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2018/0193(COD)**

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**LIMITE**

**PECHE 53  
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**NOTE**

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From: General Secretariat of the Council  
To: Delegations

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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  
- Preparation of the trilogue

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In view of the trilogue scheduled on 8 March 2023, delegations will find hereafter the Presidency's proposals for a revised mandate for the following sequences:

- Sequence 10 ("Enforcement, infringements and sanctions"),
- Sequence 11 ("Recreational fisheries"),
- Sequence 12 ("Data recording by MS and the exchange of data")
- Sequence 13 ("Traceability"),
- Sequence 14 ("Control of fishing capacity"),
- Sequence 15 ("Control of the landing obligation"), and
- Sequence 16 ("Margins of tolerance").

Delegations are reminded that the institutions work under the premise that "nothing is agreed until everything is agreed". Where the tables mention that institutions agree on specific text or an approach, this only means a tentative agreement.

Recitals will need to be examined once an agreement has been reached on the related articles and are thus currently excluded from the tables.

**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)**

**Sequence 10 (Enforcement, infringements and sanctions)**

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (1)(k), introductory part				
151	(k) the following points 33 and 34 are inserted:		(k) the following points 33, <u>34, 35, 36 and 37 are added</u> <del>and 34 are inserted</del> :	(k) the following points <del>33 and 34 are inserted</del> <u>are added</u> :  Sequence 10
Article 1, first paragraph, point (1)(k), amending provision(33)				
152	" 33. 'slipping' means the practice of intentionally releasing fish from fishing gear before that gear is fully brought on board a fishing vessel;		" 33. 'slipping' means the practice of intentionally releasing fish from fishing gear before that gear is fully brought on board a fishing vessel;	Agreed in line with revised mandate of 7.10.2022. " 33. 'slipping' means the practice of intentionally releasing fish from fishing gear before that gear is fully brought on board a <u>fishing catching</u> vessel;  Sequence 10
Article 1, first paragraph, point (1)(ke)				
153h				Reject EP amendment.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><i>(ke) the following point is added:</i>  <u>34e. 'sensitive habitat' means a sensitive habitat as defined in Article 6 of Regulation (EU) 2019/1241;</u></p> <p>EP AM 54, EX AM 212 (S&amp;D)</p>		Sequence 10
Article 1, first paragraph, point (3), amending provision(3)				
160	<p>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.</p>	<p>”</p> <p>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 <del>decided</del><u>imposed</u> by that Member State or which has had its fishing authorisation suspended in accordance with Article 91b <u>and notify the European Fisheries Control Agency immediately.</u> <u>During the period of suspension, neither the vessel nor the licence may be sold, rented or transferred.</u>”</p> <p>EP AM 55, EX AMs 215 (EPP) and 214 (S&amp;D)</p>	<p><del>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.</del></p>	<p>GA accepted.</p> <p><del>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.</del></p> <p>Sequence 10 Sequence 1 Sequence 3</p>
Article 1, first paragraph, point (3), amending provision(4)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
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.		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 <del>or which has had its fishing authorisation withdrawn in accordance with Article 91b.</del>	GA accepted.  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 <del>or which has had its fishing authorisation withdrawn in accordance with Article 91b.</del>  Sequence 3 Sequence 10
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." "		" 4. In the event control observers notice a serious infringement, <del>including the act of obstructing or otherwise preventing the performance by control observers of their their duties,</del> they shall inform without delay the competent authorities of the flag Member State." "	Agreed in line with revised mandate of 17.6.2022. Final wording will later be adjusted. " 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." "  Sequence 10 Sequence 6
Article 1, first paragraph, point (60), amending provision(1), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
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.  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 <sup>1</sup> 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>	GA accepted.  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 <sup>1</sup> serious infringements.  Sequence 10 Sequence 6
Article 1, first paragraph, point (62), introductory part				
790	(62) the heading of Chapter III is replaced by the following:		(62) the heading of Chapter III is replaced by the following:	(62) the heading of Chapter III is replaced by the following:  Sequence 10
Article 1, first paragraph, point (62), amending provision, first paragraph				
791	" Proceedings in the event of an		" Proceedings in the event of an	" Proceedings in the event of an

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	infringement "		infringement "	infringement " <a href="#">Sequence 10</a>
Article 1, first paragraph, point (63), introductory part				
792	(63) Article 82 is replaced by the following:		(63) Article 82 is replaced by the following:	(63) Article 82 is replaced by the following: <a href="#">Sequence 10</a>
Article 1, first paragraph, point (63), amending provision, first paragraph				
793	" Article 82		" Article 82	" Article 82 <a href="#">Sequence 10</a>
Article 1, first paragraph, point (63), amending provision, second paragraph				
794	Duties of officials in the event of an infringement		Duties of officials in the event of an infringement	Duties of officials in the event of an infringement <a href="#">Sequence 10</a>
Article 1, first paragraph, point (63), amending provision(1), introductory part				
795	1. If the information collected during an inspection or any other relevant data or information leads the official to believe that an infringement of the rules of the common fisheries policy has been		1. If the information collected during an inspection or any other relevant data or information leads the official to believe that an infringement of the rules of the common fisheries policy has been	1. If the information collected during an inspection or any other relevant data or information leads the official to believe that an infringement of the rules of the common fisheries policy has been

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	committed, the official shall:		committed, the official shall:	committed, the official shall: <a href="#">Sequence 10</a>
Article 1, first paragraph, point (63), amending provision(1)(a)				
796	(a) note the detected infringement in the inspection report;		(a) note the detected infringement in the inspection report;	(a) note the detected infringement in the inspection report; <a href="#">Sequence 10</a>
Article 1, first paragraph, point (63), amending provision(1)(b)				
797	(b) take all necessary action to ensure safekeeping of the evidence pertaining to such detected infringement;		(b) take all necessary action to ensure safekeeping of the evidence pertaining to such detected infringement;	(b) take all necessary <del>action</del> <a href="#">actions</a> to ensure safekeeping of the evidence pertaining to such detected infringement; <a href="#">Sequence 10</a>
Article 1, first paragraph, point (63), amending provision(1)(c)				
798	(c) immediately forward the inspection report to his competent authority;		(c) immediately forward the inspection report to his competent authority;	(c) immediately forward the inspection report to <del>his</del> <a href="#">the</a> competent authority; <a href="#">Sequence 10</a>
Article 1, first paragraph, point (63), amending provision(1)(d)				
799	(d) inform the natural or legal person suspected of having		(d) inform the natural or legal person suspected of having	(d) inform the natural or legal person suspected of having

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	committed the infringement or which was caught in the act while committing the infringement that the infringement may result in sanctions and the assignment of the appropriate number of points in accordance with Article 92. This information shall be noted in the inspection report.		committed the infringement or which was caught in the act while committing the infringement that the infringement may result in sanctions and the assignment of the appropriate number of points in accordance with Article 92. This information shall be noted in the inspection report.	committed the infringement or <del>which</del> <u>that</u> was caught in the act while committing the infringement that the infringement may result in sanctions and the assignment of the appropriate number of points in accordance with Article 92. <del>This information</del> <u>That notification</u> shall be noted in the inspection report.  Note: only linguistic improvement of the text.  Sequence 10
Article 1, first paragraph, point (63), amending provision(2)				
800	2. In case of a detected serious infringement, officials shall be able remain on board a fishing vessel until the investigation as referred to in Article 85 has been carried out. "		2. <del>In case of a detected serious infringement, officials shall be able remain on board a fishing vessel until</del> <u>Officials may remain on board a fishing vessel until all necessary steps are taken in relation to</u> the investigation as referred to in Article 85 <del>has been carried out</del> <u>in particular in case of a detected serious infringement.</u> "	Agreed in line with revised mandate of 7.10.2022.  2. <del>In case of a detected serious infringement, officials shall be able remain on board a fishing vessel until</del> <u>Officials may remain on board a fishing vessel until the necessary steps have been taken in relation to</u> the investigation as referred to in Article 85. <u>The same shall apply, mutatis mutandis, to inspections carried out on any premises where fishery or aquaculture products are landed, stored, processed or marketed, as</u>

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				<p><u>well as to inspections during the transport of those products. Where the inspection is <del>has been</del> carried out in respect of a vehicle used for transporting fishery or aquaculture products, the vehicle may not be authorised to continue until the necessary steps have been taken in relation to the investigation as referred to in Article 85.</u></p> <p>Sequence 10</p>
Article 1, first paragraph, point (64)				
801	(64) Article 84 is deleted.		(64) Article 84 is deleted.	(64) Article 84 is deleted. Sequence 10
Article 1, first paragraph, point (65), first subparagraph, introductory part				
802	(65) In Title VII, the words:		(65) In Title VII, the words:	(65) In Title VII, the words: <del>z</del> Sequence 10
Article 1, first paragraph, point (65), first subparagraph, amending provision, first paragraph				
803	" CHAPTER IV		" CHAPTER IV	" CHAPTER IV Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (65), first subparagraph, amending provision, second paragraph				
804	Proceedings of infringements detected in the course of inspections "		Proceedings of infringements detected in the course of inspections "	Proceedings of infringements detected in the course of inspections " <a href="#">Sequence 10</a>
Article 1, first paragraph, point (65), second subparagraph				
805	are deleted.		are deleted.	are deleted. <a href="#">Sequence 10</a>
Article 1, first paragraph, point (66), introductory part				
806	(66) Articles 85 and 86 are replaced by the following:		(66) Articles 85 and 86 are replaced by the following:	(66) Articles 85 and 86 are replaced by the following: <a href="#">Sequence 10</a>
Article 1, first paragraph, point (66), amending provision, first paragraph				
807	" Article 85		" Article 85	" Article 85 <a href="#">Sequence 10</a>
Article 1, first paragraph, point (66), amending provision, second paragraph				
808	Proceedings		Proceedings	Proceedings

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 10
Article 1, first paragraph, point (66), amending provision(1)				
809	<p>1. Without prejudice to Article 72, Article 83(2) and Article 86, competent Member State shall immediately carry out an investigation where any infringement is detected in the course of an inspection carried out by their officials, officials of other Member States, Union inspectors or third countries officials, or where any relevant data or information leads Member States' competent authorities to believe that an infringement of the rules of the common fisheries policy, has been committed.</p>		<p>1. Without prejudice to Article 72, Article 83(2) and Article 86, <u>Member States shall take appropriate measures in accordance with Title VIII and</u> <del>competent Member State shall</del> immediately <u>proceed with the</u> <del>carry out an</del> investigation where any infringement is detected in the course of an inspection carried out by their officials, officials of other Member States, Union inspectors or third countries officials, or where any relevant data or information leads <del>Member States' competent authorities</del> <u>competent authorities of Member States</u> to believe that an infringement of the rules of the common fisheries policy, has been committed.</p>	<p>Agreed in line with revised mandate of 7.10.2022:</p> <p>1. Without prejudice to Article 72, Article 83(2) and Article 86, <u>the</u> competent <u>authorities of the</u> Member <del>State</del><u>States</u> shall <u>take appropriate measures in accordance with Title VIII and</u> immediately <del>carry out an</del><u>proceed with the</u> investigation where any infringement is detected in the course of an inspection carried out by their officials, officials of other Member States, Union inspectors or third countries officials, or where any relevant data or information leads <u>competent authorities of</u> Member States' <del>competent authorities</del> to believe that an infringement of the rules of the common fisheries policy, has been committed.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (66), amending provision(2)				
810	<p>2. Member States shall take immediate measures as provided in</p>		<p>2. <u>In case of serious infringement,</u> Member States shall</p>	<p>GA accepted.</p> <p>2. <u>In case of a serious</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	Article 91.		take <u>appropriate</u> immediate measures <del>as provided in</del> <u>accordance with</u> Article 91.	<del>infringement</del> , Member States shall take <u>appropriate</u> immediate measures <del>as provided in</del> <u>accordance with</u> Article 91.  Sequence 10
Article 1, first paragraph, point (66), amending provision, fifth paragraph				
811	Article 86		Article 86	Article 86  Sequence 10
Article 1, first paragraph, point (66), amending provision, sixth paragraph				
812	Transfer of proceedings		Transfer of proceedings	Transfer of proceedings  Sequence 10
Article 1, first paragraph, point (66), amending provision(1)				
813	1. The Member State in the territory or waters of which an infringement has been detected may transfer proceedings relating to that infringement to the competent authorities of the flag Member State or the Member State of which the offender holds the citizenship, with the agreement of the Member State concerned and on condition that the transfer is more likely to achieve the result		1. The Member State in the territory or waters of which an infringement has been detected may transfer proceedings relating to that infringement to the competent authorities of the flag Member State or the Member State of which the offender <del>holds the citizenship</del> <u>is a national</u> , with the agreement of the Member State concerned and on condition that the transfer is more likely to achieve	Agreed text (with lawyer linguists' improvement):  1. The Member State in the territory or waters of which an infringement has been detected may transfer proceedings relating to that infringement to the competent authorities of the flag Member State or the Member State of which the <del>offender holds the citizenship, with the</del> <u>person suspected of having committed an</u>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	referred to in Article 89.		the result referred to in Article 89 <u>a(2)</u> .	<u>infringement is a national, in</u> agreement <del>of</del> <u>with</u> the Member State concerned and on <u>the</u> condition that the transfer is more likely to achieve the result referred to in Article 89 <u>a(2)</u> .  Sequence 10
Article 1, first paragraph, point (66), amending provision(2)				
814	2. The flag Member State may transfer proceedings relating to an infringement to the competent authorities of the Member State which has detected the infringement, with the agreement of the Member State concerned and on condition that the transfer is more likely to achieve the result referred to in Article 89. "		2. The flag Member State may transfer proceedings relating to an infringement to the competent authorities of the Member State which has detected the infringement, with the agreement of the Member State concerned and on condition that the transfer is more likely to achieve the result referred to in Article 89 <u>a(2)</u> . "	Agreed text (with lawyer linguists' improvement):  2. The flag Member State may transfer proceedings relating to an infringement to the competent authorities of the Member State which has detected <del>the</del> <u>that</u> infringement, <del>with the</del> <u>in</u> agreement <del>of</del> <u>with</u> the Member State concerned and on <u>the</u> condition that the transfer is more likely to achieve the result referred to in Article 89 <u>a(2)</u> . "
Article 1, first paragraph, point (67)				
815	(67) Articles 87 is deleted.		(67) Articles 87 is deleted.	(67) Articles 87 is deleted.  Sequence 10
Article 1, first paragraph, point (68), introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
816	(68) Article 88 is replaced by the following:		(68) Article 88 is replaced by the following:	(68) Article 88 is replaced by the following: <a href="#">Sequence 10</a>
Article 1, first paragraph, point (68), amending provision, first paragraph				
817	" Article 88		" Article 88	" Article 88 <a href="#">Sequence 10</a>
Article 1, first paragraph, point (68), amending provision, second paragraph				
818	Corrective measures in the absence of proceedings by the Member State of landing or transhipment		Corrective measures in the absence of proceedings by the Member State of landing or transhipment	Corrective measures in the absence of proceedings by the Member State of landing or transhipment <a href="#">Sequence 10</a>
Article 1, first paragraph, point (68), amending provision(1)				
819	1. If the Member State of landing or transhipment is not the flag Member State and its competent authorities do not take appropriate measures against the natural or legal persons responsible, or do not transfer proceedings in accordance with Article 86, the quantities of fish caught, landed or transhipped in the breach of the rules of the		1. If the Member State of landing or transhipment is not the flag Member State and its competent authorities do not take appropriate measures against the natural or legal persons responsible, or do not transfer proceedings in accordance with Article 86, the quantities of fish caught, landed or transhipped in the breach of the rules of the	Agreed in line with revised mandate of 7.10.2022: 1. If the Member State of landing or transhipment is not the flag Member State and its competent authorities do not take appropriate measures against the natural or legal persons responsible, or do not transfer proceedings in accordance with Article 86, the quantities of

