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From: General Secretariat of the Council
To: Delegations

Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the conditions for the implementation of the Union support to the Common Fisheries Policy, to the European Ocean Pact and of the Union's maritime and aquaculture policy as part of the National and Regional Partnership Fund set out in Regulation (EU) [NRP Fund] for the period from 2028 to 2034
- Presidency compromise

Delegations will find attached the second Presidency compromise proposal on the abovementioned Commission proposal. Changes to the Commission proposal are marked in **bold underline** (for additions) and ~~striketrough~~ (for deletions). Changes compared to the previous version of the compromise (ST 5495/1/26 REV 1) are indicated in **grey shading**.

Proposal for a

REGULATION (EU) .../...

OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of ...

establishing the conditions for the implementation of the Union support to the Common Fisheries Policy, to the European Ocean Pact and of the Union's maritime and aquaculture policy as part of the National and Regional Partnership Fund set out in Regulation (EU) [NRP Fund] for the period from 2028 to 2034

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 42, Article 43(2), Article 91(1), Article 100(2), Article 173(3), Articles ~~175~~ **and**, ~~Article~~ 188, Article 192(1), Article 194(2), Article 195(2) and Article 349 thereof,

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) **[This Union support will be provided under the National and Regional Partnership Fund, in accordance with the rules governing that Fund and set out in [Regulation (EU) [NRP Fund]].]**

¹ OJ C , , p . .

² OJ C , , p . .

- (1a) This Regulation establishes the specific conditions for the implementation of the Union support to the Common Fisheries Policy (CFP) for the period from 2028 to 2034.**
- (1b) The Common Fisheries Policy set in Regulation (EU) No 1380/2013 of the European Parliament and of the Council³ aims to ensure that fishing and aquaculture activities are environmentally sustainable in the long term and are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies.**
- (1c) The Union support implemented in accordance with this Regulation should contribute to the achievement of the objectives of the CFP as set out in Article 2 of Regulation (EU) No 1380/2013 and support their effective implementation through targeted interventions.**
- (2) The Union support shall also contribute to the activities as set out in the European Ocean Pact and contribute to the Union's objective of the sustainability of our oceans, and climate neutrality target, the sustainability, competitiveness and resilience of the European Union fisheries and aquaculture sector, the sustainability, resilience and competitiveness of the European blue economy, the resilience of coastal and island communities, as well as outermost regions, and the enhancement of ocean governance and ocean observation, including through Copernicus, the Union's Earth Observation programme and its marine-related services. **The Union support should also contribute to achieving the Union's objectives in relation to the sustainability of our ocean, and climate neutrality; the sustainability, competitiveness and resilience of the Union fisheries and aquaculture sector; the sustainability, resilience and competitiveness of the European blue economy; the resilience of coastal and island communities, as well as outermost regions, and the enhancement of ocean governance and ocean observation, including through Copernicus, the Union's Earth Observation programme and its marine-related services. Such support may also contribute to achieving relevant objectives of the European Ocean Pact.**
- (3) The ~~National and Regional Partnership~~ **NRP** Fund should contribute to achieving the environmental, economic, social and employment objectives of the ~~Common Fisheries Policy (CFP)~~, as set out in ~~Article 2 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council~~⁴. Such support should ensure that fishing **and aquaculture** activities are sustainable in the long term and are managed in a way that is consistent with the objectives as set out in ~~Article 2 of the CFP Regulation~~ **(EU) No 1380/2013**.
- (4) ~~The initiatives set out under the European Ocean Pact need to be supported and promoted with investments and funding from private and public sources. An integrated approach to funding and ocean-relevant policies will cover a broad range of elements such as: the conservation of marine biological resources as one of the five EU exclusive competences, the conservation and restoration of marine biodiversity, the management of and innovation in fisheries and~~

³ **Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22, ELI: <http://data.europa.eu/eli/reg/2013/1380/oj>).**

