM proposal accepted by Council and EP Sequence 5
Article 4, first paragraph, point (6), amending provision, twelfth paragraph, introductory part				
1247	In accordance with the rules laid down for IMSOC, the Commission may adopt implementing acts for the functioning of the CATCH which lay down:		In accordance with the rules laid down for IMSOC <u>TRACES</u> , the Commission may adopt implementing acts for the functioning of the CATCH which lay down:	GA accepted by EP and COM Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (6), amending provision, twelfth paragraph(a)				
1248	(a) the technical specifications of the CATCH as a system component of IMSOC, including the electronic data exchange mechanism for exchanges with existing national systems, identification of applicable standards, definition of message structures, data dictionaries, exchange of protocols and procedures;		(a) the technical specifications of the CATCH as a system component of IMSOC <u>IMSOCTRACES</u> , including the electronic data exchange mechanism for exchanges with existing national <u>and other</u> systems, identification of applicable standards, definition of message structures, <u>access condition</u> , data dictionaries, exchange of protocols and procedures;	<i>GA accepted by EP and COM</i> Sequence 5
Article 4, first paragraph, point (6), amending provision, twelfth paragraph(b)				
1249	(b) the specific rules for the functioning of the CATCH and of its system components to ensure protection of personal data and security of exchange of information;		(b) the specific rules for the functioning of the CATCH and of its system components to ensure protection of personal data and security of exchange of information;	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (6), amending provision, twelfth paragraph(c)				
1250	(c) contingency arrangements to be applied in the event of unavailability of any of the functionalities of the CATCH;		(c) contingency arrangements to be applied in the event of unavailability of any of the functionalities of the CATCH;	<i>COM proposal accepted by Council and EP</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (6), amending provision, twelfth paragraph(d)				
1251	(d) the cases where, and the conditions under which, the third countries and regional fisheries management organisations referred to in Article 13 of this Regulation may be granted partial access to the functionalities of the CATCH and the practical arrangements of such access;		(d) the cases where, and the conditions under which, the third countries and regional fisheries management organisations referred to in Article 13 of this Regulation <u>or other international organisations</u> may be granted partial access to the functionalities of the CATCH and the practical arrangements <u>technical specifications</u> of such access;	<i>GA accepted by EP and COM.</i> Sequence 5
Article 4, first paragraph, point (6), amending provision, twelfth paragraph(e)				
1252	(e) the rules under which electronic documents, including the electronic signature, validated or endorsed by the competent authorities of third countries can be accepted by the competent authorities;		(e) the rules under which electronic documents, including the electronic signature, are validated or endorsed by the competent authorities of third countries can be accepted by the competent authorities <u>in accordance with the Regulation (EU) 2014/910;</u>	<i>GA accepted by EP and COM.</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (6), amending provision, twelfth paragraph(f)				
1253	(f) the templates, forms and rules, including for electronic formats, for the issuance of official documents foreseen under this Regulation, other than the specimen foreseen in Annex II and its Appendix as well as the form foreseen in Annex IV of this Regulation.		(f) the templates, forms and rules, including for electronic formats, for the issuance of official documents foreseen under this Regulation, other than the specimen foreseen in Annex II and its Appendix as well as the form foreseen in Annex IV of this Regulation. <u>this Chapter and related Annexes</u>	<i>GA accepted by EP and COM</i> Sequence 5
Article 4, first paragraph, point (6), amending provision, thirteenth paragraph				
1254	Those implementing acts shall be adopted in accordance with the procedure referred to in Article 54(2).		Those implementing acts shall be adopted in accordance with the procedure referred to in Article 54(2).	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (6), amending provision, fourteenth paragraph				
1255	Article 12d		Article 12d	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (6), amending provision, fifteenth paragraph				
1256	Protection of personal data		Protection of personal data	<i>COM proposal accepted by Council and EP</i>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
				Sequence 5
Article 4, first paragraph, point (6), amending provision(1)				
1257	1. Regulation (EU) 2016/679 of the European Parliament and of the Council(**) and Regulation (EU) 2018/XX of the European Parliament and of the Council(***) shall apply to the extent that the information processed through the CATCH contains personal data as defined in Article 4(1) of Regulation (EU) 2016/679.		1. Regulation (EU) 2016/679 of the European Parliament and of the Council(**) and Regulation (EU) 2018/XX of the European Parliament and of the Council(***) shall apply to the extent that the information processed through the CATCH contains personal data as defined in Article 4(1) of Regulation (EU) 2016/679.	<p><i>Updated COM proposal accepted by Council and EP</i></p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council(**) and Regulation (EU) 2018/1725 of the European Parliament and of the Council(***) shall apply to the extent that the information processed through the CATCH contains personal data as defined in Article 4(1) of Regulation (EU) 2016/679.</p> <p>Sequence 5</p>
Article 4, first paragraph, point (6), amending provision(2)				