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	common fisheries policy may be counted against the quota allocated to the Member State of landing or transshipment.		common fisheries policy may be counted against the quota allocated to the Member State of landing or transshipment.	fish caught, <i>discarded</i> , landed or transhipped in the breach of the rules of the common fisheries policy may be counted against the quota allocated to the Member State of landing or transshipment.  Sequence 10
Article 1, first paragraph, point (68), amending provision(2)				
820	2. After consulting the flag Member State or the Member State of landing or transshipment, the Commission shall, by means of implementing acts, decide on the quantities of fish to be set against the quota of the Member State of landing or transshipment after the Commission has consulted the two Member States concerned.		2. <i>After consulting the flag Member State or the Member State of landing or transshipment</i> , The Commission shall, by means of implementing acts, decide on the quantities of fish to be set against the quota of the Member State of landing or transshipment after the Commission has consulted the <del>two</del> Member States concerned.	GA accepted.  2. <i>After consulting the flag Member State or the Member State of landing or transshipment</i> , The Commission shall, by means of implementing acts, decide on the quantities of fish to be set against the quota of the Member State of landing or transshipment after the Commission has consulted the <del>two</del> Member States concerned.  Sequence 10
Article 1, first paragraph, point (68), amending provision(3)				
821	3. If the Member State of landing or transshipment no longer has a corresponding quota at its disposal, Article 37 shall apply. To that end the quantities of fish caught, landed	" 3. If the Member State of landing or transshipment no longer has a corresponding quota at its disposal, Article 37 shall apply. To that end	3. If the Member State of landing or transshipment no longer has a corresponding quota at its disposal, Article 37 shall apply. To that end the quantities of fish caught, landed	Agreed in line with revised mandate of 7.10.2022:  3. If the Member State of landing or transshipment no longer has a corresponding quota at its disposal,

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	or transhipped in the breach of the rules of the common fisheries policy shall be deemed equivalent to the amount of the prejudice suffered, as mentioned in that Article, by the flag Member State. "	the quantities of fish caught, <u>discarded</u> , landed or transhipped in the breach of the rules of the common fisheries policy shall be deemed equivalent to the amount of the prejudice suffered, as mentioned in that Article, by the flag Member State. "	or transhipped in the breach of the rules of the common fisheries policy shall be deemed equivalent to the amount of the prejudice suffered, as mentioned in that Article, by the flag Member State. "	Article 37 shall apply. To that end the quantities of fish caught, <u>discarded</u> , landed, or transhipped in the breach of the rules of the common fisheries policy shall be deemed equivalent to the amount of the prejudice suffered, as mentioned in that Article, by the flag Member State. "
		EP AM 240, EX AM 882 (Greens/EFA)		Sequence 10
Article 1, first paragraph, point (69), introductory part				
822	(69) Title VIII is replaced by the following:		(69) Title VIII is replaced by the following:	(69) Title VIII is replaced by the following: Sequence 10
Article 1, first paragraph, point (69), amending provision, first paragraph				
823	" TITLE VIII		" TITLE VIII	" TITLE VIII Sequence 10
Article 1, first paragraph, point (69), amending provision, second paragraph				
824	ENFORCEMENT		ENFORCEMENT	ENFORCEMENT Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (69), amending provision, third paragraph				
825	Article 89		Article 89	Article 89 Sequence 10
Article 1, first paragraph, point (69), amending provision, fourth paragraph				
826	Measures to ensure compliance		Measures <u>and sanctions</u> to ensure compliance	Measures <u>and sanctions</u> to ensure compliance Sequence 10
Article 1, first paragraph, point (69), amending provision(1)				
827	1. Without prejudice to the powers of the Member States to initiate criminal proceedings and impose criminal sanctions, Member States shall lay down rules on administrative measures and sanctions and ensure that they are systematically applied, in conformity with their national law, against the natural person having committed or a legal person held liable for a breach of the rules of the common fisheries policy.	" 1. Without prejudice to the powers of the Member States to initiate criminal proceedings and impose criminal sanctions, Member States shall lay down rules on administrative measures and sanctions and ensure that they are systematically applied, in conformity with their national law, against the natural person having committed or a legal person held liable for <u>infringements resulting in</u> a breach of the rules of the common fisheries policy. <u>In respect of each specific act of infringement as referred to in the</u>	1. <del>Without prejudice to the powers of the Member States to initiate eriminal proceedings and impose eriminal sanctions, Member States shall</del> <u>Member States shall, in conformity with their national law and with the provisions of this Regulation,</u> lay down rules on <del>administrative-</del> measures and sanctions <del>and ensure that they are systematically applied, in conformity with their national law,</del> against the natural person having committed or a legal person held liable for a breach of the rules of the common fisheries policy. <u>Member States shall ensure that</u>	Agreed in line with revised mandate of 7.10.2022: 1. <del>Without prejudice to the powers of the Member States to initiate eriminal proceedings and impose eriminal sanctions</del> <u>In conformity with their national law and with the provisions of this Regulation,</u> Member States shall lay down rules on <del>administrative-</del> measures and sanctions <del>and ensure that they are</del> <u>against the natural person having committed or a legal person held liable for a breach of the rules of the common fisheries policy, and shall</u> systematically: <u>(a) initiate proceedings in</u>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u>first subparagraph, no more than one Member State may initiate proceedings or impose sanctions against the natural or legal person concerned.</u></p> <p>EP AM 241, EX CA 19A</p>	<p><u>those measures and sanctions can be applied.</u></p>	<p><u>accordance with Article 85 of this Regulation;</u>  <u>(b) take appropriate measures when an infringement is detected;</u>  <u>and</u>  <u>(c) apply sanctions under this Title applied, in conformity with their national law;</u> against the natural <del>person</del> <u>or legal persons</u> having committed or <del>a legal person</del> held liable for a breach of the rules of the common fisheries policy.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision, numbered paragraph (1a)				
827a				<p>Agreed in line with revised mandate of 7.10.2022:</p> <p><u>1a. 2. The competent authorities of the Member State having jurisdiction in the event of an infringement shall, without delay and in compliance with their national law, notify the flag Member State, the Member State of which the offender is a national, or any other Member State relevant for the administrative or criminal proceedings, of such proceedings</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				<u><a href="#">or other measures taken under this Title.</a></u> Sequence 10
Article 1, first paragraph, point (69), amending provision(2)				
828	2. Member States shall, by [24 months from date of entry into force of the present Regulation], notify national provisions referred to in paragraph 1 to the Commission and shall notify it without delay of any subsequent amendment thereof.		2. Member States shall, by ... [24 <u>36</u> months from date of entry into force of <del>the present</del> <u>this</u> Regulation], notify national provisions referred to in paragraph 1 to the Commission and shall notify it without delay of any subsequent amendment thereof.	Flexibility to reduce the deadline by which Member States shall notify national provisions to the Commission to 27 months from the date of entry into force of this Regulation.  Note: This deadline applies to the <u>notification</u> of national provisions to the Commission. The national provisions have to be enacted and applied 24 months after entry into force.  Sequence 10
Article 1, first paragraph, point (69), amending provision, seventh paragraph				
829	Article 89a		Article 89a	Article 89a Sequence 10
Article 1, first paragraph, point (69), amending provision, eighth paragraph				
830	Sanctions		Sanctions	Sanctions Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Text Origin: Commission Proposal
Article 1, first paragraph, point (69), amending provision(1)				
831	1. Member States shall ensure that a natural person having committed or a legal person held liable for infringements of rules of common fisheries policy is punishable by effective, proportionate and dissuasive administrative sanctions.	1. Member States shall ensure that a natural person having committed or a legal person held liable for infringements of rules of common fisheries policy is punishable by effective, proportionate and dissuasive <u>criminal and/or</u> administrative sanctions.  EP AM 242, EX CA 19B	1. Member States shall ensure that a natural person having committed, or a legal person held liable for, infringements of <u>the</u> rules of common fisheries policy is punishable by effective, proportionate and dissuasive administrative sanctions. <u>Member States may also, or alternatively, use effective, proportionate and dissuasive criminal sanctions.</u>	Agreed in line with revised mandate of 7.10.2022:  1. Member States shall ensure that a natural person having committed, or a legal person held liable for, infringements of <u>the</u> rules of common fisheries policy is <del>punishable by</del> <u>subject to</u> effective, proportionate and dissuasive administrative sanctions. <u>Member States may also, or alternatively, use effective, proportionate and dissuasive criminal sanctions.</u>  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)				
832	2. Member States shall ensure that the overall level of sanctions and accompanying sanctions set in accordance with this Regulation and the relevant provisions of national law is adequate in severity to discourage further infringements and effectively deprive those		2. Member States shall ensure that the overall level of sanctions and accompanying sanctions <del>set</del> <u>applied</u> in accordance with this Regulation and the relevant provisions of national law is adequate in severity to discourage further infringements and	Agreed in line with revised mandate of 7.10.2022:  2. Member States shall ensure that the overall level of sanctions and accompanying sanctions <del>set</del> <u>applied</u> in accordance with this Regulation and the relevant provisions of national law is <u>proportionate to the</u>

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	responsible of the economic benefit derived or expected from their infringement without prejudice to the legitimate right to exercise their profession. For this purpose, account shall be taken of immediate measures taken pursuant to Article 91.		effectively deprive those responsible of the economic benefit derived or expected from their infringement without prejudice to the legitimate right to exercise their profession. For this purpose, account shall be taken of immediate <u>enforcement</u> measures taken pursuant to Article 91.	<u>seriousness of infringements and</u> adequate in severity to <u>effectively</u> discourage further infringements and <del>effectively</del> deprive those responsible of the economic benefit derived or expected from their infringement without prejudice to the legitimate right to exercise their profession. For <del>this</del> <u>the</u> purpose <u>of the first subparagraph</u> , account shall be taken of immediate <u>enforcement</u> measures taken pursuant to Article 91.  Sequence 10
Article 1, first paragraph, point (69), amending provision(3)				
833	3. When determining these sanctions the Member States shall take into account, in particular, the gravity of the infringement, including the level of environmental damage done, the value of the prejudice to the fishing resources, the nature and extent of the infringement, its duration or repetition, or the accumulation of simultaneous infringements.	3. When determining these sanctions the Member States shall take into account, in particular, the gravity of the infringement, including the level of environmental damage done, the value of the prejudice to the fishing resources, the nature and extent of the infringement, its duration or repetition, or the accumulation of simultaneous infringements. <u>When setting the amount of those penalties, Member States shall also take the economic situation of</u>	3. When determining these sanctions the Member States shall take into account, in particular, the gravity, <u>nature and extent</u> of the infringement, including the <del>level of environmental damage done, the</del> value of the <del>prejudice</del> <u>damage</u> to the fishing resources, <del>the nature and extent of the infringement and</del> <u>the marine environment concerned</u> , - its duration or repetition, or the accumulation of simultaneous infringements.	Agreed in line with revised mandate of 7.10.2022:  3. When determining these sanctions the Member States shall take into account, in particular, the gravity, <u>nature and extent</u> of the infringement, including the <del>level of environmental damage done, the value</del> <u>prejudice or the level of</u> <del>prejudice</del> <u>damage</u> to the fishing resources, <del>the nature and extent of the infringement and the marine environment concerned</del> , its duration or repetition, <del>or</del> <u>and</u> the

