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COVER NOTE

From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 19 February 2025

To: Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.: C(2025) 937 final

Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 19.2.2025 amending Regulation (EU) 2018/975 of the European Parliament and of the Council as regards data reporting for the jack mackerel fishery, technical failure of the satellite-tracking device, vessel data requirements in Annex V, transshipment data requirements in Annexes VII, VIII and IX, and port data requirements in Annexes XI and XII

Delegations will find attached document C(2025) 937 final.

Encl.: C(2025) 937 final



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COMMISSION DELEGATED REGULATION (EU) .../...

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amending Regulation (EU) 2018/975 of the European Parliament and of the Council as regards data reporting for the jack mackerel fishery, technical failure of the satellite-tracking device, vessel data requirements in Annex V, transshipment data requirements in Annexes VII, VIII and IX, and port data requirements in Annexes XI and XII

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The purpose of the Delegated Regulation is to amend Regulation (EU) 2018/975 in order to implement the amendments to the management, conservation and control measures applicable in the South Pacific Regional Fisheries Management Organisation (SPRFMO) Convention Area, adopted by the SPRFMO at its annual meetings in 2018, 2019, 2021, 2022, 2023 and 2024.

The Delegated Regulation is based on the SPRFMO conservation and management measures (CMMs) that are binding on the Union and the Member States as from 4 May 2024, with the exception of Annexes VII, VIII and IX which will become binding on 1 October 2025. This Regulation implements these measures into Union law.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The Delegated Regulation contains parts of the SPRFMO CMMs, binding on the Union and the Member States. The Member States were consulted in the run-up to -and during- the SPRFMO annual meetings at which these parts of the SPRFMO CMMs were adopted.

The Delegated Regulation was presented to the co-legislators for consultation at expert level, in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making¹.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The Delegated Regulation amends Regulation (EU) 2018/975 with:

- changes to the type of information to be provided by the Member States to the Commission: (i) monthly as regards their fishing vessels that are active in the jack mackerel fishery; and (ii) on an annual basis as regards the annual scientific report covering the previous year for the jack mackerel fishery (Article 7(2)); and
- changes to the time period within which fishing vessels must return to port in the event of a technical failure of their satellite tracking device which cannot be solved at sea (Article 41(2)).

The amendment also aligns and consolidates annexes of Regulation (EU) 2018/975 following changes in SPRFMO CMMs, such as changes to:

- vessel data requirements in Annex V as referred to in Article 16(3), in point (a) of Article 17(1), and in Article 22(1);
- data requirements in the Advanced Transshipment Notification in Annex VII as referred to in Article 24(2);
- data requirements in the Observer Transshipment Log sheet in Annex VIII as referred to in Article 25(1) and (2);
- data requirements in the Transshipment Declaration in Annex IX as referred to in Article 26(1);

¹ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making, Interinstitutional Agreement of 13 April 2016 on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

- data requirements in the Port Call Request in Annex XI as referred to in Article 31(1);
and
- data requirements in the Port Inspection Report in Annex XII as referred to in Article 34(4) and (5).

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/975 of the European Parliament and of the Council of 4 July 2018 laying down management, conservation and control measures applicable in the South Pacific Regional Fisheries Management Organisation (SPRFMO) Convention Area², and in particular Article 43, points (a), (b) and (f), thereof,

Whereas:

- (1) Pursuant to Council Decision 2012/130/EU, the Union is a Contracting Party to the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, which established the South Pacific Regional Fisheries Management Organisation ('the SPRFMO'), since 26 July 2010.
- (2) Regulation (EU) 2018/975 of the European Parliament and of the Council implements into Union law the management, conservation and control measures adopted by the SPRFMO ('conservation and management measures') at its annual meetings between 2013 and 2017.
- (3) At its annual meetings in 2018, 2019, 2020, 2021, 2022, 2023 and 2024, the SPRFMO adopted amendments to existing conservation and management measures.
- (4) Those amendments should be implemented into Union law. Regulation (EU) 2018/975 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) 2018/975 is amended as follows:

- (1) in Article 7(2), points (a) and (b) are replaced by the following:

“(a) by the 15th day of each month, the list of fishing vessels flying their flag that are actively fishing or engaged in transshipment in the SPRFMO Convention Area in the preceding month. The Commission shall transmit that information to the SPRFMO Secretariat by the 20th day of each month;

(b) not later than 45 days before the SPRFMO Scientific Committee meeting, the annual scientific report covering the previous year, including observer data to the maximum extent

² OJ L 179, 16.7.2018, p. 30., ELI: <http://data.europa.eu/eli/reg/2018/975/oj>.

possible. The Commission shall transmit that information to the SPRFMO Secretariat not later than 30 days before the SPRFMO Scientific Committee meeting.”;

(2) in Article 41, paragraph 2 is replaced by the following:

“2. Member States shall ensure that, in the event that the technical failure of the satellite tracking device has not been solved within 30 days from the commencement of the reporting obligation as specified in paragraph 1, fishing vessels flying their flag cease fishing, stow all fishing gear and return to port without delay to repair the satellite-tracking device.”;

(3) Annexes V, VII, VIII, IX, XI and XII are amended in accordance with the Annex to this Regulation.

Article 2

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

Points 2, 3 and 4 of the Annex shall apply from 1 October 2025.

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

Done at Brussels, 19.2.2025

For the Commission
The President
Ursula VON DER LEYEN