1258	2. In relation to their responsibilities to transmit the relevant information to the CATCH and the processing of any personal data that might result from that activity, the competent authorities of the		2. In relation to their responsibilities to transmit the relevant information to the CATCH and the processing of any personal data that might result from that activity, the competent authorities of the Member States	<p><i>COM proposal accepted by Council and EP</i></p> <p>Sequence 5</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	Member States shall be regarded as controllers as defined in Article 4(7) of Regulation (EU) 2016/679.		shall be regarded as controllers as defined in Article 4(7) of Regulation (EU) 2016/679.	
Article 4, first paragraph, point (6), amending provision(3), first subparagraph				
1259	3. The Commission shall be regarded as controller as defined in point (b) of Article 3(2) of Regulation (EU) 2018/XX in relation to its responsibility to manage the CATCH and the processing of any personal data that might result from that activity.		3. The Commission shall be regarded as controller as defined in point (b) (8) of Article 3(2) 3 of Regulation (EU) 2018/XX 2018/1725 in relation to its responsibility to manage the CATCH and the processing of any personal data that might result from that activity.	<i>GA accepted by EP and COM</i> Sequence 5
Article 4, first paragraph, point (6), amending provision(3), second subparagraph				
1260	Member States and the Commission shall ensure that the CATCH complies with the rules on personal data protection established under Articles 134 and 135 of Regulation (EU) 2017/625.		Member States and the Commission shall ensure that the CATCH complies with the rules on personal data protection established under Articles 134 and 135 of Regulation (EU) 2017/625.	<i>COM proposal accepted by Council and EP</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (6), amending provision, nineteenth paragraph				
1261	Article 12e		Article 12e	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (6), amending provision, twentieth paragraph				
1262	Data security "		Data security "	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (7)				
1263	(7) Member States and the Commission shall ensure that the CATCH complies with the rules on data security established under Articles 134 and 136 of Regulation (EU) 2017/625.		(7) Member States and the Commission shall ensure that the CATCH complies with the rules on data security established under Articles 134 and 136 of Regulation (EU) 2017/625.	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (7a), introductory part				
1263a			<u>(7a) in Article 14, paragraph 1 is replaced by the following:</u>	<i>GA accepted by EP and COM</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (7a), amending provision(1), introductory part				
1263b			" <u>1. In order to import fishery products transported in the same form to the Union from a third country other than the flag State or State of processing referred to in paragraph 2 of this Article, the importer shall submit to the authorities of the Member States of importation:</u>	Sequence 5
Article 4, first paragraph, point (7a), amending provision(1)(a)				
1263c			<u>(a) the catch certificate(s) validated by the flag State and, if relevant, the statement endorsed referred to in paragraph 2 of this Article, as follows:</u>	GA accepted by EP and COM Sequence 5
Article 4, first paragraph, point (7a), amending provision(1)(a)(i)				
1263d			<u>(i) the original catch certificate(s) and, if relevant, the original of the statement referred to in paragraph 2 of this Article, of the fishery products concerned if the total consignment is exported; or</u>	GA accepted by EP and COM Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (7a), amending provision(1)(a)(ii)				
1263e			<u>(ii) a copy of the original catch certificate(s) and, if relevant, a copy of the statement referred to in paragraph 2 of this Article where only a part of the fishery products concerned is exported in the consignment; and</u>	GA accepted by EP and COM. Sequence 5
Article 4, first paragraph, point (7a), amending provision(1)(b)				
1263f			<u>(b) documented evidence that the fishery products did not undergo operations other than unloading, reloading or any operation designed to preserve them in good and genuine condition, and remained under the surveillance of the competent authorities in that third country.</u>	GA accepted by EP and COM Sequence 5
Article 4, first paragraph, point (7a), amending provision, first paragraph				
1263g			<u>Documented evidence shall be provided by means of:</u>	GA accepted by EP and COM Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (7a), amending provision(1)(b)(i)				
1263h			<u>(i) if the whole consignment related to a catch certificate and, if relevant, to the statement referred to in paragraph 2 is exported, the single transport document issued to cover the passage from the territory of the flag State or processing State through that third country; or</u>	GA accepted by EP and COM Sequence 5
Article 4, first paragraph, point (7a), amending provision(1)(b)(ii)				
1263i			<u>(ii) if the original consignment related to a catch certificate and, if relevant, to the statement referred to in paragraph 2 is split, a document issued by the competent authorities of that third country:</u>	GA accepted by EP and COM Sequence 5
Article 4, first paragraph, point (7a), amending provision(1)(b)(ii), first indent				
1263j			<u>- giving an exact description of the fishery products and the weight of the exported consignment, the dates of unloading and reloading of the products and, where applicable,</u>	GA accepted by EP and COM. Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
			<u>the names of the ships, or the other means of transport used, and</u>	
Article 4, first paragraph, point (7a), amending provision(1)(b)(ii), second indent				
1263k			<u>- indicating the name and approval number of the storage facility and the conditions under which the fishery products remained in that third country.</u>	GA accepted by EP and COM Sequence 5
Article 4, first paragraph, point (7a), amending provision, second paragraph				
1263l			<u>Where the species concerned are subject to a regional fisheries management organisation catch documentation scheme which has been recognised under Article 13, the documents referred to above may be replaced by the reexport certificate of that catch documentation scheme, provided that the third country has fulfilled its notification requirements accordingly.</u>	GA accepted by EP and COM Sequence 5 "