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		<p><u>the natural person concerned into account.</u></p> <p>EP AM 243, EX AM 892 (EPP)</p>		<p>accumulation of simultaneous infringements. <u>Member States may also take into account the economic situation of the offender to ensure the dissuasiveness of these sanctions.</u></p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision(4)				
834	<p>4. Member States may apply a system whereby a fine is proportionate to the turnover of the legal person, or to the economic benefit achieved or envisaged by committing the infringement.</p>	<p>4. Member States <del>may</del><u>shall</u> apply a system whereby a fine is proportionate to the turnover of the legal person, or to the economic benefit achieved or envisaged by committing the infringement. <u>taking into account the seriousness of the offence.</u></p> <p>EP AM 244, EX CA 19C</p>	<p>4. Member States may apply a system whereby a fine is proportionate to the turnover of the legal person, or to the economic benefit <del>achieved or envisaged by committing</del> <u>derived or expected from</u> the infringement.</p>	<p>Agreed in line with revised mandate of 7.10.2022:</p> <p>4. <u>4.</u> Member States may apply a system whereby a <del>fine</del><u>financial penalty</u> is proportionate to the turnover of the legal person, or to the economic benefit <del>achieved or envisaged by committing</del> <u>derived or expected from</u> the infringement.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision, numbered paragraph (4a)				
834a		<p><u>4a. If an infringement is committed, different proceedings may not be brought or different sanctions may not be imposed against the same person for the same acts.</u></p>		<p>EP withdrew proposed amendment.</p> <p>Agree with the following recital relating to <i>ne bis in idem</i> principle, drafted in line with the revised mandate:</p> <p>“The penalties and other sanctions</p>

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		EP AM 245, EX AM 897 (EPP)		provided for in Regulation (EC) No 1224/2009 and Regulation (EC) No 1005/2008 should be applied by Member States in a manner that fully respects fundamental rights, including a person's right not to be tried or punished twice in criminal proceedings for the same offence / the ne bis in idem principle.”  Sequence 10
Article 1, first paragraph, point (69), amending provision, thirteenth paragraph				
835	Article 90		Article 90	Article 90  Sequence 10
Article 1, first paragraph, point (69), amending provision, fourteenth paragraph				
836	Serious infringements		Serious infringements	Serious infringements  Sequence 10
Article 1, first paragraph, point (69), amending provision(1)				
837	1. For the purpose of this Regulation 'serious infringement' means any serious infringement listed in paragraph 2 or considered as serious pursuant to paragraph 3.		1. For the purpose of this Regulation 'serious infringement' means <del>any serious</del> <u>an</u> infringement listed in paragraph 2 or considered as serious pursuant to paragraph 3.	1. For the purpose of this Regulation 'serious infringement' means <del>any serious</del> <u>an</u> infringement listed in paragraph 2 or considered as serious pursuant to paragraph 3.  Sequence 10

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Article 1, first paragraph, point (69), amending provision(2), introductory part				
838	2. The following activities shall constitute serious infringements:		2. <u>Any of</u> the following activities shall constitute <u>a</u> serious <del>infringements</del> <u>infringement</u> :	2. <u>Any of</u> the following activities shall constitute <u>a</u> serious <del>infringements</del> <u>infringement</u> :  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(a)				
839	(a) fishing without a valid licence, authorisation or permit issued by the flag State or the relevant coastal State; or		<del>(a) fishing without a valid licence, authorisation or permit issued by the flag State or the relevant coastal State; or</del>	Flexibility to accept original COM proposal.  Note: Based on Member States comments and problems in relation to third country vessels fishing in EU waters without valid licences/authorisations.  PSY proposal 17.11.2022  (a) fishing without a valid licence or authorisation issued by the flag State or the relevant coastal State, except where the operator can demonstrate that a request for a licence or authorisation has been duly acknowledged or a provisional licence or authorisation has been issued by competent authorities, and the valid licence or authorisation is granted within 2

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				months of date of issue of the provisional licence or authorisation or acknowledgement of request;  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(b)				
840	(b) falsifying or concealing markings of fishing vessel or fishing gear, identity or registration of a fishing vessel; or		(b) falsifying or concealing markings <del>of fishing vessel or fishing gear</del> , identity or registration of a fishing vessel; <del>or</del>	GA accepted.  (b) falsifying or concealing markings <del>of fishing vessel or fishing gear</del> , identity or registration of a fishing vessel; <del>or</del>  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(c)				
841	(c) concealing, tampering with or disposing of evidence relating to an investigation; or		(c) concealing, tampering with <sub>2</sub> or disposing of <sub>2</sub> evidence relating to an investigation; <del>or</del>	GA accepted.  (c) concealing, tampering with <sub>2</sub> or disposing of <sub>2</sub> evidence relating to an investigation; <del>or</del>  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(d)				
842	(d) obstructing the work of officials or observers, in the exercise of their duties; or	(d) obstructing the work of officials or observers, in the exercise of their duties, <u>except in the event of force majeure, such as situations where there is a danger to the safety of the crew</u> ; or	(d) obstructing the work of officials or observers, in the exercise of their duties; <del>or</del>	GA agreed.  (d) obstructing the work of officials or observers, in the exercise of their duties; <del>or</del>  Sequence 10

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		EP AM 246, EX AM 902 (Greens/EFA)		
Article 1, first paragraph, point (69), amending provision(2)(e)				
843	(e) transhipping without the required authorisation or where such transhipment is prohibited; or		(e) transhipping without the required authorisation or where such transhipment is prohibited; <del>or</del>	(e) transhipping without the required authorisation or where such transhipment is prohibited; <del>or</del>  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(f)				
844	(f) conducting transfer operations in breach of the common fisheries policy rules or the applicable conservation and management measures adopted by regional fisheries management organisations; or		(f) conducting transfer operations <u>or caging, in particular as referred to in Article 3 of Regulation (EU) 2016/1627</u> , in breach of the <u>rules of the</u> common fisheries policy, <del>including rules or</del> the applicable conservation and management measures adopted by regional fisheries management organisations; <del>or that are implemented in Union law;</del>	Agreed in line with revised mandate of 7.10.2022:  (f) conducting transfer operations <u>or caging, in particular as referred to in Article 3 of Regulation (EU) 2016/1627, in breach of the rules of the common</u> <del>in breach of the common fisheries policy rules or the applicable conservation and management measures adopted by regional fisheries management organisations</del> <u>policy;</u> <del>or</del>  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(g)				
845	(g) transhipping from or to, or		(g) transhipping from or to, <del>or</del>	Defend GA.

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	conducting transfer operations with, participating in joint fishing operations with, supporting or supplying vessels, engaged in IUU fishing as defined under Council Regulation (EC) No 1005/2008, in particular those listed in the IUU vessel list of the Union or of a regional fisheries management organisation, as referred to in Articles 29 and 30 of Council Regulation (EC) No 1005/2008; or		conducting transfer operations with, participating in joint fishing operations with, <u>or</u> supporting or supplying vessels, <del>engaged in IUU fishing as defined under Council Regulation (EC) No 1005/2008, in particular those</del> listed in the IUU vessel list of the Union or of a regional fisheries management organisation, as referred to in Articles 29 and 30 of Council Regulation (EC) No 1005/2008; <del>or</del>	Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(h)				
846	(h) being involved in the operation, management, ownership of, or being hired on, a vessel engaged in IUU fishing as defined under Council Regulation (EC) No 1005/2008, in particular those listed in the IUU vessel list of the Union or of a regional fisheries management organisation as referred to in Articles 29 and 30 of Council Regulation (EC) No 1005/2008 or supplying services to operators connected to a vessel engaged in IUU fishing; or	(h) being involved in the operation, management, ownership of, or being hired on, a vessel engaged in IUU fishing as defined under Council Regulation (EC) No 1005/2008, in particular those listed in the IUU vessel list of the Union or of a regional fisheries management organisation as referred to in Articles 29 and 30 of Council Regulation (EC) No 1005/2008 or supplying services to operators connected to a vessel engaged in IUU fishing <u>or benefitting from, supporting or engaging in IUU fishing including as operators, effective</u>	(h) <del>being involved</del> <u>participating</u> in the operation, management, ownership of, or <del>being hired on, a vessel engaged in IUU fishing as defined under Council Regulation (EC) No 1005/2008, in particular those</del> <u>supplying services to operators connected to, a vessel</u> listed in the IUU vessel list of the Union or of a regional fisheries management organisation as referred to in Articles 29 and 30 of <del>Council</del> Regulation (EC) No 1005/2008 <del>or supplying services to operators connected to a vessel engaged in IUU fishing; or</del>	Agreed in line with revised mandate of 7.10.2022:  (h) <del>being involved</del> <u>(h) participating</u> in the operation, management, ownership <del>of, or being hired on, a vessel engaged in IUU fishing as defined under Council Regulation (EC) No 1005/2008, in particular those, including as beneficial owner as set out in Article 3(6) of Directive (EU) 2015/849*, of, or supplying services, including logistic, insurance and other financial services, to operators connected to, a vessel</del> listed in the IUU vessel list of the Union or of a regional fisheries management

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		<p><u>beneficiaries, owners, logistics and service providers, including insurance providers and other financial service providers</u>; or</p> <p>EP AM 247, EX AMs 905 (Greens/EFA) and ENVI 94</p>		<p>organisation as referred to in Articles 29 and 30 of <del>Council</del> Regulation (EC) No 1005/2008.</p> <p><u>* Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73).</u> <del>-or supplying services to operators connected to a vessel engaged in IUU fishing; or</del></p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision(2)(i)				
847	(i) fishing in a restricted or closed area, or a fish stock recovery area, or during a closed season, or without or after attainment of a quota or beyond a closed depth; or	(i) fishing in a restricted or closed area, or a fish stock recovery area, or during a closed season, or without or after attainment of a quota or beyond a closed depth <u>or distance to shore, including</u>	<del>(i) fishing in a restricted or closed area, or a fish stock recovery area, or during a closed season, or without or after attainment of a quota or beyond a closed depth; or</del>	<p>Agreed in line with revised mandate of 7.10.2022:</p> <p>(i) <del>fishing in a restricted or closed area, or a fish stock recovery area, or during a closed season, or without or after attainment of a</del></p>

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		<p><u>restricted or closed areas for the protection of sensitive species and sensitive habitats under Directive 2009/147/EC of the European Parliament and of the Council<sup>1</sup> or Council Directive 92/43/EEC<sup>2</sup>; or</u></p> <p><u>1. Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).</u></p> <p><u>2. Directive 92/43/EEC of the European Parliament and of the Council of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).</u></p> <p>EP AM 248, EX AMs 907 (Greens/EFA), 908 (EPP), 909 (S&amp;D) and ENVI 95</p>		<p><del>quota or beyond a closed depth;</del>  <del>or</del> <u>carrying out fishing activities in contravention with the rules applicable in a fishing restricted area;</u></p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision(2)(j)				
848	<p>(j) engaging in directed fishing, retaining on board, transshipping, transferring or landing species which are subject to a moratorium, a closed season or for which fishing is prohibited; or</p>	<p>(j) <del>engaging in directed</del> <u>conducting</u> fishing, <del>retaining on board, transshipping, transferring or landing</del> <u>activities directed at</u> species <del>which are</del> subject to a moratorium, a closed season or for which fishing is prohibited, <u>or retaining on board, transshipping or landing such species;</u> or</p> <p>EP AM 249, EX AM 912 (EPP)</p>	<p>(j) <del>engaging in directed fishing, retaining on board, transshipping, transferring or landing</del> <u>fishing prohibited species, species subject to catch limits for which the operator does not have a quota or does not have access to the quota of the flag Member State,</u> species <del>which are</del> <u>whose quota is exhausted, or species</u> subject to a <u>fishing moratorium, a temporary prohibition or</u> closed season,</p>	<p>Accept Commission proposal of 3.10.2022 (in line with revised mandate of 7.10.2022). Linked to row 847.</p> <p>COM proposal 3.10.2022</p> <p>(j) fishing prohibited species, species subject to catch limits for which the operator does not have a quota or does not have access to the quota of the flag Member State,</p>

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			<u>except accidental catches, or conducting fishing operations in closed areas</u> <del>or for</del> which <del>fishing is prohibited;</del> <del>or</del> <u>are closed for the purpose of protection or recovery of fishery resources, or in unauthorized depths;</u>	species whose quota is exhausted, or species subject to a fishing moratorium, temporary prohibition or closed season, except when caught accidentally.  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(ja)				
848a		<u>(ja) failure to comply with technical and other measures to reduce incidental catches of juveniles and protected species;</u>  EP AM 250, EX AM 914 (Renew)		Reject EP amendment. Covered by row 860.  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(k)				
849	(k) being a vessel with no nationality and therefore a stateless vessel, in accordance with international law; or		(k) <del>being a</del> <u>operating, managing or owning a fishing</u> vessel <del>with</del> <u>having</u> no nationality and therefore a stateless vessel; in accordance with international law; <del>or</del>	GA accepted.  (k) <del>being a</del> <u>operating, managing or owning a fishing</u> vessel <del>with</del> <u>having</u> no nationality and therefore a stateless vessel; in accordance with international law; <del>or</del>  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(l)				
850				Agreed in line with revised

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	(l) using prohibited fishing gear; or		(l) using prohibited fishing gear; <del>or methods, as referred to in Article 7 of Council Regulation (EU) 2019/1241 or as established by a regional fisheries management organisation and implemented in Union law;</del>	mandate of 7.10.2022:  (l) using prohibited fishing gear; <del>or methods, as referred to in Article 7 of Council Regulation (EU) 2019/1241 or any other equivalent rules of the common fisheries policy;</del>  Flexibility to add a recital that explains “any equivalent rules of the common fisheries policy”, for example, as follows:  Activities which constitute serious infringements should include using prohibited fishing gear or methods, as referred to in Article 7 of Council Regulation (EU) 2019/1241 or in any other equivalent rules of the common fisheries policy that set out a similar general prohibition to use certain gear, for example where such a prohibition applies to the entire area covered by an RFMO.  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(m)				
851	(m) landing in ports of third countries without prior notification		<del>(m) landing in ports of third countries without prior notification</del>	Defend GA. Linked to row 865c and 865d).