⁴ ~~Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22, ELI: <http://data.europa.eu/eli/reg/2013/1380/oj>).~~

~~aquaculture activities aiming at the sustainability and resilience of these sectors, the activities on implementing the CFP, generational renewal, ocean knowledge and observation, maritime security, food security, developing and scaling up a competitive and sustainable blue economy, including but not limited to offshore and ocean energy, biotech and desalination, safeguarding underwater and coastal cultural heritage, supporting other blue economy sectors and industries to become climate neutral, deploy smart and zero emission solutions, building on science and the Ocean Research and Innovation Strategy as well as support to maritime spatial planning and maritime regional cooperation at sea basin level as well as the sustainable, resilient territorial development of coastal communities, islands and outermost regions.~~

- (5) Small-scale coastal fishing is carried out by marine and inland fishing vessels of an overall length of less than 12 metres and not using towed fishing gear, and by fishers on foot, including shellfish gatherers. That sector represents nearly 75 % of all fishing vessels registered in the Union, ~~as well as~~ nearly half of all employment in the fisheries sector, and is an important part of the economic fabric of coastal areas. Operators from small-scale coastal fisheries are particularly dependent on healthy fish stocks for their main source of income. Therefore, the particular needs of small-scale coastal fishing, and the contribution to environmental, economic and social sustainability of fishing operations, ~~as defined set in the CFP Regulation (EU) No 1380/2013~~ should be addressed in the National and Regional Partnership (NRP) Plans (the ‘NRP Plans’), as set out in Article 22 of Regulation (EU) .../... [NRP Regulation].
- (6) With the aim of encouraging sustainable fishing practice, the Member States should aim to give operators ~~from~~ in small-scale coastal fisheries preferential treatment, through a maximum 100 % aid intensity rate.
- ~~(7) Member States should take into account in their NRP Plan the activities set out in the European Ocean Pact for the conservation and restoration of marine biological resources, the restoration of marine biodiversity, the management of and innovation in sustainable fisheries and aquaculture activities, building on innovative solutions produced by research and science, maritime security, the development of a competitive and sustainable blue economy, protecting and empowering coastal communities and islands and the promotion of maritime regional cooperation at sea basin level.~~
- (8) It should be possible to support actions related to fisheries, aquaculture and blue economy that contribute to the achievement of the environmental and climate change mitigation and adaptation objectives of the Union, including the energy transition for all sectors.
- (9) The Common Market Organisation (CMO) for fishery and aquaculture products, as established by Regulation (EU) No 1379/2013⁵, is a key pillar of the ~~Common Fisheries Policy~~ CFP and plays a vital role in ensuring the stability and transparency of EU union fishery and aquaculture markets. ~~To this end, Member States should shall take into account in their NRP Plan for that purpose support, and particularly notably~~ for the establishment and strengthening of the P producer O rganisations, take into account in their NRP Plans, the implementation and enforcement of marketing standards, the collection and dissemination of market data at the national level.

⁵ Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/1379/oj>).