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (8), introductory part				
1264	(8) in Article 14, paragraph 2 is replaced by the following:		(8) in Article 14, paragraph 2 is replaced by the following:	<i>GA accepted by EP and COM</i> Sequence 5
Article 4, first paragraph, point (8), amending provision(2), first subparagraph, introductory part				
1265	2. In order to import fishery products constituting one single consignment and which have been processed in a third country, the importer shall submit to the authorities of the Member State of importation a statement established by the processing plant in that third country and endorsed by its competent authorities in accordance with the form in Annex IV:		2. In order to import fishery products constituting one single consignment and which have been processed in a third country, the importer shall submit to the authorities of the Member State of importation a statement established by the processing plant in that third country and endorsed by its competent authorities in accordance with the form in Annex IV:	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (8), amending provision(2), first subparagraph(a)				
1266	(a) giving an exact description of the unprocessed and processed products and their respective quantities;		(a) giving an exact description of the unprocessed and processed products and their respective quantities;	<i>COM proposal accepted by Council and EP</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (8), amending provision(2), first subparagraph(b)				
1267	(b) indicating that the processed products have been processed in that third country from catches accompanied by catch certificate(s) validated by the flag State; and		(b) indicating that the processed products have been processed in that third country from catches accompanied by catch certificate(s) validated by the flag State; and	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (8), amending provision(2), first subparagraph(c), introductory part				
1268	(c) accompanied by:		(c) accompanied by:	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (8), amending provision(2), first subparagraph(c)(i)				
1269	(i) the original catch certificate(s) where the totality of the catches concerned has been used for the processing of the fishery products exported in a single consignment; or		(i) the original catch certificate(s) where the totality of the catches concerned has been used for the processing of the fishery products exported in a single consignment; or	<i>COM proposal accepted by Council and EP</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (8), amending provision(2), first subparagraph(c)(ii)				
1270	(ii) a copy of the original catch certificate(s), where part of the catches concerned has been used for the processing of the fishery products exported in a single consignment.		(ii) a copy of the original catch certificate(s), where part of the catches concerned has been used for the processing of the fishery products exported in a single consignment.	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (8), amending provision(2), second subparagraph, introductory part				
1271	For the purposes of trade facilitation, the endorsement of the statement by competent authorities is not required if:		For the purposes of trade facilitation, the endorsement of the statement by competent authorities is not required if:	<i>GA accepted by EP and COM</i> Sequence 5
Article 4, first paragraph, point (8), amending provision(2), second subparagraph(d)				
1272	(d) the fishery products concerned are caught by fishing vessels flying the flag of the country where those fishery products are processed and;		(d) the fishery products concerned are caught by fishing vessels flying the flag of the country where those fishery products are processed and;	<i>GA accepted by EP and COM</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (8), amending provision(2), second subparagraph(e)				
1273	(e) the competent authority for endorsement is identical to the flag State authority competent for catch certificate validation as notified to the Commission in accordance with Article 20(1) of this Regulation.		(e) the competent authority for endorsement is identical to the flag State authority competent for catch certificate validation as notified to the Commission in accordance with Article 20(1) of this Regulation.	GA accepted by EP and COM Sequence 5
Article 4, first paragraph, point (8), amending provision(2), third subparagraph				
1274	Where the species concerned are subject to a regional fisheries management organisations catch documentation scheme which has been recognised under Article 13, the statement may be replaced by the re-export certificate of that catch documentation scheme, provided that the third country of processing has fulfilled its notification requirements accordingly.		Where the species concerned are subject to a regional fisheries management organisations catch documentation scheme which has been recognised under Article 13, the statement may be replaced by the re-export certificate of that catch documentation scheme, provided that the third country of processing has fulfilled its notification requirements accordingly.	COM proposal accepted by Council and EP Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (8), amending provision(2), fourth subparagraph				
1275	(*) Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (OJ L 95, 7.4.2017, p. 1)		(*) Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (OJ L 95, 7.4.2017, p. 1)	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (8), amending provision(2), fifth subparagraph				
1276	(**) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L119, 4.5.2016, p. 1).		(**) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L119, 4.5.2016, p. 1).	<i>COM proposal accepted by Council and EP</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (8), amending provision(2), sixth subparagraph				
1277	(***) Proposal for a Regulation of the European Parliament and of the Council on the protection of individuals 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 (COM (2017)8 final, 10.1.2017). "		(***) Proposal for a Regulation <u>Regulation (EU) 2018/1725</u> of the European Parliament and of the Council <u>of 23 October 2018</u> on the protection of individuals <u>natural persons</u> 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 (COM (2017)8 final, 10.1.2017 <u>OJ L 295, 21.11.2018, p. 39</u>). "	<i>GA accepted by EP and COM</i> Sequence 5
Article 4, first paragraph, point (9), introductory part				
1278	(9) in Article 16, paragraph 1 is replaced by the following:		(9) in Article 16, paragraph 1 is replaced by the following:	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (9), amending provision(1)				
1279	" 1. The importer of fishery		" 1. The importer of fishery	<i>GA accepted by EP and COM</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	<p>products into the Union shall submit the catch certificate, as established in Article 12(4), together with its transport details as specified in appendix of Annex II, the statement of the processing plant as established in Article 14(2) and other information as required in Articles 12, 14, and 17, electronically via CATCH to the competent authorities of the Member State in which the product is intended to be imported. The catch certificate together with its transport details, the statement of the processing plant and other information as required in Articles 12 and 14 have to be submitted at least three working days before the estimated time of arrival at the place of entry into the territory of the Union. The deadline of three working days may be adapted according to the type of fishery product, the distance to the place of entry into the territory of the Union or the transport means used. Those competent authorities shall, on the basis of risk management,</p>		<p>products into the Union shall submit the catch certificate, as established in Article 12(4), together with its transport details as specified in appendix of Annex II, the statement of the processing plant as established in Article 14(2) and other information as required in Articles 12, 14, and 17, electronically via CATCH to the competent authorities of the Member State in which the product is intended to be imported. The catch certificate together with its transport details, the statement of the processing plant and other information as required in Articles 12 and 14 <u>have all the relevant accompanying documents</u> has to be submitted at least three working days before the estimated time of arrival at the place of entry into the territory of the Union. The deadline of three working days may be adapted according to the type of fishery product, the distance to the place of entry into the territory of the Union or the transport means used. Those competent authorities shall, on the basis of risk management, check</p>	