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	as referred to in Article 19a of this Regulation or landing fisheries products stemming from IUU fishing activities; or		<del>as referred to in Article 19a of this Regulation or landing fisheries products stemming from IUU fishing activities; or</del>	Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(n)				
852	(n) not transmitting a landing declaration or a sales note to the flag Member State when the landing of the catch has taken place in the port of a third country, or a transshipment declaration or a transfer declaration, when the operation has taken place outside the Union waters; or		<del>(n) not transmitting a landing declaration or a sales note to the flag Member State when the landing of the catch has taken place in the port of a third country, or a transshipment declaration or a transfer declaration, when the operation has taken place outside the Union waters; or</del>	Defend GA. Linked to row 857. Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(o)				
853	(o) falsifying documents, data or information or using of falsified or invalid documents, data or information required under the rules of the common fisheries policy, including documents, data and information as referred to in Council Regulation (EC) No 1005/2008; or		(o) falsifying documents, <del>data or information or using of falsified or invalid documents, data or information required under</del> <u>referred to in</u> the rules of the common fisheries policy; <del>including documents, data and information as referred to in Council Regulation (EC) No 1005/2008;</del> <del>or;</del>  <u>I. A recital will clarify that the term</u>	Linked to agreement on row 856a. Defend the revised mandate of 7.10.2022, as follows:  Presidency proposal “(o) falsifying documents, information or data, written on paper or stored in electronic form, referred to in the rules of the common fisheries policy.”  Sequence 10

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			<u>"document" is to be understood in a broad sense, in particular, that it includes documents in paper and electronic form.</u>	
Article 1, first paragraph, point (69), amending provision(2)(p)				
854	(p) conducting business directly connected to IUU fishing including the trade in, importation, exportation, processing, marketing, of fisheries products stemming from IUU fishing activities; or		<del>(p) conducting business directly connected to IUU fishing including the trade in, importation, exportation, processing, marketing, of fisheries products stemming from IUU fishing activities; or</del>	GA accepted. <del>(p) conducting business directly connected to IUU fishing including the trade in, importation, exportation, processing, marketing, of fisheries products stemming from IUU fishing activities; or</del> <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(2)(q)				
855	(q) manipulating an engine or continuous engine power monitoring devices with the aim of increasing the power of the vessel beyond the maximum continuous engine power according to the engine certificate.		<del>(q) manipulating an engine or continuous engine power monitoring devices with the aim of increasing the power of the vessel beyond the maximum continuous engine power according to the engine certificate.</del>	Agree to the following text in line with revised mandate of 7.10.2022: <del>(q) manipulating an engine or continuous engine power monitoring <del>devices</del><a href="#">device</a> with the aim of increasing the power of the vessel beyond the maximum continuous engine power according to the engine certificate.</del> <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(2)(qa)				
855a		<u>(qa) intentionally discarding of</u>		EP withdrew proposed amendment. Linked to row 865e.

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		<p><u><a href="#">fishing gears and marine litter at sea from fishing vessels.</a></u></p> <p>EP AM 251, EX ENVI 99</p>		Sequence 10
Article 1, first paragraph, point (69), amending provision(2)(qb)				
855b				<p>Support the following COM proposal:</p> <p>COM proposal 28.10.2022</p> <p>(r) Conducting fishing activities with the use of forced labour, as defined in Article 2 of the Convention on Forced Labour, 1930 (No. 29) of the International Labour Organization.</p> <p>Support the following Presidency proposal to add a paragraph in Article 74 (“Conduct of inspections”) on the obligations of inspectors in the case of a potential case of forced labour. It is suggested to add the paragraph after Article 74(5a) of the General Approach, that is, after row 739a.</p> <p>“If an official carrying out an inspection has reason to believe that a fishing vessel is engaged in</p>

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				<p>fishing activities with the use of forced labour, as defined in Article 2 of Convention No 29 on Forced Labour of the International Labour Organization, the official shall notify any other relevant authorities of that Member State.”</p> <p>Support the following Presidency proposal for a recital linked to the above provisions:</p> <p><i>“Article 5 of the Charter of Fundamental Rights and Article 4 of the European Convention on Human Rights provide that no one shall be required to perform forced or compulsory labour. Furthermore, all Member States are parties to Convention No 29 on Forced Labour of the International Labour Organization, which requires that the illegal exaction of forced or compulsory labour shall be punishable as a penal offence and shall be subject to penalties imposed by law that are really adequate and are strictly enforced. Moreover, conducting fishing activities with the use of forced labour is contrary to the objectives of the CFP, in particular that</i></p>

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				<p><i>fishing activities are to be managed in a way that is consistent with the objectives of achieving social and employment benefit and are to contribute to a fair standard of living for those who depend on fishing activities. It also undermines a level-playing field for fisheries and aquaculture products marketed in the Union. Therefore, conducting fishing activities with the use of forced labour should be regarded as a serious infringement, without prejudice to any criminal sanctions for forced labour in accordance with Member States' obligations under Convention No 29 on Forced Labour of the International Labour Organization."</i></p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision(2)(qc)				
855c				<p>Reject the following EP proposal, as it overlaps with row 864 and the related part of Annex IV:</p> <p>EP proposal 17.11.2022</p> <p>(s) the sale of fishery products from recreational fisheries.</p>

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				Sequence 10
Article 1, first paragraph, point (69), amending provision(3), introductory part				
856	3. The following activities shall constitute serious infringements depending on the gravity of the infringement in question which shall be determined by the competent authority of the Member State concerned taking into account one or more of the alternative criteria defined in accordance with Annex IV:		3. The following activities shall constitute serious infringements <del>depending on the gravity of the infringement in question which shall be determined by</del> <b>where</b> the competent authority of the Member State concerned <del>taking into account one or more</del> <b>determines that at least one</b> of the <del>alternative</del> <b>Annex IV is met</b> criteria defined in <del>Annex IV</del> <b>is met</b> accordance with <del>Annex IV</del> :	GA accepted (with minor linguistic change). 3. The following activities shall constitute <del>serious infringements depending on the gravity of the</del> <b>serious</b> infringement <del>in question which shall be determined by</del> <b>where</b> the competent authority of the Member State concerned <del>taking into account one or more</del> <b>determines that at least one</b> of the <del>alternative</del> criteria defined in <del>Annex IV</del> <b>is met</b> accordance with <del>Annex IV</del> :  Sequence 10
Article 1, first paragraph, point (69), amending provision(3)(aa)				
856a			<del>(aa) using falsified or invalid documents' referred to in the rules of the common fisheries policy;</del>  <u>I. A recital will clarify that the term "document" is to be understood in a broad sense, in particular, that it includes paper and electronic documents.</u>	Defend the revised mandate of 7.10.2022, as follows:  Presidency proposal  “(aa) using falsified or invalid documents, information or data, written on paper or stored in electronic form, referred to in the rules of the common fisheries

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				<p>policy.”</p> <p>Note: there is no longer need for a recital.</p> <p>See also the criteria in Annex IV.</p> <p><a href="#">Sequence 10</a></p>
Article 1, first paragraph, point (69), amending provision(3)(ab)				
856b			<p><a href="#">(ab) fishing without a valid licence, authorisation or permit issued by the flag State or the relevant coastal State;</a></p>	<p>Linked to 839.</p> <p>Defend revised mandate of 7.10.2022 (i.e., withdraw GA).</p> <p><a href="#">Sequence 10</a></p>
Article 1, first paragraph, point (69), amending provision(3)(ac)				
856c			<p><a href="#">(ac) failing to cooperate with officials or observers, in the exercise of their duties, in violation of Articles 73 and 75 of this Regulation;</a></p>	<p>Linked to row 842.</p> <p>Agreed in line with revised mandate of 7.10.2022 (i.e. withdraw GA).</p> <p><a href="#">Sequence 10</a></p>
Article 1, first paragraph, point (69), amending provision(3)(a)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
857	(a) not fulfilling of obligations to accurately record and report data relating to fishing activities, including data to be transmitted by vessel monitoring system and prior notices, as required under the rules of the common fisheries policy; or		(a) not fulfilling <del>of</del> obligations to accurately record, <u>store</u> and report data relating to fishing activities, including data to be transmitted by vessel monitoring <del>system</del> <del>and systems</del> , <u>as well as data with regard to</u> prior <del>notices</del> , <u>notifications, catch declarations, landing declarations, weighing records, takeover declarations, transport documents or sales notes</u> as required under the rules of the common fisheries policy; <del>or</del>	Accept the following COM proposal, with the addition of “transshipment declaration” and a clearer drafting in relation to the margin of tolerance:  COM proposal 17.11.2022  (a) not fulfilling obligations to accurately record, store and report data relating to fishing activities, including data to be transmitted by vessel monitoring systems, as well as data with regard to prior notifications, catch declarations, transshipment declarations, landing declarations, weighing records, takeover declarations, transport documents or sales notes as required under the rules of the common fisheries policy, except for obligations to which the margin of tolerance applies in accordance with Article 14(4), (4a) and (4b) and Article 21(3) of this Regulation;  Note: See row 857a on a separate paragraph related to serious infringements concerning the margin of tolerance. The exact references to Article 14

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				and 21 (margin of tolerance) will be adapted later. <a href="#">Sequence 10</a> <a href="#">Sequence 16</a>
Article 1, first paragraph, point (69), amending provision(3)(aa)				
857a				Linked to row 857. Accept the following proposal:  (ax) not fulfilling obligations to accurately record estimates of quantities within the permitted margin of tolerance, in accordance with Article 14(4), (4a) and (4b) and Article 21(3) of this Regulation;  Note: The exact references to Article 14 and 21 (margin of tolerance) will be adapted later.  <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(3)(b)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
858	(b) not making available a catch declaration or a landing declaration to the third country and not sending an electronic copy of it to their flag Member States as required under in paragraph 1 of Article 30 of the Regulation (EU) 2017/2403(*); or		<del>(b) not making available a catch declaration or a landing declaration to the third country and not sending an electronic copy of it to their flag Member States as required under in paragraph 1 of Article 30 of the Regulation (EU) 2017/2403(*); or</del>	Defend GA. Sequence 10
Article 1, first paragraph, point (69), amending provision(3)(c)				
859	(c) using non-compliant fishing gear; or		<del>(c) using non-compliant fishing gear; or</del>	Defend GA. Sequence 10
Article 1, first paragraph, point (69), amending provision(3)(d)				
860	(d) not fulfilling obligations related to the use of fishing gears as set in the rules of the common fisheries policy; or	(d) not fulfilling obligations related to the use of fishing <del>gears</del> <u>gear or obligations related to technical measures and the protection of the marine environment</u> as set in the rules of the common fisheries policy <u>and, in particular, obligations related to the implementation of measures to reduce incidental catches of sensitive species</u> ; or  EP AM 252, EX AM 925 (The Left)	(d) not fulfilling obligations related to the <u>characteristics or</u> use of fishing <del>gears as set in gear,</del> <u>acoustic deterrent devices, selectivity or fishing aggregating devices, in particular marking and identification, areas, depth, periods or number of gears, mesh size, or of the equipment for grading, water separation, or processing or not complying with measures to reduce incidental catches of sensitive species as required under</u> the rules of the	Defend the following Presidency proposal in line with the revised mandate of 7.10.2022, with a small correction:  Presidency proposal:  d) not fulfilling obligations related to the characteristics or use of fishing gear, acoustic deterrent devices, selectivity or fishing aggregating devices, in particular marking and identification, areas, depth, periods or number of gears, mesh size, or of the equipment for