- (10) The ~~Common Fisheries Policy~~ CFP is based on science-based decision making and the fulfilment of adequate controls and no tolerance for illegal, unreported and unregulated fishing. ~~The Union support should be available~~ Member States ~~for~~ should be supported ~~to the~~ implementation of the ~~relevant~~ Union law ~~corresponding~~ legislation and ~~for~~ ensuring activities in ~~these~~ areas are planned.
- (11) Effective implementation of the CFP requires a robust Union system for control, inspection and enforcement, as established by Regulation (EC) No 1224/2009 of the European Parliament and of the Council⁶ (the ‘Union control system’). The Union control system is essential to ensure compliance with Union rules, to safeguard a level playing field for operators, and to contribute to the sustainable management of fish stocks. The Union support should therefore contribute to strengthening the Union control system capacity, including the appropriate means of control, coordination and enforcement, as well as the development and use of information technologies, digital solutions and innovation, including for data exchange, monitoring, reporting and improved effectiveness of control activities, within the Union fisheries control system. In this context, specific control and inspection programmes also play a key role in addressing particular fisheries or fishing areas presenting particular risks and in ensuring coordinated and targeted control action.**
- (12) Reliable, timely and high-quality scientific data are a cornerstone of evidence-based fisheries management and the effective implementation of the CFP. The collection, management and use of data are essential for the provision of scientific advice, stock assessment, monitoring of policy objectives and the fulfilment of Union and international obligations. In this context, the Union framework for the collection, management and use of data in the fisheries sector was established by Regulation (EU) 2017/1004 of the European Parliament and of the Council⁷. The Union support should therefore contribute to the effective implementation of that framework and to improving the availability, quality, interoperability and use of fisheries data, including through appropriate tools, digital solutions and innovation.**
- (13) The long-term sustainability of the fisheries and aquaculture sectors depends on their ability to remain attractive and to adapt to technological, environmental and socio-economic change. The Union support should therefore contribute to making the sectors more attractive to younger generations, provide for generational renewal and safeguard socio-economic activities in coastal and inland areas while at the same time preserve fisheries and maritime cultural heritage. The Union support should promote generational renewal by facilitating the modernisation, adaptation and renewal of fisheries and aquaculture activities, in line with the CFP objectives, lifelong learning, vocational training and skills development, enabling workers to acquire the knowledge and skills needed for their profession and, where appropriate, to diversify their activities**

⁶ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343 22.12.2009, p. 1, ELI: <http://data.europa.eu/eli/reg/2009/1224/oj>).

⁷ Regulation (EU) 2017/1004 of the European Parliament and of the Council of 17 May 2017 on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008 (OJ L 157, 20.6.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/1004/oj>).

within the blue economy. The Union support should also contribute to improving working conditions, health and safety on board fishing vessels and in aquaculture activities, as well as the overall quality of employment, in order to support decent livelihoods and secure the future workforce of the sectors.

(14) The World Trade Organization (WTO) Agreement on Fisheries Subsidies, as set out in the Protocol amending the Marrakesh Agreement establishing the World Trade Organization Agreement on Fisheries Subsidies⁸, was approved on behalf of the Union by Council Decision (EU) 2023/1116⁹ and entered into force on 15 September 2025. Therefore, detailed rules ensuring Union compliance with that Agreement should be set out.

(15) In order to ... [objective], the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of ... [content and scope]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

(16) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States but can rather, by reason of their scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

⁸ OJ L 148, 8.6.2023, p. 3, ELI: <http://data.europa.eu/eli/prot/2023/1116/oj>.

⁹ Council Decision (EU) 2023/1116 of 25 May 2023 on the conclusion, on behalf of the European Union, of the Protocol amending the Marrakesh Agreement establishing the World Trade Organization, as regards the Agreement on fisheries subsidies (OJ L 148, 8.6.2023, p. 1, ELI: <http://data.europa.eu/eli/dec/2023/1116/oj>).

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter

1. [This Regulation lays down specific conditions for the implementation of the Union support in accordance with the general objectives laid down in Article 2 of Regulation XX [NRP Fund], and in particular point (d) thereof.] The Union support shall contribute to **the implementation of the Common Fisheries Policy (CFP), including aquaculture policy.**

It may also contribute to the activities ~~as~~ **of the maritime policy and** the European Ocean Pact ~~and to the implementation of the Common Fisheries Policy.~~

[This Union support shall be provided under the National and Regional Partnership Fund, including the EU Facility in accordance with the rules governing that Fund and set out in Regulation (EU) [...] [National and Regional Partnership Fund].]