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	check all submitted documents, in particular the catch certificate in the light of the information provided in the notification received from the flag State in accordance with Articles 20 and 22. "		all submitted documents, in particular the catch certificate in the light of the information provided in the notification received from the flag State in accordance with Articles 20 and 22. "	
Article 4, first paragraph, point (9a), introductory part				
1279a			<u>(9a) In Article 17, paragraph 3 is replaced by the following:</u>	<i>GA accepted by EP and COM</i> Sequence 5
Article 4, first paragraph, point (9a), amending provision,(3)				
1279b			" <u>3. Verification shall focus on risks identified on the basis of risk-management criteria determined at Union level. In addition, Member States may develop additional national criteria for the same purpose. Member States shall notify to the Commission their national criteria and any updates thereof. The Union criteria shall be determined in accordance with the examination procedure</u>	<i>GA accepted by EP and COM</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
			referred to in Article 54(2). "	
Article 4, first paragraph, point (16), introductory part				
1300	(16) the following Articles 54a and 54b are inserted:		(16) the following Articles 54a and 54b are inserted:	COM proposal accepted by Council and EP Sequence 5
Article 4, first paragraph, point (16), amending provision, first paragraph				
1301	" Article 54a		" Article 54a	COM proposal accepted by Council and EP Sequence 5
Article 4, first paragraph, point (16), amending provision, second paragraph				
1302	Amendment of Annexes		Amendment of Annexes	COM proposal accepted by Council and EP Sequence 5
Article 4, first paragraph, point (16), amending provision, third paragraph				
1303	The Commission is empowered to adopt delegated acts in accordance with Article 54b amending Annex II with its Appendix and Annex IV, in order to take into account international developments in catch documentation schemes,		The Commission is empowered to adopt delegated acts in accordance with Article 54b amending Annex I, II with its Appendix, Annex IV and documents referred to in Article 14 (1) and Annex IV , in order to take into account international developments in	<i>This row is partially related to row 1230b.</i> <i>The Presidency suggests agreeing to the following text, which is accepted by EP and COM.</i> The Commission is empowered to adopt delegated acts in