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			common fisheries policy; <del>or</del>	grading, water separation, or processing or not complying with measures to reduce incidental catches of sensitive species as required under the rules of the common fisheries policy, unless the activity <del>serious infringement</del> is a serious infringement under paragraph 2;  Sequence 10
Article 1, first paragraph, point (69), amending provision(3)(e)				
861	(e) failing to bring and retain on board the fishing vessel, including through slipping, and to tranship, transfer and land any undersized catches in contravention of the legislation in force or catches of species subject to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013, unless the bringing and retention on board and the landing of such catches would be contrary to obligations including for regional fisheries management organisation areas or subject to exemptions provided for in the rules of the common fisheries policy in		(e) failing to bring and retain on board the fishing vessel, including through slipping, and to tranship, transfer and land any <del>undersized catches in contravention of the legislation in force or</del> catches of species subject to the landing obligation <del>set out in Article 15 of Regulation (EU) No 1380/2013, unless the bringing and retention on board and the landing of such catches would be contrary to obligations, including for regional fisheries management organisation areas or subject to exemptions provided for in</del> <u>undersized catches, in breach of</u> the rules of the	Flexibility to accept the following EP compromise proposal, with adjustments by the Presidency (following MS comment):  (e) failing to bring and retain on board the fishing vessel, including through slipping, or failing to land or, where applicable, to tranship or transfer, species subject to the landing obligation, including catches below the minimum conservation reference size, in breach of the rules of the common fisheries policy applicable to fisheries or fishing zones.  Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	fisheries or fishing zones where such rules apply; or		common fisheries policy <del>is</del> <u>applicable to</u> fisheries or fishing zones <del>where such rules apply; -or</del>	
Article 1, first paragraph, point (69), amending provision(3)(f)				
862	(f) carrying out fishing activities in the area of a regional fisheries management organisation in a manner inconsistent with or in contravention of the conservation and management measures of that organisation in the case where these activities are not considered as serious infringement under paragraph 2 of this Article; or		(f) carrying out fishing activities in the area of a regional fisheries management organisation in a manner inconsistent with, or in contravention of, the conservation and management measures of that organisation <u>implemented in Union law</u> in the case where <del>these</del> <u>those</u> activities are not considered as serious infringement under paragraph 2 <u>or under other points</u> of this <del>Article</del> <u>paragraph</u> ; <del>or</del>	Agreed in line with revised mandate of 7.10.2022.  Flexibility to accept the small correction.  (f) carrying out fishing activities in the area of a regional fisheries management organisation in a manner inconsistent with, or in contravention of, <u>applicable</u> <del>the</del> conservation and management measures of that organisation <del>in the case where these activities are not considered as serious infringement unless</del> <u>the activity is a serious infringement under paragraph 2 or under paragraph 2 other points</u> of this <del>Article</del> ; <del>or</del> <u>paragraph</u> ;  Sequence 10
Article 1, first paragraph, point (69), amending provision(3)(g)				
863	(g) making available on the market fishery products in breach of the		(g) making available on the market fishery <u>or aquaculture</u> products in	Defend GA.  Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	rules of the common fisheries policy in the case where this activity is not considered as serious infringement under paragraph 2 of this Article; or		breach of the rules of the common fisheries policy in the case where <del>this activity is</del> <u>those activities are</u> not considered as serious infringement under paragraph 2 <del>of this Article; or</del>	
Article 1, first paragraph, point (69), amending provision(3)(h)				
864	(h) conducting recreational fishing activities in breach of rules of the common fisheries policy or selling of catches from recreational fisheries; or		(h) conducting recreational fishing activities in breach of <u>the</u> rules of the common fisheries policy or <del>selling of catches</del> <u>the sale of fishery products</u> from recreational fisheries; <del>or</del>	Defend revised mandate of 7.10.2022, as follows:  (h) conducting recreational fishing activities in breach of <u>the</u> rules of the common fisheries policy or <del>selling of catches</del> <u>marketing and selling of fishery products</u> from recreational fisheries; <del>or</del>  Sequence 10
Article 1, first paragraph, point (69), amending provision(3)(i)				
865	(i) committing multiple infringements which together constitute a serious disregard of the rules of the common fisheries policy.		(i) committing <u>in the course of the same event, multiple infringements referred to in this paragraph; or</u> <del>multiple infringements which together constitute a serious disregard of the rules of the common fisheries policy.</del>	Agreed in line with revised mandate of 7.10.2022:  (i) committing multiple infringements <del>which together constitute a serious disregard of</del> the rules of the common fisheries policy.  Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (69), amending provision(3)(j)				
865a			<u>(j) conducting any of the activities referred to in point (g) of paragraph 2 in relation to a vessel engaged in IUU fishing as defined in Regulation (EC) No 1005/2008 and not listed in the IUU vessel list of the Union or of a regional fisheries management organisation;</u>	Defend GA.  Sequence 10
Article 1, first paragraph, point (69), amending provision(3)(k)				
865b			<u>(k) manipulating or using an engine power beyond the maximum continuous engine power certified and recorded in the Member State fleet register or manipulating a continuous engine power monitoring device;</u>	Agreed in line with the revised mandate of 7.10.2022:  <u>(k) using an engine power beyond the maximum continuous engine power certified and recorded in the Member State fleet register;</u>  Sequence 10
Article 1, first paragraph, point (69), amending provision(3)(l)				
865c			<u>(l) landing in ports of third countries without prior notification as referred to in Article 19a of this Regulation;</u>	GA accepted.  <u>(l) landing in ports of third countries without prior notification as referred to in Article 19a of this Regulation;</u>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 10
Article 1, first paragraph, point (69), amending provision(3)(m)				
865d			<u>(m) conducting business directly connected to IUU fishing, including trade in, import, export, processing and marketing of, fishery products stemming from IUU fishing.</u>	Defend GA.  Sequence 10
Article 1, first paragraph, point (69), amending provision(3)(ie)				
865e				Agreed in line with revised mandate of 7.10.2022:  <u>(ie) (n) illegally disposing of a fishing gear or a gear at sea from a fishing vessel.</u>  Sequence 10
Article 1, first paragraph, point (69), amending provision, numbered paragraph (3a)				
865f		<u>3a. The Commission shall publish, prior to implementation of the provisions on sanctions, guidelines to ensure standard determination of the seriousness of infringements in the Union and uniform interpretation of the various sanctions applicable.</u>		EP withdrew proposed amendment.  Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u><i>Those guidelines shall be published on the Commission's website and made available to the general public.</i></u></p> <p>EP AM 253, EX AM 80 (Rapporteur)</p>		
Article 1, first paragraph, point (69), amending provision, numbered paragraph (3b)				
865g		<p><u><i>3b. By ... [two years after the date of entry into force of this amending Regulation], the Agency shall draw up a report on the implementation of the guidelines at Union level.</i></u></p> <p>EP AM 254, EX AM 932 (Renew)</p>		<p>EP withdrew proposed amendment.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision, numbered paragraph (3c)				
865h				<p>Reject the following COM proposal to allow amending Annex IV through delegated acts:</p> <p>COM proposal of 8.9.22</p> <p>(4) The Commission shall be empowered to adopt delegated acts in accordance with Article 119a to</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				<p>amend Annex IV of this Regulation.</p> <p>Note: Without such empowerment, the criteria set out in Annex IV will have to be amended through a co-decided act.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision, eighteenth paragraph				
866	Article 91		Article 91	<p>Article 91</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision, nineteenth paragraph				
867	Immediate enforcement measures for serious infringements		Immediate enforcement measures for serious infringements	<p>Immediate enforcement measures for serious infringements</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision(1), introductory part				
868	1. Where a natural person is suspected of having committed or is caught in the act while committing a serious infringement or a legal person is suspected of being liable for such a serious infringement, Member States, in addition to the investigation of the	1. Where a natural person is <del>suspected of having committed or is caught in the act while committing a serious infringement</del> or a <del>legal</del> <u>serious infringement has been detected in the course of an inspection in relation to that natural</u> person, <u>or there is</u>	1. Where a natural person is suspected of having committed or is caught in the act while committing a serious infringement or a legal person is suspected of being liable for such a serious infringement, Member States, in addition to the investigation of the	<p>Accept the following final drafting, in line with the revised mandate of 7.10.2022 and with language used in similar provisions:</p> <p>1. Where <del>a natural person is suspected of having any relevant data or information leads competent authorities of Member</del></p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	infringement in accordance with the provisions of Article 85, shall immediately in conformity with their national law, take relevant and immediate measures such as:	<i>evidence that a legal person is <del>is</del> suspected of being</i> liable for such a serious infringement, Member States, in addition to the investigation of the infringement in accordance with the provisions of Article 85, shall immediately in conformity with their national law, take relevant and immediate measures such as:  EP AM 255, EX CA 20	infringement in accordance with <del>the provisions of</del> Article 85, shall <del>immediately,</del> in conformity with their national law, take relevant <del>and</del> immediate measures, such as:	<i>States to believe that a natural person has</i> committed or <i>is caught in the act while committing</i> a legal person is liable for a serious infringement, <i>or where a natural or a legal</i> person is <i>suspected of being liable for such</i> caught in the <i>act while committing</i> a serious infringement, Member States, in addition to the investigation of the infringement in accordance with the provisions of Article 85, shall immediately in conformity with their national law, take relevant and immediate measures such as:  Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(a)				
869	(a) the immediate cessation of fishing activities;		(a) the <del>immediate</del> cessation of fishing activities;	GA accepted.  (a) the <del>immediate</del> cessation of fishing activities;  Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(b)				
870	(b) the immediate rerouting to a port;		(b) the <del>immediate rerouting</del> rerouting of the fishing vessel to a port;	GA accepted.  (b) the <del>immediate rerouting</del> rerouting of the fishing vessel to a port;

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(c)				
871	(c) the rerouting of the transport vehicle to another location for inspection;		(c) the rerouting of the transport vehicle to another location for inspection;	(c) the rerouting of the transport vehicle to another location for inspection;  Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(d)				
872	(d) the ordering of a bond;		(d) the ordering of a bond;	(d) the ordering of a bond;  Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(e)				
873	(e) the seizure of fishing gear, catches or fisheries products or the profit earned from the sale of the catches or fisheries products;		(e) the seizure of <i>the fishing vessel, transport vehicle</i> , fishing gear, catches or fisheries products or the profit earned from the sale of the catches or fisheries products;	GA accepted.  (e) the seizure of <i>the fishing vessel, transport vehicle</i> , fishing gear, catches or fisheries products or the profit earned from the sale of the catches or fisheries products;  Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(f)				
874	(f) restriction to or prohibition of the placing on the market of fisheries products;		(f) restriction to, or prohibition of, the placing on the market of fisheries products;	(f) restriction to or prohibition of the placing on the market of fisheries products;

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(g)				
875	(g) the temporary immobilisation of the fishing vessel or transport vehicle concerned;		(g) the temporary immobilisation of the fishing vessel or transport vehicle concerned;	(g) the temporary immobilisation of the fishing vessel or transport vehicle concerned;  Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(h)				
876	(h) the suspension of the authorisation to fish;		(h) the suspension of the authorisation to fish;	(h) the suspension of the authorisation to fish;  Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(i)				
877	(i) the temporary cessation of business activities.		(i) the temporary cessation of business activities.	(i) the temporary cessation of business activities.  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)				
878	2. The immediate enforcement measures referred to in paragraph 1 shall be of such nature as to prevent the continuation of the detected serious infringement concerned, to take all necessary action to ensure safekeeping of the		2. The immediate <i>enforcement</i> measures referred to in paragraph 1 shall be of such nature as to prevent the continuation of the detected serious infringement concerned, to <del>take all</del> <i>enable all</i> <u>the</u> necessary action to <del>ensure</del> <i>be</i>	GA accepted.  2. The immediate <i>enforcement</i> measures referred to in paragraph 1 shall be of such nature as to prevent the continuation of the detected serious infringement concerned, to <del>take all</del> <i>enable all</i>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	evidence pertaining to such suspected serious infringement and to allow the competent authorities to complete their investigation.		<i>taken for ensuring</i> safekeeping of the evidence pertaining to such <del>suspected serious</del> infringement and to allow the competent authorities to complete their investigation.	<i>the</i> necessary action to <del>ensure</del> <i>be taken for ensuring</i> safekeeping of the evidence pertaining to such <del>suspected serious</del> infringement and to allow the competent authorities to complete their investigation.  Sequence 10
Article 1, first paragraph, point (69), amending provision(3)				
879	3. The Member State shall immediately and, in compliance with its procedures under national law, notify the flag State concerned of the measures referred to in paragraph 1.		3. The Member State <i>concerned</i> shall immediately, and, <del>in</del> <i>compliance in conformity</i> with its <del>procedures under</del> national law, notify the flag State <del>concerned</del> of the measures referred to in paragraph 1.	3. The Member State <i>concerned</i> shall immediately, and, <del>in</del> <i>compliance in conformity</i> with its <del>procedures under</del> national law, notify the flag State <del>concerned</del> of the measures referred to in paragraph 1.  Sequence 10
Article 1, first paragraph, point (69), amending provision, twenty-third paragraph				
880	Article 91a		Article 91a	Article 91a  Sequence 10
Article 1, first paragraph, point (69), amending provision, twenty-fourth paragraph				
881	Sanctions for serious infringements		Sanctions for serious infringements	Sanctions for serious infringements

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 10
Article 1, first paragraph, point (69), amending provision(1), introductory part				
882	<p>1. Without prejudice to other sanctions applied in accordance with this Regulation and national law, in case of established serious infringement where the serious infringement has lead to obtaining fishery products, Member States shall impose fines for which:</p>	<p>1. Without prejudice to other sanctions applied in accordance with this Regulation and national law, in case of established serious infringement where the serious infringement has <del>lead</del>led to obtaining fishery products, Member States shall impose fines for which:</p> <p>EP AM 256, EX AM 945 (EPP)</p>	<p>1. Without prejudice to other sanctions applied in accordance with this Regulation and national law, in case of established serious infringement where <del>the serious infringement has lead</del>it has led to obtaining fishery products, Member States shall impose <del>fin</del>es for which:<u>administrative financial penalties.</u></p>	<p>Support to the following text, which is based on the GA, but more clearly distinguishes between providing for administrative financial penalties and whether these need to be imposed in each individual case. See also row 887a (on mitigating circumstances).</p> <p>1. Without prejudice to other sanctions applied in accordance with this Regulation and national law, Member States shall ensure that a serious infringement that has led to obtaining fishery or aquaculture products shall be punishable by administrative financial penalties,</p> <p>Note: as in the General Approach, the provisions on financial penalties are again limited to <u>administrative</u> financial penalties.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision(1), first indent				
883	- the minimum shall be at least three times the value of the fishery	- the minimum shall be at least <del>three times</del> twice the value of the	- <del>the minimum shall be at least three times the value of the fishery</del>	Support the following Presidency proposal:

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	products obtained by committing the serious infringement, and	fishery products obtained by committing the serious infringement, and  EP AM 257, EX AMs 947 (EPP), 948 (Renew) and 349 (EPP)	<del>products obtained by committing the serious infringement, and</del>	- the minimum of which shall be at least the value of the fishery or aquaculture products obtained as a result of committing the serious infringement, and  Linked to row 887a.  Sequence 10
Article 1, first paragraph, point (69), amending provision(1), first subparagraph				
884	- the maximum shall be at least five times the value of the fishery products obtained by committing the serious infringement.		- the maximum <u>of which</u> shall be at least five times the value of the fishery products obtained <del>by</del> <u>from</u> committing the serious infringement.	Flexibility to accept the following COM proposal (very similar to GA):  COM proposal 23.11.2022  the maximum of which shall be at least five times the value of the fishery or aquaculture products obtained as a result of committing the serious infringement.  Sequence 10
Article 1, first paragraph, point (69), amending provision(2), introductory part				
885	2. In case of any repeated serious infringement where the serious infringement leads to obtaining fishery products within a three-year period, the Member States shall		2. In case of <del>any</del> repeated serious infringement where <del>the serious infringement leads</del> <u>it has led</u> to obtaining fishery products within a three-year period, <del>the</del> Member	Support the following text, based on the GA (similar change as in row 882):  In case of a repeated serious infringement within a three-year