Article 2

Support to the Common Fisheries Policy, to the European Ocean Pact and of the Union's maritime and aquaculture policy

1. ~~Support to the Common Fisheries Policy, to the European Ocean Pact and of the Union's maritime and aquaculture policy shall support the general objectives set out in Article 2 (d) of [the NRP regulation].~~

Article 2a

Definitions

1. **For the purposes of this Regulation, the definitions referred to in Article 4 of Regulation (EU) .../... [NRP Regulation], Article 4 of Regulation (EU) No 1380/2013, Article 5 of Regulation (EU) No 1379/2013 and Article 4 of Regulation (EC) No 1224/2009 apply.**

2. **For the purposes of this Regulation, the following definition applies:**

(1) 'affirmative determination' means the final finding by a coastal WTO Member [other than a Member State] that a vessel or operator has engaged in illegal, unreported or unregulated (IUU) fishing.

Article 2b

Support for fisheries control and scientific data collection

1. Under their National and Regional Partnership Plan (the 'NRP Plan'), Member States may provide the Union support for the implementation of the Union control system and for the collection, management and use of scientific data necessary for the implementation of the CFP.
2. Such Union support shall contribute, in particular, to:
 - (a) ensuring effective compliance with the rules of the CFP, including monitoring, control and enforcement activities, capacity building and training;
 - (b) the implementation of Regulation (EC) No 1224/2009;
 - (c) preventing, deterring and eliminating illegal, unreported and unregulated fishing;
 - (d) the implementation of the Union framework for the collection, management and use of data in the fisheries sector;
 - (e) improving the quality, availability and timeliness of scientific data for fisheries management, including for stock assessment, scientific advice and evidence-based decision-making.
3. Member States shall set out in their NRP Plan the conditions for the Union support referred to in paragraph 1.

Article 3

Support ~~to~~for the Common Fisheries Policy, including the European Ocean Pact and the Union's maritime and aquaculture policy

1. Member States shall take into account in their NRP Plan the specific needs of fisheries, and aquaculture, including freshwater fisheries and aquaculture, processing and marketing of fishery and aquaculture products, and coastal communities and in particular of small-scale coastal fishing in line with Article 22-(2a), point (g)(iii), of Regulation (EU) .../... [~~the NRP R~~regulation].
2. Member States shall take into account in their NRP Plan the contribution to environmental, economic and social sustainability of fishing and aquaculture operations in accordance with Article 2 of Regulation (EU) 1380/2013, and the balance between the fishing capacity of the fleets and the available fishing opportunities as reported annually by Member States ~~in accordance with Article 22(2) of Regulation (EU) No 1380/2013.~~
3. Member States shall set out in their NRP Plan the maximum aid intensity rates for the different ~~categories of operations~~ measures supported under the NRP Plan. Member States

may provide the Union support with an aid intensity of up to 100%, including in particular for support of For operations related to small-scale coastal fishing, fisheries in outermost regions, measures of collective interest or such which have a collective beneficiary. Member States may grant a maximum 100 % aid intensity rate.

3a. The Union support to the Union's aquaculture policy shall be consistent with the multiannual national strategic plans for the development of aquaculture referred to in Article 34(2) of Regulation (EU) No 1380/2013.

4. ~~An application for support submitted by an applicant shall be inadmissible for at least the time as defined in the delegated act as referred to in Article XX of Regulation XX [NRP Fund] (Control system for farm stewardship and common fisheries policy) if it has been determined by the competent authority that the applicant concerned:~~
- ~~(a) has committed serious infringements under Article 42 of Council Regulation (EC) No 1005/2008⁽³⁰⁾ or Article 90 of Regulation (EC) No 1224/2009 or under other legislation adopted by the European Parliament and the Council within the framework of the CFP;~~
 - ~~(b) has been involved in the operation, management or ownership of a fishing vessel included in the Union IUU vessel list as set out in Article 40(3) of Regulation (EC) No 1005/2008, or of a vessel flying the flag of countries identified as non-cooperating third countries as set out in Article 33 of that Regulation; or~~
 - ~~(c) has committed any of the environmental offences set out in Articles 3 and 4 of Directive 2008/99/EC of the European Parliament and of the Council⁽³¹⁾, where the application for support is submitted for the aquaculture specific interventions.~~

For the purposes of the verification referred to in the first subparagraph (a) of this paragraph, a Member State shall provide, on request from another Member State, the information contained in its national register of infringements referred to in Article 93 of Regulation (EC) No 1224/2009.