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	scientific developments and technical progress including adaptations for the purpose of the implementation of the CATCH.		catch documentation schemes, scientific developments and technical progress including adaptations for the purpose of the implementation of the CATCH.	<p>accordance with Article 54b amending Annex H <u>with I</u>, <u>Annex II, including</u> its Appendix - and Annex IV, <u>as well as supplementing this Regulation by adopting and keeping up to date a template for the document referred to in point (b)(ii) of Article 14(1)</u>, in order to take into account international developments in catch documentation schemes, scientific developments and technical progress, including adaptations for the purpose of the implementation of the CATCH. <u>The Commission is also empowered, in accordance with the same procedure, to amend Annex I each year on the basis of the information collected under Chapters II, III, IV, V, VIII, X and XII.</u></p> <p>Sequence 5</p>
Article 4, first paragraph, point (16), amending provision, fourth paragraph				
1304	Article 54b		Article 54b	<p>COM proposal accepted by Council and EP</p> <p>Sequence 5</p>

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (16), amending provision, fifth paragraph				
1305	Exercise of the delegation		Exercise of the delegation	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (16), amending provision(1)				
1306	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.		1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (16), amending provision(2)				
1307	2. The delegation of powers referred to in Articles 12a(3) and 54a shall be conferred for an indeterminate period of time.		2. The delegation of powers referred to in Articles 12a(3) and 54a shall be conferred for an indeterminate period of time.	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (16), amending provision(3)				
1308	3. The delegation of powers referred to in Articles 12a(3) and 54a may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the		3. The delegation of powers referred to in Articles 12a(3) and 54a may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified	<i>COM proposal accepted by Council and EP</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	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 acts already in force.		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 acts already in force.	
Article 4, first paragraph, point (16), amending provision(4)				
1309	4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.		4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (16), amending provision(5)				
1310	5. A delegated act adopted pursuant to Articles 12a(3) and 54a shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry		5. A delegated act adopted pursuant to Articles 12a(3) and 54a shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European	<i>COM proposal accepted by Council and EP</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
	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 2 months at the initiative of the European Parliament or the Council. "		Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or the Council. "	
Article 4, first paragraph, point (17)				
1311	(17) Annex II and its Appendix are replaced by the text set out in Annex II to this Regulation.		(17) Annex II and its Appendix are replaced by the text set out in Annex II to this Regulation.	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (18), introductory part				
1312	(18) in Annex IV, the introductory sentence is replaced by the following:		(18) in Annex IV, the introductory sentence is replaced by the following:	<i>COM proposal accepted by Council and EP</i> Sequence 5
Article 4, first paragraph, point (18), amending provision, first paragraph				
1312a			“ <u>DOCUMENT NUMBER (insert document number)</u>	<i>GA accepted by EP and COM.</i> Sequence 5