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	impose fines for which:		States shall impose <del>fines for which:</del> <u>administrative financial penalties.</u>	period that has led to obtaining fishery or aquaculture products, Member States shall ensure that the serious infringement shall be punishable by administrative financial penalties,  Sequence 10
Article 1, first paragraph, point (69), amending provision(2), first indent				
886	- the minimum shall be at least five times the value of the fishery products obtained by committing the serious infringement, and		<del>- the minimum shall be at least five times the value of the fishery products obtained by committing the serious infringement, and</del>	Accept the following Presidency proposal:  the minimum of which shall be at least twice the value of the fishery or aquaculture products obtained as a result of committing the serious infringement, and  Sequence 10
Article 1, first paragraph, point (69), amending provision(2), first subparagraph				
887	- the maximum shall be at least eight times the value of the fishery products obtained by committing the serious infringement.		- the maximum <u>of which</u> shall be at least eight times the value of the fishery products obtained <del>by</del> <u>from</u> committing the serious infringement.	Flexibility to accept the following COM proposal (very similar to GA):  COM proposal 23.11.2022  the maximum of which shall be at least eight times the value of the fishery or aquaculture products obtained as a result of committing

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				the serious infringement. <a href="#">Sequence 10</a>
887aa				<p>Flexibility to accept the following proposal:</p> <p>2aa. Notwithstanding paragraphs 1 and 2, Member States may in their national legal system establish standard rates for administrative financial penalties instead of minimum administrative penalties. The minimum standard rates shall not be lower than the average value of fishery products obtained as a result of committing a serious infringement.</p> <p>In case of a repeated serious infringement as referred to in paragraph 2, the minimum standard rates shall not be lower than twice that average value.</p> <p>Member States establishing such standard rates may allow courts or competent authorities to deviate from these standard rates where necessary for the sanctions to be effective, proportionate and dissuasive, and to impose administrative financial penalties</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				<p>up to a maximum which shall be at least five times the value of the fishery or aquaculture products obtained as a result of committing the serious infringement, or, in case of a repeated serious infringement as referred to in paragraph 2, at least eight times that value.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision(2), third indent				
887a				<p>Flexibility to accept the following proposal:</p> <p>2a. The minimum level or the standard rate of administrative financial penalties established in paragraphs 1, 2 and 2aa, is without prejudice to the application of any rules concerning mitigating circumstances and other factors, provided for under national law, when deciding on the sanctions to be applied in each individual case.</p> <p>Note: If needed, a recital with further explanations on mitigating circumstances could be added.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision(3)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
888	<p>3. The amounts referred to in paragraphs 1 and 2 shall be calculated on the value of the fisheries products according to the prices of the European Market Observatory for Fisheries and Aquaculture Products (EUMOFA) platform at the time of the identification of the infringement, if available. In the situation where the EUMOFA values are not available or not relevant, national prices in auction halls or prices identified on principal international markets relevant for the species and fishing area concerned shall be applicable and the higher price prevail.</p>		<p>3. <del>The amounts referred to in paragraphs 1 and 2 shall be calculated on</del> <u>When calculating</u> the value of the <del>fisheries</del> <u>fishery</u> products <del>according to the prices of the European Market Observatory for Fisheries and Aquaculture Products (EUMOFA) platform at the time of the identification of the infringement, if available. In the situation where the EUMOFA values are not available or not relevant, national prices in auction halls or</del> <u>obtained from committing the serious infringement, Member States shall consider national prices at first sale, prices identified on principal international markets relevant for the species and fishing area concerned or the</u> prices <del>identified on principal international markets relevant for the species and fishing area concerned shall be applicable and the higher price prevail</del> <u>of the European Market Observatory for Fisheries and Aquaculture Products (EUMOFA) platform, at the time when the infringement was committed.</u></p>	<p>Flexibility to accept the following COM proposal (very similar to GA), with linguistic correction.</p> <p>COM proposal 23.11.2022</p> <p>4. When calculating the value of the fishery or aquaculture products obtained as a result of committing the serious infringement, Member States shall consider national prices at first sale, prices identified on principal international markets relevant for the species and fishing area concerned or the prices of the European Market Observatory for Fisheries and Aquaculture Products (EUMOFA) platform, at the time when the infringement was committed.</p> <p><u>Sequence 10</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (69), amending provision(4)				
889	4. Where the serious infringement did not lead to obtaining fishery products, the fines shall be determined by the Member States in accordance with Article 89a, at a level leading to a deterrent effect similar to the effect of the fines set in paragraphs 1 and 2.		4. Where the serious infringement did not lead to obtaining fishery products, the <del>fines</del> <u>administrative financial penalties</u> shall be determined by the Member States in accordance with Article 89a, at a level <del>leading to a deterrent effect similar to the effect of the fines set in paragraphs 1 and 2</del> <u>ensuring that these penalties are effective, proportionate and dissuasive.</u>	Flexibility to accept the following COM proposal, with the addition of “administrative”, which is close to the GA and aligned to row 882.  COM proposal 23.11.2022  Where the serious infringement did not lead to obtaining fishery or aquaculture products, the administrative financial penalties shall be determined by the Member States in accordance with Article 89a, at a level ensuring that these are effective, proportionate and dissuasive.  <u>Sequence 10</u>
Article 1, first paragraph, point (69), amending provision(5)				
889a			<u>5. Member States may also, or alternatively, use effective, proportionate and dissuasive criminal sanctions.<sup>1</sup></u>  <u>1. A recital will clarify how this provision can be implemented in Member States with specific legal systems.</u>	Defend GA, but accept additional wording on equivalent effect:  5. Member States may also, or alternatively, use effective, proportionate and dissuasive criminal sanctions while ensuring that those sanctions have an equivalent effect to the administrative financial penalties referred to in this Article.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 10
Article 1, first paragraph, point (69), amending provision, numbered paragraph (4a)				
889b		<p><u>4a. In all cases, no more than one Member State may institute proceedings or impose sanctions for each act of infringement.</u></p> <p>EP AM 258, EX AM 81 (Rapporteur)</p>		<p>EP withdrew its proposed amendment.</p> <p>See row 834a for the <i>ne bis in idem</i> principle.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision, twenty-ninth paragraph				
890	Article 91b		Article 91b	<p>Article 91b</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision, thirtieth paragraph				
891	Accompanying sanctions		Accompanying sanctions	<p>Accompanying sanctions</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision(1), introductory part				
892	The sanctions provided for in Articles 89, 89a and 91a and measures provided for in Article 91 may be accompanied by other		<p><u>I.</u> The sanctions provided for in Articles 89, 89a and 91a <del>and measures provided for in Article 91</del> may be accompanied by other</p>	<p>GA accepted.</p> <p><u>I.</u> The sanctions provided for in Articles 89, 89a and 91a <del>and measures provided for in Article 91</del></p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	dissuasive sanctions or measures, in particular:		<del>dissuasive</del> sanctions <del>or measures</del> , in particular:	may be accompanied by other <del>dissuasive</del> sanctions <del>or measures</del> , in particular: <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(1)				
893	(1) the sequestration of the fishing vessel(s) involved in the infringement;		<del>(1) the sequestration of the fishing vessel(s) involved in the infringement;</del>	GA accepted. (1) <del>the sequestration of the fishing vessel(s) involved in the infringement;</del> <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(1)(a)				
894	(2) the temporary immobilisation of the fishing vessel;		<del>(2)(a)</del> the <del>temporary</del> immobilisation of the fishing vessel(s) <u>or vehicle(s) involved in the infringement;</u>	GA accepted. <del>(2)(a)</del> the <del>temporary</del> immobilisation of the fishing vessel(s) <u>or vehicle(s) involved in the infringement;</u> <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(1)(b)				
895	(3) the confiscation of the vessel(s), prohibited fishing gear, catches or fishery products;		<del>(3)(b)</del> the confiscation of the vessel(s), <u>vehicle(s)</u> , prohibited fishing gear, catches or fishery products;	GA accepted. <del>(3)(b)</del> the confiscation of the vessel(s), <u>vehicle(s)</u> , prohibited fishing gear, catches or fishery products;

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(c)				
896	(4) the suspension or withdrawal of the fishing license or fishing authorisation;		<del>(4)</del> (c) the suspension or withdrawal of the fishing license or fishing authorisation;	<del>(4)</del> (c) the suspension or withdrawal of the fishing license or fishing authorisation;  Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(d)				
897	(5) the reduction or withdrawal of fishing rights;		<del>(5)</del> (d) the reduction or withdrawal of fishing rights;	<del>(5)</del> (d) the reduction or withdrawal of fishing rights;  Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(e)				
898	(6) the temporary or permanent exclusion from the right to obtain new fishing rights;		<del>(6)</del> (e) the <i>temporary or permanent</i> exclusion from the right to obtain new fishing rights;	GA accepted. <del>(6)</del> (e) the <i>temporary or permanent</i> exclusion from the right to obtain new fishing rights;  Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(f)				
899	(7) the temporary or permanent ban on access to public assistance or subsidies;		<del>(7)</del> (f) the <i>temporary or permanent</i> ban on access to public assistance or subsidies;	GA accepted. <del>(7)</del> (f) the <i>temporary or permanent</i> ban on access to public assistance

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				or subsidies; <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(1)(g)				
900	(8) the suspension or withdrawal of the status of approved economic operator granted pursuant to Article 16(3) of Regulation (EC) No 1005/2008;		<del>(8)(g)</del> the suspension or withdrawal of the status of approved economic operator granted pursuant to Article 16(3) of Regulation (EC) No 1005/2008;	<del>(8)(g)</del> the suspension or withdrawal of the status of approved economic operator granted pursuant to Article 16(3) of Regulation (EC) No 1005/2008;  <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(1)(h)				
901	(9) the withdrawal of the ship certificate of national registry;		<del>(9)(h)</del> the withdrawal of the ship certificate <del>off from the</del> national <del>registry</del> <a href="#">register</a> ;	Agreed in line with revised mandate of 7.10.2022.  <del>(9)(h)</del> the <del>withdrawal</del> <a href="#">removal</a> of the <del>ship certificate of</del> <a href="#">fishing vessel from the</a> national <del>registry</del> <a href="#">register</a> ;  <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(1)(i)				
902	(10) the temporary suspension of the economic activity or its permanent cessation;	(10) the temporary suspension of the <a href="#">fishing-related</a> economic activity or its permanent cessation;  <a href="#">EP AM 259, EX AM 957 (Renew)</a>	<del>(10)(i)</del> the <del>temporary</del> suspension of the economic activity <del>or its permanent cessation</del> ;	Flexibility to accept the following COM proposal, with an adjustment by the Presidency (following MS comment):  Commission proposal 29.11.2022:

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				(10) The suspension or cessation of all or part of the economic activities of the operator related to the common fisheries policy; <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(1)(j)				
903	(11) the temporary or permanent withdrawal of the authorisation to engage in fish trade activities.		<del>(11)(i) the temporary or permanent</del> withdrawal of the authorisation to engage in fish <del>trade</del> <u>trading</u> activities.	Agreed in line with revised mandate of 7.10.2022. <del>(11)(i) the temporary or permanent</del> <u>suspension or withdrawal of the authorisation to engage in fish trade activities trading activities concerning fishery and aquaculture products.</u> <a href="#">Sequence 10</a> <a href="#">Sequence 3</a>
Article 1, first paragraph, point (69), amending provision(1), point (11a)				
903a		<u>(11a) the use of continuously recording closed-circuit television (CCTV) systems incorporating data storage in the event of serious infringements of common fisheries policy landing obligation rules.</u> <a href="#">EP AM 260, EX AM 961 (EPP)</a>		Reject EP amendment. Linked to sequence 15. <a href="#">Sequence 15</a> <a href="#">Sequence 10</a>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (69), amending provision(2)				
903b			<u>2. Member States shall determine, in accordance with their national law, the duration of the sanctions referred to in paragraph 1.</u>	GA accepted. <u>2. Member States shall determine, in accordance with their national law, the duration of the sanctions referred to in paragraph 1.</u>  Sequence 10
Article 1, first paragraph, point (69), amending provision, thirty-first paragraph b				
903c				Agreed in line with revised mandate of 7.10.2022.  <u>3. When a vessel is subject to an immobilisation under point (a) of paragraph 1 decided by its flag Member State or has its fishing authorisation suspended or withdrawn in accordance with point (c) of paragraph 1, the flag Member State shall suspend its fishing licence for the same duration or withdraw it.</u>
Article 1, first paragraph, point (69), amending provision, thirty-second paragraph				
904	Article 92		Article 92	Article 92

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (69), amending provision, thirty-third paragraph				
905	Point system for serious infringements		Point system for serious infringements	Point system for serious infringements
Article 1, first paragraph, point (69), amending provision(1)				
906	1. Member States shall apply a point system for infringements referred to in Article 90, except for serious infringements referred to in paragraph 1 points (k) and (p) and in paragraph (2) points (g) and (h) of that Article.		1. Member States shall apply a point system for infringements referred to in Article 90, except for serious infringements referred to in <del>paragraph 1 points (k) and (p) and in paragraph (2) point (k) of paragraph 2 and</del> points (g), <del>(h), and (m) of paragraph 3</del> <u>and (h), and (m) of paragraph 3</u> <del>and (h)</del> of that Article <u>and for infringements under Article 90(3)(a) of obligations not applicable to the holder of the fishing licence or the master.</u>	Flexibility to accept the following text, in line with the GA, but simplified.  1. Member States shall apply a point system for serious infringements referred to in Article 90, except for serious infringements not applicable to the holder of the fishing licence or the master.  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)				
907	2. When a natural person has committed or a legal person is held liable for a serious infringement, a number of points calculated in accordance with Annex III shall be assigned to the holder of the		2. When a natural person has committed, or a legal person is held liable for, a serious infringement, a number of points calculated in accordance with Annex III shall be assigned to the holder of the	2. When a natural person has committed, or a legal person is held liable for, a serious infringement, a number of points calculated in accordance with Annex III shall be assigned to the holder of the