Article 3a

State aid

- 1. Save as otherwise provided for in this Article, Articles 107, 108 and 109 of the Treaty on the Functioning of the European Union (TFEU) shall apply to aid granted by Member States to undertakings in the fishery and aquaculture sector.**
- 2. Articles 107, 108 and 109 TFEU shall not apply to payments to undertakings in the fishery and aquaculture sector made by Member States pursuant to and in compliance with this Regulation and Regulation (EU) .../... [NRP Regulation] and falling within the scope of Article 42 TFEU**

3. For the fishery and aquaculture products covered by Annex I to the TFEU, to which Articles 107, 108 and 109 thereof apply, the Commission may authorise, in accordance with Article 108 TFEU, operating aid in the sectors producing, processing and marketing those products in the outermost regions referred to in Article 349 TFEU and the smaller Aegean islands, with a view to alleviating the specific constraints in those regions as a result of their isolation, insularity, small size or extreme remoteness.
4. Member States may grant additional financing for the implementation of interventions in outermost regions and smaller Aegean islands pursuant to this Regulation and Regulation (EU) .../...[NRP Regulation]. In such cases, Member States shall notify the additional financing to the Commission and the Commission may approve it in accordance with Regulation (EU) .../...[NRP Regulation] as part of their NRP Plans. Such aid notified shall be regarded as notified within the meaning of the first sentence of Article 108(3) TFEU.

Article 3b

Control system [for the Common Fisheries Policy]

1. Member States shall make use of their control and enforcement systems in the areas of fisheries and aquaculture to ensure that beneficiaries of the support comply with the requirements set out in Article 62(1) of Regulation (EU) .../... [NRP Regulation].
2. The managing authority or paying agency shall be notified where relevant at least once a year of cases of non-compliance where enforceable decisions in that respect have been made under the systems referred to in paragraph 1. That notification shall include and assessment and grading of the severity, extent, permanence or reoccurrence and intentionality of the non-compliance concerned.

Article 3c

Admissibility of operations and recovery of the Union support

1. An application for support submitted by an applicant shall be inadmissible for at least a specified period of time, if
 - (a) it has been determined by the competent authority that the applicant concerned:
 - (i) has committed serious infringements under Article 90 of Regulation (EC) No 1224/2009;

(ii) has been involved in the operation, management or ownership of a vessel flying the flag of countries identified as non-cooperating third countries as set out in Article 33 of Regulation (EC) No 1005/2008; or

(iii) has committed any of the environmental offences set out in Articles 3 and 4 of Directive 2008/99/EC of the European Parliament and of the Council, where the application for support is submitted for the aquaculture specific interventions.

(b) a coastal WTO Member other than a Member State, for activities in areas under its jurisdiction, has made an affirmative determination that a vessel [concerned by the application] or applicant concerned has been engaged in IUU fishing, provided that the affirmative determination was based on relevant factual information and the coastal WTO Member has provided to the flag Member State and, if known, the subsidising Member State, the following:

(i) timely notification, through appropriate channels, that a vessel or operator has been temporarily detained pending further investigation for engagement in, or that the coastal state has initiated an investigation for, IUU fishing, including reference to any relevant factual information, applicable laws, regulations, administrative procedures, or other relevant measures;

(ii) an opportunity to exchange relevant information prior to an affirmative determination, so as to allow such information to be taken under consideration in the affirmative determination; the coastal WTO Member may specify the manner and time period in which such information exchange should be carried out; and

(iii) notification of the affirmative determination, and of any sanctions applied, including, where applicable, their duration.