	Commission Proposal	EP Mandate	2018/0193 (COD) Council Mandate	Comments
Article 4, first paragraph, point (18), amending provision, first paragraph				
1313	“ I confirm that the processed fishery products: ... (product description and Combined Nomenclature code) have been obtained from catches under the following catch certificate(s):” “		I confirm that the processed fishery products: ... (product description and Combined Nomenclature code) have been obtained from catches under the following catch certificate(s):” “	<i>COM proposal accepted by Council and EP</i> Sequence 5

Comment: The Presidency suggests to modify the GA as follows (sections in which changes to the GA are suggested are highlighted in yellow for better visibility):

ANNEX II

Annex II to Regulation (EC) No 1005/2008 and the Appendix to that Annex are replaced by the following:

‘ANNEX II – European Union Catch Certificate and Re-Export Certificate

(i) EUROPEAN UNION CATCH CERTIFICATE					
Document number			Validating Authority		
1. Name		Address		Tel. Fax	
2. Fishing Vessel Name		Flag - Home Port & Registration Number		Call Sign	IMO/Lloyd's Number (if issued) number or, if it's not applicable, other Unique Vessel Identifier (if applicable)
Fishing licence No. – Valid to		Inmarsat Mobile satellite service No. Telefax No. Telephone No. E-mail address (if issued)			
<u>Fishing gear (1)</u>					
3. Description of Product		Type of processing authorised on board:		4. References of applicable conservation and management measures	
Species	Product code	Catch area(s) and catch date(s) (from - to) (2)	Estimated live weight to be landed (net fish weight in kg)	Estimated live weight to be landed (net fish catch weight in kg)	Verified weight landed (net catch weight in kg) (3)
5. Name of master of fishing vessel <u>or of fishing licence holder</u> - Signature—Seal:					
6. Declaration of Transshipment at Sea Name of Master of Fishing vessel			Signature and Date	Transshipment Date/Area/Position	Estimated weight (kg)
Master of Receiving Vessel	Signature	Vessel Name	Call Sign	IMO/Lloyd's Number (if issued) number or, if it's not applicable, other Unique Vessel Identifier (if applicable)	

7. Transhipment and/or landing authorisation within a Port Area:							
Name	Authority	Signature	Address	Tel.	Port of Landing (as appropriate)	Date of Landing (as appropriate)	Seal (Stamp)
					Port of transhipment (as appropriate)	Date of transhipment (as appropriate)	Name and registration number of receiving vessel IMO number or, if it's not applicable , other Unique Vessel Identifier (if applicable) of receiving vessel
8. Name and address of Exporter		Signature		Date		Seal	
9. Flag State Authority Validation:							
Name/Title		Signature		Date		Seal (Stamp)	
10. Transport details : <i>See Appendix</i>							
11. Importer Declaration:							
Company, name, address, EORI number and contact details of importer of importer (specify details)		Signature		Date		Seal	
Company, name, address, EORI number and contact details of representative of the importer (specify details)		Signature		Date		Seal	
Product description:		CN code		Product description		Net weight in kg	Net fishery product weight in kg
Document under Article 14(1) of Regulation (EC) No 1005/2008:		Yes / no (as appropriate)		References			
Document under Article 14(2) of Regulation (EC) No 1005/2008:		Yes / no (as appropriate)		References (Processing statement document number(s)):			