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	fishing licence for the fishing vessel concerned.		fishing licence for the fishing vessel concerned.	fishing licence for the fishing vessel concerned. Sequence 10
Article 1, first paragraph, point (69), amending provision(3)				
908	3. While remaining attached to the licence holder who sold the fishing vessel, points shall also be assigned to any new holder of the fishing licence for the fishing vessel concerned where the vessel is sold, transferred or otherwise changes ownership after the date of the infringement.	3. <del>While remaining</del> <b>Points shall continue to be</b> attached to the licence holder who <b>has committed the infringement and has subsequently</b> sold the fishing vessel, <del>points shall also be assigned to any new holder of the fishing licence for the fishing vessel concerned where the vessel is sold, transferred or otherwise changes ownership after the date of the infringement</del> <b>in the event of sale, transfer or any other change of ownership after the date of the infringement. Under no circumstances shall they be assigned to the new holder of the fishing licence for the fishing vessel concerned.</b>  EP AM 261, EX AM 84 (Rapporteur)	3. <del>While remaining attached to the licence holder who sold the fishing vessel, points</del> <b>The points assigned shall also be assigned be transferred</b> to any <del>new future</del> holder of the fishing licence for the fishing vessel concerned where the vessel <b>or the licence</b> is sold, transferred or otherwise changes ownership after the date of the infringement, <b>including to another Member State.</b>	GA accepted.  3. <del>While remaining attached to the licence holder who sold the fishing vessel, points</del> <b>The points assigned shall also be assigned be transferred</b> to any <del>new future</del> holder of the fishing licence for the <del>fishing</del> <b>catching</b> vessel concerned where the vessel <b>or the licence</b> is sold, transferred or otherwise changes ownership after the date of the infringement, <b>including to another Member State.</b>
Article 1, first paragraph, point (69), amending provision(4)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
909	<p>4. Member States shall also establish a point system under which the master of a vessel is assigned the same number of points as the holder of the fishing licence following a serious infringement committed aboard the vessel under his or her command.</p>	<p>4. Member States shall also establish a point system under which the master of a vessel is assigned the same number of points as the holder of the fishing licence following a serious infringement committed aboard the vessel under his or her command. <u>The assigned points to the master of the vessel shall be recorded in the official certification document with the indication of date of assignment as well as the date of deletion of the assigned points.</u></p> <p>EP AM 262, EX AM 971 (S&amp;D)</p>	<p>4. Member States shall also establish a point system under which the master of a vessel is assigned the same number of points as the holder of the fishing licence <del>following as a result of</del> a serious infringement committed <del>aboard the vessel under his or her command</del> <u>by the master in accordance with Annex III.</u></p>	<p>Flexibility to accept the following proposal clarifying attribution of points to the master.</p> <p>PSY proposal 23.11.2022</p> <p>Member States shall also establish a point system under which the master of a vessel is assigned the same number of points as the holder of the fishing licence as a result of a serious infringement related to the vessel and committed under his or her command, in accordance with Annex III.</p> <p>Where the master of the vessel is not a national of the flag Member State, the flag Member State shall notify the number of points assigned to the master to the Member State of which the master is a national, or in the case of nationals of third countries, to any Member State concerned.</p> <p>Note: The new second subparagraph aims to clarify the rules in cases where the master of a vessel is not a national of the flag MS. The provision aims to ensure that all points assigned to a master</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				are centralised in the MS of which the master is a national.  Sequence 10
Article 1, first paragraph, point (69), amending provision(5)				
910	5. When two or more serious infringements by the same natural or legal person holding the licence are detected in the course of one inspection, points in respect of each serious infringement concerned shall be assigned in accordance with paragraph 2 up to a maximum of 12 points for all those infringements.		5. When two or more serious infringements by the same natural or legal person holding the <u>fishing licence or by the master</u> are detected in the course of one inspection, points in respect of each serious infringement concerned shall be assigned in accordance with paragraph 2 up to a maximum of 12 points for all those infringements.	GA accepted.  5. When two or more serious infringements by the same natural or legal person holding the <u>fishing licence or by the master</u> are detected in the course of one inspection, points in respect of each serious infringement concerned shall be assigned in accordance with paragraph 2 up to a maximum of 12 points for all those infringements.  Sequence 10
Article 1, first paragraph, point (69), amending provision(6)				
911	6. When the total number of points equals or exceeds 18 points, the fishing licence and/or the right to command a fishing vessel shall be automatically suspended for a period of at least two months. That period shall be four months if the suspension is occurring a second		6. When the total number of points equals or exceeds 18 points, the fishing licence and/or the right to command a fishing vessel <u>as a master</u> shall be automatically suspended for a period of at least two months. That period shall be: four months if the suspension <del>is</del>	Flexibility to merge rows 911 and 912.  Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	time and the points equals or exceeds 36 points, eight months if the suspension is occurring a third time and the number of points equals or exceeds 54 points and one year if the suspension is occurring a fourth time and the number of points equals or exceeds 72 points. In case the suspension is occurring for a fifth time and the number of points equals or exceeds 90 points, the fishing licence shall be permanently withdrawn and the fishing vessel shall not be used anymore for commercial exploitation of marine biological resources.		<del>occurring</del> <u>occurs the</u> second time and the points equals or exceeds 36 points; <del>;</del> eight months if the suspension <del>is occurring</del> <u>occurs the</u> third time and the number of points equals or exceeds 54 points; and one year if the suspension <del>is occurring</del> <u>occurs the</u> fourth time and the number of points equals or exceeds 72 points. In case the suspension <del>is occurring for</del> <u>occurs for the</u> fifth time and the number of points equals or exceeds 90 points, the fishing licence shall be <del>permanently</del> withdrawn and the fishing vessel <del>shall</del> <u>may</u> not be used <del>anymore</del> for commercial exploitation of marine biological resources.	
Article 1, first paragraph, point (69), amending provision, numbered paragraph (6a)				
911a				Accept the following COM proposal:  COM proposal 24.11.2022  6a. Member States shall ensure that natural persons for which the suspension or withdrawal of the right to command has been

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				<p>triggered pursuant to paragraph 6, are not allowed to operate as a master on board fishing vessels flying their flag.</p> <p>In case of suspension of the right to command, this provision shall only apply for the period of the suspension.</p> <p><a href="#">Sequence 10</a></p>
Article 1, first paragraph, point (69), amending provision(7)				
912	7. The accumulation of 90 points by the holder of a fishing license or a master shall trigger automatically the permanent withdrawal of the fishing licence or of the right to command a fishing vessel as a master.		7. The accumulation of 90 points by the holder of a fishing license or <i>by the</i> master shall trigger automatically the <del>permanent</del> withdrawal of the fishing licence or of the right to command a fishing vessel as a master.	<p>See rows 911 and 911a.</p> <p><a href="#">Sequence 10</a></p>
Article 1, first paragraph, point (69), amending provision, numbered paragraph (7a)				
912a		<u><i>7a. Fishing licence holders or masters of vessels that have not committed serious infringements for a period of at least five consecutive calendar years, calculated from 1 January of ... [the year of the entry into force of</i></u>		<p>Reject EP amendment.</p> <p><a href="#">Sequence 10</a></p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u><i>this amending Regulation</i></u>], shall be allocated two priority points in the national rankings used by the European Maritime and Fisheries Fund under Regulation (EU) No 508/2014.</p> <p>EP AM 263, EX AMs 973 (S&amp;D) and 979 (Greens/EFA)</p>		
Article 1, first paragraph, point (69), amending provision(8)				
913	8. If the holder of a fishing licence or the master does not commit a serious infringement within three years from the date of the committing of the last serious confirmed infringement, all points shall be deleted.		8. If the holder of a fishing licence or the master does not commit a serious infringement within three years from the date of <del>the</del> committing <del>of</del> the last serious confirmed infringement, all points shall be deleted.	8. If the holder of a fishing licence or the master does not commit a serious infringement within three years from the date of <del>the</del> committing <del>of</del> the last serious confirmed infringement, all points shall be deleted.  Sequence 10
Article 1, first paragraph, point (69), amending provision(9)				
914	9. The coastal State is competent to determine under its national laws whether a serious infringement has been committed in its waters and to decide about the number of points to be assigned in accordance with Annex III.		9. <del>The</del> <u>When a</u> coastal <u>Member State</u> <del>is competent to determine</del> <u>other than the flag Member State has determined,</u> under its national <del>laws whether</del> <u>law,</u> <u>that</u> a serious infringement has been committed in its waters, <u>it shall notify it to the flag Member</u>	Accept the following proposal, which refers to “determine and assign”.  When a Member State other than the flag Member State has confirmed, under its national law, that a serious infringement has been committed within its

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>State in order for the latter to determine and assign</u> <del>and to decide about</del> the number of points <del>to be assigned</del> in accordance with Annex III.	jurisdiction, it shall notify it to the flag Member State in order for the latter to determine and assign the number of points in accordance with Annex III.  Sequence 10
Article 1, first paragraph, point (69), amending provision(10)				
915	10. Where the serious infringement is detected in a Member State other than the flag State, the points assigned in accordance with this Article shall be recognized by the competent authorities of the flag Member State.		<del>10. Where the serious infringement is detected in a Member State other than the flag State, the points assigned in accordance with this Article shall be recognized by the competent authorities of the flag Member State.</del>	Linked to row 914. Defend GA.  Sequence 10
Article 1, first paragraph, point (69), amending provision(11)				
916	11. Member States shall designate the competent national authorities which shall be responsible for setting up the system for the attribution of points for serious infringements, assigning the appropriate number of points to the holder of a fishing licence and master and transferring the points in accordance with paragraph 3.		11. Member States shall designate the competent national authorities <del>which shall be</del> responsible for setting up the system for the attribution of points for serious infringements, assigning the appropriate number of points to the holder of a fishing licence and <u>to the</u> master and transferring the points in accordance with	11. Member States shall designate the competent national authorities <del>which shall be</del> responsible for setting up the system for the attribution of points for serious infringements, assigning the appropriate number of points to the holder of a fishing licence and <u>to the</u> master and transferring the points in accordance with

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			paragraph 3.	paragraph 3. <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(12)				
917	12. Member States shall ensure that the application of national proceedings does not render the point system ineffective.		12. Member States shall ensure that the application of national proceedings does not render the point system ineffective.	12. Member States shall ensure that the application of national proceedings does not render the point system ineffective.  <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(13), introductory part				
918	13. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning:		13. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning <sup>+</sup>	13. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning:  <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(13)(a)				
919	(a) the amendment of the threshold of points triggering the suspension and permanent withdrawal of a fishing licence or of the right to command a fishing vessel as a	(a) <del>the amendment of the threshold of points triggering the suspension and permanent withdrawal of a fishing licence or of the right to command a fishing vessel as a</del>	<del>(a)</del> the amendment of the threshold of points triggering the suspension and <del>permanent</del> withdrawal of <del>a</del> the fishing licence or of the right to command a	In principle defend GA, but flexibility to accept the EP amendment in view of a compromise.  <a href="#">Sequence 10</a>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	master;	<del>master;</del> EP AM 264, EX AMs 982 (Greens/EFA), 983 (EPP) and 984 (EPP)	fishing vessel as a master;	
Article 1, first paragraph, point (69), amending provision(13)(b)				
920	(b) the follow-up of suspension and permanent withdrawal of a fishing licence or of a right from exercising fishing activity as a master;		<del>(b) the follow-up of suspension and permanent withdrawal of a fishing licence or of a right from exercising fishing activity as a master;</del>	Defend revised mandate of 7.10.2022 (i.e. flexibility to revert to COM proposal, but to use implementing act).  Sequence 10
Article 1, first paragraph, point (69), amending provision(13)(c)				
921	(c) measures to be taken in case of illegal fishing activities during the suspension period or after the permanent withdrawal of a fishing licence or of a right from exercising fishing activity as a master;		<del>(c) measures to be taken in case of illegal fishing activities during the suspension period or after the permanent withdrawal of a fishing licence or of a right from exercising fishing activity as a master;</del>	Defend revised mandate of 7.10.2022 (i.e. flexibility to revert to COM proposal, but to use implementing act).  Sequence 10
Article 1, first paragraph, point (69), amending provision(13)(d)				
922	(d) conditions justifying the deletion of points;		<del>(d) conditions justifying the deletion of points;</del>	Defend revised mandate of 7.10.2022 (i.e. flexibility to revert to COM proposal, but to use implementing act).