2. For the purposes of the verification whether an applicant has committed a serious infringement referred to in paragraph 1, point (a)(i), of this Article, a Member State concerned shall provide, on request from another Member State, the information contained in its national register of infringements referred to in Article 93 of Regulation (EC) No 1224/2009.

3. Member States shall inform the Commission about affirmative determinations by coastal WTO Members concerning vessels flying their flag and meeting the criteria set out in paragraph 1, point (b), latest till/in ... [add deadline].

4. Where a beneficiary has committed one of the actions or was the subject of an affirmative determination referred to in paragraph 1 in the period between submitting the application for the Union support and three years after the final payment, the

Union support paid to the beneficiary and related to that application shall be recovered.

5. An application for support submitted by an operator shall be inadmissible for a specified period of time, if it has been determined through a final decision by the competent authority concerned that the beneficiary has committed fraud in the context of the EMFAF or this Regulation and Regulation (EU) .../... [NRP Regulation].

6. In order to ensure a level playing field among Member States and the effectiveness, proportionality and dissuasive effect of inadmissibility and recoveries referred to in paragraphs 1, 4 and 5, the Commission is empowered to adopt delegated acts in accordance with Article 4a concerning:

(a) the identification of the threshold triggering, and the starting and ending dates and period of time of, the inadmissibility referred to in paragraphs 1 and 5 of this Article, which shall be proportionate to the nature, gravity, duration and repetition of the serious infringements or offences by the beneficiary concerned and the importance of support to the economic activity of that beneficiary;

(b) the arrangements for recovering the support granted pursuant to paragraph 4 of this Article, which shall be proportionate to the nature, gravity, duration and repetition of the serious infringements or offences by the beneficiary concerned and the importance of support to the economic activity of that beneficiary.

Article 4

Rules for providing support

1. The Union support shall only be granted provided that it complies with ~~to fishing fleet or operators that does not comply with the WTO agreement on fisheries subsidies and with the objectives of the CFP~~ and the WTO Agreement on Fisheries Subsidies, as referred to in Article 43(2) TEFEU, and Article 2 of the CFP Regulation shall not be supported.

1a. The Union support shall not be provided if intended specifically for marine fishing and fishing-related activities at sea targeting stocks that are overfished, unless management measures are put in place as part of stock rebuilding measures in accordance with the CFP.

1b. The Union support shall not be provided to marine fishing and fishing-related activities outside the jurisdiction of a coastal Member State and outside the competence of a relevant Regional Fisheries Management Organisation (RFMO).

2. ~~Beneficiaries shall be required to continue to comply with the CFP and not to commit any of the infringements and offences listed in Article 3 (4) points (a) to (c) within 5 years.~~

3. The transfer or reflagging of fishing vessels to third countries, including through the creation of joint ventures with partners of third countries and the transfer of ownership of a business are not eligible to receive support.

3a. By way of derogation from paragraph 3, the transfer of ownership of a business is eligible to receive support where support is given to:

(a) a natural person who is no more than 40 years of age at the date of submission of the application for support and has worked at least five years as a fisher or has acquired adequate qualification; or

(b) a legal entity wholly owned by one or more natural persons who each fulfill the conditions set out in point (b).

4. Deep sea mining shall not be supported.

Article 4a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 3c(6) shall be conferred on the Commission from [date of entry into force of this Regulation] until [end of the 2028-2034 period].

3. The delegation of power referred to in Article 3c(6) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the powers 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.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. **A delegated act adopted pursuant to Article 3c(6) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.**

Article 5

Entry into force and application

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

It shall apply from the date of application of Regulation (EU) .../... [**NRP Regulation**] establishing the National and Regional Partnership Fund for the period 2028-2034.

This Regulation shall be binding in its entirety and directly applicable in **all** the Member States ~~in accordance with the Treaties~~.

Done at Brussels,

For the European Parliament

For the Council

The President

The President