Member State and office of import				
Means of transport upon arrival (air, vehicle, ship, train)	Transport document reference	Estimated time of arrival (if submission under Art. 12(1) of Regulation (EC) No 1005/2008)		
Customs declaration number (if issued)	CHVED number (if available)			
12. Import control: Authority	Place	Importation authorised(4 [±])	Importation suspended(4 [±])	Verification requested - date
13. Refusal of Catch Certificate	Catch certificate refused on the basis of:			(4 [±])
	Art. 18 (1a)			
	Art. 18 (1b)			
	Art. 18 (1c)			
	Art. 18 (1d)			
	Art. 18 (1e)			
	Art. 18 (1f)			
	Art. 18 (1g)			
	Art. 18 (2a)			
	Art. 18 (2b)			
	Art. 18 (2c)			
	Art. 18 (2d)			

(*) Tick as appropriate

(1) Code to be used in accordance with International Standard Statistical Classification of Fishing Gear

(2) Catch area:

- FAO area(s); and
- Exclusive Economic Zone(s) and/or High Seas; and
- Relevant Regional Fisheries Management Organisation Convention Area(s)

(3) To be filled only if verified in the context of an official inspection

(4) Tick as appropriate

Overview of sequences

Revision of Fisheries Control Workplan ("Sequencing of provisions")¹

Sequence	Regulations	Main topics	Provisions (of the concerned regulations)
Sequence 1	EFCA Regulation 2019/473 (Article 2 of Commission proposal)	EFCA	All provisions of the EFCA regulation for which amendments are suggested, including: <ul style="list-style-type: none"> • Personal data protection (Article 17) • Agency officials as union inspectors (Article 19) • Administrative board (Article 35) • Revenue of the Agency (Article 44) • EP Amendments 285 to 293
Sequence 2	Control Regulation (Article 1 of Commission proposal)	Definitions	<ul style="list-style-type: none"> • Article 4 ("multiannual plan") • definitions that are not linked to Articles and therefore part of other sequences
Sequence 3	Control Regulation	Licence and authorisation	<ul style="list-style-type: none"> • New definitions e.g. "fishing vessel" (Council GA) • Licences and authorisations - Articles 6 and 7 • Markings of vessels and gears - Article 8
Sequence 4	Control Regulation	Fishing without a vessel	<ul style="list-style-type: none"> • New Article 54d/ EP Amendment 161 and EP Amendment 53 (definition of "fishing without a vessel")
Sequence 5	IUU Regulation (Article 4 of Commission proposal)	IT CATCH - digital management of catch certificates	<ul style="list-style-type: none"> • Articles 12a to 12e, 14, 16, 17, 54a and 54b • Annexes II and IV to the IUU regulation – catch certificate
Sequence 6	Control Regulation IUU Regulation	National control programme, surveillance and inspections	Control Regulation: <ul style="list-style-type: none"> • Separate stowage – Article 44 • Observers – Article 73 • Inspections and inspection reports - Articles 74 to 78 • Union inspectors – Article 79 • National control programmes – Article 93a • SCIPS – Article 95 IUU Regulation: <ul style="list-style-type: none"> • Articles 10 and 11

¹ Note that the list of Articles in column 4 is non-exhaustive and specific Articles can be added to certain sequences during the negotiations.

