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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	11 March 2015
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union

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Subject:	ANNEX to the Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 1236/2010 of the European Parliament and of the Council laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries
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Delegations will find attached document COM(2015) 121 final Annex 2.

Encl.: COM(2015) 121 final Annex 2



EUROPEAN
COMMISSION

Brussels, 11.3.2015
COM(2015) 121 final

ANNEX 2

ANNEX

to the Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**amending Regulation (EU) No 1236/2010 of the European Parliament and of the Council
laying down a scheme of control and enforcement applicable in the area covered by the
Convention on future multilateral cooperation in the North-East Atlantic fisheries**

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ANNEX 2

The following Annex III is added to Regulation (EU) No 1236/2010:

"ANNEX III

Port Member State inspection procedures

National inspectors shall:

- a) verify that the vessel identification documentation on board and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag state or international records of vessels if necessary;
- b) verify that the vessel's flag and markings (e.g. name, external registration number, International Maritime Organization (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with information contained in the documentation;
- c) verify that the authorizations for fishing and fishing related activities are true, complete, correct and consistent with the information provided in accordance with Article 24;
- d) review all other relevant documentation and records held on board, including those in electronic format and vessel monitoring system (VMS) data from the flag State or relevant Regional Fisheries Management Organizations. Relevant documentation may include logbooks, catch, transshipment and trade documents, crew lists, stowage plans and drawings, descriptions of fish holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);
- e) examine all relevant fishing gear on board, including any gear stowed out of sight as well as related devices, and verify that they are in conformity with the conditions of the authorizations. The fishing gear shall also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configuration of nets, pots, dredges, hook sizes and numbers are in conformity with

applicable regulations and that the markings correspond to those authorized for the vessel;

f) determine whether the fish on board was harvested in accordance with the applicable authorizations;

g) monitor the entire discharge or transshipment and cross-check between the quantities by species recorded in the prior notice of landing and the quantities by species landed or transhipped;

h) examine the fish, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fish has been pre-packed and move the catch or containers to ascertain the integrity of fish holds. Such examination may include inspections of product type and determination of nominal weight;

i) when the landing or transshipment is completed, verify and note the quantities by species of fish remaining on board;

j) evaluate whether there is clear evidence for believing that a vessel has engaged in IUU fishing or fishing related activities in support of such fishing;

k) provide the master of the vessel with the report containing the result of the inspection, including possible measures that could be taken, to be signed by the inspector and the master. The master's signature on the report shall serve only as acknowledgment of the receipt of a copy of the report. The master shall be given the opportunity to add any comments or objection to the report, and, as appropriate, to contact the relevant authorities of the flag state in particular where the master has serious difficulties in understanding the content of the report. A copy of the report shall be provided to the master; and

l) arrange, where necessary and possible, for translation of relevant documentation."