Sequence	Regulations	Main topics	Provisions (of the concerned regulations)
Sequence 7	Control Regulation and SMEFF Regulation (Regulation (EU) 2017/2403)	Digitalisation of the catch reporting	<ul style="list-style-type: none"> • Definition of fishing vessels, catching vessels – Article 4 • Logbook - Article 14 (except para 4 on MOT), 15, 15a - logbook – New article 15aa (Council GA) • Prior notification - Articles 17, 19a, • Transshipment - Articles 20, 21, 22 (except Article 21(3) on Margin of tolerance (MOT)) • New Article 5a of Council General Approach (Amendments to SMEFF Regulation, Chapter VI, Article 28 “Transshipment operations”) • Landing declaration – Articles 23, 24
Sequence 8	Control Regulation	Weighing, sales note, etc.	<ul style="list-style-type: none"> • Weighing – Articles 59a , 60 and 60a • Sales note – Article 62, 64, 65 • Take-over declaration – Article 65 • Transport document – Article 68 (except para. 4 on MOT as per EP amendment 205)
Sequence 9	Control Regulation	Tracking of fishing vessels & fishing restricted areas	<ul style="list-style-type: none"> • Definition of vessel position data and fishing restricted areas – Article 4 • VMS - Articles 9 and 9a • AIS – Articles 10 and 12 • Fishing restricted areas – Article 50
Sequence 10	Control Regulation and IUU Regulation	Enforcement, infringements and sanctions	<p>Control Regulation:</p> <ul style="list-style-type: none"> • Administrative and criminal sanctions – Article 89 and 89a • Serious infringements and criteria for serious infringements – Article 90 and Annex IV • Immediate enforcement measure, accompanying sanctions – Articles 91 and 91a • Point system – Article 92 and Annex III • Register of infringements – Article 93 • New Article 93a on Union Register of infringements (EP amendment 270) <p>IUU Regulation:</p> <ul style="list-style-type: none"> • Article 3 and Chapter IX- Articles 42, 42a and 43
Sequence 11	Control Regulation and Mediterranean Regulation (EC) No 1967/2006 (Article 3 of Commission proposal)	Recreational fisheries	<ul style="list-style-type: none"> • Definition of recreational fisheries – Article 4 – EP amendment 48 (new definition of "recreational fishing charter vessel" and EP amendment 49 (new definition of “pesca-tourism”) • Rules on recreational fisheries - Article 55 • Article 3 of Commission proposal (amendments to the Med. Regulation (EC) No 1967/2006)

Sequence	Regulations	Main topics	Provisions (of the concerned regulations)
Sequence 12	Control Regulation	Data recording by MS and exchange of data	<ul style="list-style-type: none"> Recording of catches by MS – Articles 33, 34, 35, 36, 37 Deductions and adjustments – Article 105 to new Article 107a (Council GA) Analysis and Exchange of data - Articles 109, 110 and 111 Protection of personal & confidential data – Articles 112 and 113 Website - Article 115
Sequence 13	Control Regulation	Control in the supply chain	<ul style="list-style-type: none"> Definition of lot and batch - EP amendments 43 and 44 Principle for control of marketing - Article 56 Lots of fishery and aquaculture products – Article 56a Traceability – Article 58 First sale – Article 59
Sequence 14	Control Regulation	Control of fishing capacity including Engine power	<ul style="list-style-type: none"> Fishing capacity - Article 38 Monitoring of engine power - Articles 39 and 39a Certification of engine power - Article 40 Verification of engine power and tonnage - Article 41
Sequence 15	Control Regulation	Control of the landing obligation - CCTVs	<ul style="list-style-type: none"> Article 25a (Article 13 in Council GA and EP AMs 340 , 121 to 127, 327)
Sequence 16	Control Regulation and Baltic Multiannual Plan (MAP) (Article 5 of Commission proposal)	Margins of tolerance	<ul style="list-style-type: none"> MOT for the logbook - Article 14(4) MOT for the transshipment declaration - Article 21(3) (EP AM 107) MOT for transport Article 68 (4) (d) – EP AM 205 Article 5 of Commission proposal (amendments to the Baltic Sea MAP Regulation (EU) 2016/1139)
Sequence 17	Control Regulation	Regionalisation	<ul style="list-style-type: none"> New Article 46a (Council GA)
Sequence 18	IUU Regulation	Safeguard measures	<ul style="list-style-type: none"> New Article 32a IUU Regulation - EP amendment 295
Sequence 19	Amending Regulation (Article 6 of Commission Proposal)	Entry into force and date of application of some provisions (not part of other sequences)	<ul style="list-style-type: none"> Article 6 of Commission proposal – EP amendment 299

Empowerments to adopt delegated acts and implementing acts => discussed with the provision
Date of application of some provisions => discussed with the provision