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 10
Article 1, first paragraph, point (69), amending provision(13)(e)				
923	(e) the registration of masters authorized to exercise fishing activity.		<del>(e) the registration of masters authorized to exercise fishing activity.</del>	<p>Flexibility to accept implementing acts (row 924 and following) to allow for the registration of masters and the recording of points assigned to masters to ensure that at least/only one Member State records all the points assigned to a master, along the following lines (final wording to be adjusted):</p> <p>(e) the registration of masters authorized to exercise fishing activity and the recording of points [in a single Member State] assigned to masters.</p> <p>Reason: To respond to comments by Member States on the application of the point system to masters (e.g. rows 909 and 911a).</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69), amending provision (14), first subparagraph, introductory part				
924	14. The Commission shall, by means of implementing acts, lay down detailed rules concerning:		14. The Commission shall, by means of implementing acts, lay down detailed rules concerning:	14. The Commission shall, by means of implementing acts, lay down detailed rules concerning:

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 10
Article 1, first paragraph, point (69), amending provision(14), first subparagraph(a)				
925	(a) the notifications of decisions on assignment of points;		<del>(a) the notifications of decisions on assignment of points;</del>	Agreed in line with the revised mandate of 7.10.2022.  (a) the notifications of decisions on assignment of points;  Sequence 10
Article 1, first paragraph, point (69), amending provision(14), first subparagraph(b)				
926	(b) the transfer of the points when ownership of vessels for which points where assigned, is transferred;		(b) the transfer of the points <del>when ownership of vessels for which points where assigned, is transferred</del> <u>in accordance with paragraph 3<sup>1</sup>;</u>  <u>1. A recital will clarify that the Implementing Act could, for example, cover the assignments of points in the case of merging or splitting fishing capacity and when the vessel and licence are not sold to the same person.</u>	GA accepted. Recital still to be drafted.  Sequence 10
Article 1, first paragraph, point (69), amending provision(14), first subparagraph(c)				
927	(c) the deletion of fishing licences or of the right to command a fishing vessel as a master, for the person responsible for serious infringements from relevant lists;		<del>(c) the deletion of fishing licences or of the right to command a fishing vessel as a master, for the person responsible for serious infringements from relevant lists;</del>	Agreed in line with revised mandate of 7.10.2022.  (c) the deletion of fishing licences or of the right to command a fishing vessel as a master, for the

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				person responsible for serious infringements from relevant lists; <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(14), first subparagraph(d)				
928	(d) the obligations of information on the point system for masters of fishing vessels established by the Member States.		<del>(d) the obligations of information on the point system for masters of fishing vessels established by the Member States.</del>	Agreed in line with revised mandate of 7.10.2022.  (d) the obligations of information on the point system for masters of fishing vessels established by the Member States.  <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision(14), second subparagraph				
929	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).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).  <a href="#">Sequence 10</a>
Article 1, first paragraph, point (69), amending provision, numbered paragraph (14a)				
929a		<u><a href="#">14a. The Commission shall publish guidelines clarifying the interpretation of the rules on infringements and sanctions to</a></u>		EP withdrew its proposed amendment.  <a href="#">Sequence 10</a>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<u><a href="#">limit disparities in treatment from Member State to Member State.</a></u> EP AM 265, EX AM 985 (EPP)		
Article 1, first paragraph, point (69), amending provision, forty-eighth paragraph				
930	Article 92a		Article 92a	Article 92a Sequence 10
Article 1, first paragraph, point (69), amending provision, forty-ninth paragraph				
931	Liability of legal persons		Liability of legal persons	Liability of legal persons Sequence 10
Article 1, first paragraph, point (69), amending provision(1), introductory part				
932	1. Legal persons shall be held liable for serious infringements where such infringements have been committed for their benefit by any natural person, acting either individually or as part of an organ of the legal person, and having a determining position within the legal person, based on:		1. Legal persons shall be held liable for serious infringements where such infringements have been committed for their benefit by any natural person, acting either individually or as part of an organ of the legal person, and having a determining position within the legal person, <del>and</del> <u>concerned</u> based on <u>any of the following</u> :	GA accepted. 1. Legal persons shall be held liable for serious infringements where such infringements have been committed for their benefit by any natural person, acting either individually or as part of an organ of the legal person, and having a determining position within the legal person, <del>and</del> <u>concerned</u> based on <u>any of the following</u> : Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (69), amending provision(1)(a)				
933	(a) a power of representation of the legal person,		(a) a power of representation of the legal person <del>;</del>	(a) a power of representation of the legal person <del>;</del> Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(b)				
934	(b) an authority to take decisions on behalf of the legal person, or		(b) an authority to take decisions on behalf of the legal person <del>;</del> or	(b) an authority to take decisions on behalf of the legal person <del>;</del> or Sequence 10
Article 1, first paragraph, point (69), amending provision(1)(c)				
935	(c) an authority to exercise control within the legal person.		(c) an authority to exercise control within the legal person.	(c) an authority to exercise control within the legal person. Sequence 10
Article 1, first paragraph, point (69), amending provision(2)				
936	2. A legal person may be held liable where the lack of supervision or control, by a natural person referred to in paragraph 1, has made possible the commission of a serious infringement for the benefit of that legal person by a natural person under its authority.		2. A legal person may be held liable where the lack of supervision or control <del>;</del> by a natural person referred to in paragraph 1 <del>;</del> has made possible the commission of a serious infringement for the benefit of that legal person by a natural person under its authority.	2. A legal person may be held liable where the lack of supervision or control, by a natural person referred to in paragraph 1, has made possible the commission of a serious infringement for the benefit of that legal person by a natural person under its authority. Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (69), amending provision(3)				
937	3. Liability of a legal person shall not exclude proceedings against natural persons who are perpetrators, instigators or accessories in the infringements concerned.		3. Liability of a legal person shall not exclude proceedings against natural persons who are perpetrators, instigators or accessories in the infringements concerned.	3. Liability of a legal person shall not exclude proceedings against natural persons who are perpetrators, instigators or accessories in the infringements concerned.  Sequence 10
Article 1, first paragraph, point (69), amending provision, fifty-third paragraph				
938	Article 92b		Article 92b	Article 92b  Sequence 10
Article 1, first paragraph, point (69), amending provision, fifty-fourth paragraph				
939	Obligation to notify definitive ruling		Obligation to notify definitive ruling	Obligation to notify definitive ruling  Sequence 10
Article 1, first paragraph, point (69), amending provision(1), first subparagraph				
940	1. The competent authorities of the Member State having jurisdiction in the event of an infringement shall, without delay and in compliance with their procedures under national law, notify the flag States, the State of which the		1. The competent authorities of the Member State having jurisdiction in <del>the event</del> respect of an infringement shall, without delay and in compliance with their procedures under national law, notify the flag <del>States</del> State, the	GA accepted (with small linguistic change):  1. The competent authorities of the Member State having jurisdiction in <del>the event</del> respect of an infringement shall, without delay and in compliance with <del>their</del>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	offender holds the citizenship or is incorporated, or any other State with an interest in following up the administrative and other relevant criminal proceedings or other measures taken, of any definitive ruling relating to such infringement, including the number of points assigned in accordance with Article 92.		State of which the offender holds the citizenship or is incorporated, <del>or any other State with an interest in following up the administrative and other relevant criminal proceedings or other measures taken</del> <u>and, where appropriate, the coastal, port or processing State</u> , of any definitive ruling <del>relating</del> <u>related</u> to such infringement, <del>including the number of points assigned in accordance with Article 92.</del>	<u>applicable</u> procedures under national law, notify the flag <del>States</del> <u>State</u> , the State <del>of which the offender holds the citizenship or is incorporated, or any other State with an interest in following up the administrative and other relevant criminal proceedings or other measures taken</del> <u>of which the natural person having committed the infringement is a national or where the legal person held liable for the infringement is incorporated, and, where appropriate, the coastal, port or processing State</u> , of any definitive ruling <del>relating</del> <u>related</u> to such infringement, <del>including the number of points assigned in accordance with Article 92.</del>  Sequence 10
Article 1, first paragraph, point (69), amending provision(1), second subparagraph				
941	They shall also notify to the European Commission without delay definitive rulings in the event of serious infringements detected in Union waters or in Union ports in relation to fishing vessels flying the flag of third countries.		<del>They shall also notify to the European Commission without delay definitive rulings</del> In the event of serious infringements detected in Union waters or in Union ports in relation to fishing vessels flying the flag of third countries, <u>the</u>	GA accepted.  <del>They shall also notify to the European Commission without delay definitive rulings</del> In the event of serious infringements detected in Union waters or in Union ports in relation to fishing vessels flying

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>competent authorities of the Member State concerned shall also, without delay, notify the European Commission of any definitive ruling related to such infringements.</u>	the flag of third countries, <u>the competent authorities of the Member State concerned shall also, without delay, notify the European Commission of any definitive ruling related to such infringements.</u>  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)				
942	2. In case of a notification from the Member State referred to in paragraph 1, the flag Member State shall assign the appropriate number of points to the holder of the fishing licence and to the master for the fishing vessel concerned.		2. In case of a notification <del>from</del> <u>by</u> the Member State referred to in paragraph 1, the flag Member State shall assign the appropriate number of points to the holder of the fishing licence and to the master <del>for</del> <u>of</u> the fishing vessel concerned.	2. In case of a notification <del>from</del> <u>by</u> the Member State referred to in paragraph 1, the flag Member State shall assign the appropriate number of points to the holder of the fishing licence and to the master <del>for</del> <u>of</u> the fishing vessel concerned.  Sequence 10
Article 1, first paragraph, point (69), amending provision, fifty-seventh paragraph				
943	Article 93		Article 93	Article 93  Sequence 10
Article 1, first paragraph, point (69), amending provision, fifty-eighth paragraph				
944	National register of infringements		National register <del>of</del> <u>on</u> infringements	National register <del>of</del> <u>on</u> infringements  "

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 10
Article 1, first paragraph, point (69), amending provision(1)				
945	<p>1. Member States shall enter in a national register all suspected and confirmed infringements of the rules of the common fisheries policy committed by vessels flying their flag or the flag of a third country or by their nationals, including all decisions and sanctions they incurred and the number of points assigned. Infringements of fishing vessels flying their flag or by their nationals prosecuted in other Member States shall also be entered by Member States in their national register on infringements, upon notification of the definitive ruling by the Member State having jurisdiction, pursuant to Article.92b.</p>	<p>1. Member States shall enter in a national register all <del>suspected and</del> confirmed infringements of the rules of the common fisheries policy committed by vessels flying their flag or the flag of a third country or by their nationals, including all decisions and sanctions they incurred and the number of points assigned. Infringements of fishing vessels flying their flag or by their nationals prosecuted in other Member States shall also be entered by Member States in their national register on infringements, upon notification of the definitive ruling by the Member State having jurisdiction, pursuant to Article.92b.</p> <p>EP AM 266, EX CA 21</p>	<p>1. Member States shall enter in a national register all <del>suspected and</del> confirmed infringements of the rules of the common fisheries policy committed by <u>fishing vessels flying their flag or <del>by their nationals and by fishing vessels flying</del> the flag of a third country or by <u>nationals of a third country having committed infringements within the waters under</u> their <del>national</del><u> jurisdiction or on their territory</u>, including all decisions and sanctions they incurred and the number of points assigned. Infringements <del>of</del><u>by</u> fishing vessels flying their flag or by their nationals prosecuted in other Member States shall also be entered by Member States in their national register on infringements, upon notification of the definitive ruling by the Member State having jurisdiction, pursuant to Article.<del>92b</del> <u>92b</u>.</u></p>	<p>Defend GA.</p> <p>Reject the following COM proposal:</p> <p>COM proposal 28.10.2022</p> <p>1. Member States shall enter in a national register all detected and confirmed infringements of the rules of the common fisheries policy committed by fishing vessels flying their flag or by their nationals and by fishing vessels flying the flag of a third country or by nationals of a third country having committed infringements within the waters under their jurisdiction or on their territory, including all decisions and sanctions they incurred and the number of points assigned. Infringements by fishing vessels flying their flag or by their nationals prosecuted in other Member States shall also be entered by Member States in their national register on infringements,</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				upon notification of the definitive ruling by the Member State having jurisdiction, pursuant to Article 92b.  Sequence 10
Article 1, first paragraph, point (69), amending provision(2)				
946	2. When following up an infringement of rules of the common fisheries policy, a Member State may request other Member States to provide information contained in their national register on the fishing vessels and persons suspected of having committed the infringement in question or caught in the act of committing the infringement in question.	2. When following up an infringement of rules of the common fisheries policy, a Member State may <del>request other Member States to provide</del> <u>consult the</u> information contained in <del>their national</del> <u>the Union</u> register <u>of infringements referred to in Article 93a</u> on the fishing vessels and persons <del>suspected of</del> having committed the infringement in question or caught in the act of committing the infringement in question.  EP AM 267, EX CA 21	2. When following up an infringement of <u>the</u> rules of the common fisheries policy, a Member State may request other Member States to provide information contained in their national register on the fishing vessels and persons suspected <u>by the requesting Member State</u> of having committed the infringement in question or caught in the act of committing the infringement in question.	Defend GA.  Sequence 10
Article 1, first paragraph, point (69), amending provision(3)				
947	3. Where a Member State requests information from another Member State in relation to an infringement,	3. <del>Where a Member State requests information from another Member State in relation to an infringement,</del>	3. Where a Member State requests information from another Member State in relation to an infringement,	Reject EP amendment.  Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	that other Member State shall provide without delay the relevant information on the fishing vessels and physical or legal persons involved in the infringement.	<del>that other Member State shall provide without delay the relevant information on the fishing vessels and physical or legal persons involved in the infringement.</del> EP AM 268, EX CA 21	that other Member State shall provide without delay the relevant information on the fishing vessels and <del>physical</del> <u>natural</u> or legal persons involved in the infringement.	
Article 1, first paragraph, point (69), amending provision(4)				
948	4. The data contained in the national register of infringements shall be stored only for as long as necessary for the purpose of this Regulation, but always for a minimum of five calendar years, starting from the year following that in which the information is recorded.	4. The data contained in the national register of infringements shall be stored only for as long as necessary for the purpose of this Regulation, but always for a minimum of five calendar years, starting from the year following that in which the information is recorded, <u>in compliance with all applicable rules on the protection of privacy and processing of personal data.</u> EP AM 269, EX CA 21	4. The data contained in the national register of infringements shall be stored only for as long as necessary for the purpose of this Regulation, but <del>always</del> <u>in any case</u> for a minimum of five calendar years, starting from the year following that in which the information is recorded.	Defend revised mandate of 7.10.2022 (i.e., flexibility to accept the EP amendment, if the EP insists). Sequence 10
Article 1, first paragraph, point (69), amending provision, sixty-third paragraph				
949	(*) Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017		<del>(*) Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017</del>	Defend GA. Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81). "		<del>on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81).</del> "	
Article 1, first paragraph, point (69a), introductory part				
949a		<u>(69a) The following Article is inserted:</u>  EP AM 270, EX CA 21		Reject EP amendment.  Sequence 10
Article 1, first paragraph, point (69a), amending provision, article				
949b		" <u>Article -93a</u>  <u>Union register of infringements</u>  EP AM 270, EX CA 21		Reject EP amendment.  Sequence 10
Article 1, first paragraph, point (69a), amending provision, article(1)				
949c		<u>1. The Commission shall establish a Union register of infringements (the Union register) centralising information from the Member States concerning the infringements referred to in</u>		Reject EP amendment.  Sequence 10

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u>Article 93(1), as well as information on lost gear as referred to in Article 48(5). For that purpose Member States shall ensure that the information stored in their national registers as referred to in Article 93, as well as information collected and recorded in accordance with Article 48(5), is also entered in the Union register.</u></p> <p>EP AM 270, EX CA 21</p>		
Article 1, first paragraph, point (69a), amending provision, article(2)				
949d		<p><u>2. Information relating to an infringement by a natural person of the rules of the common fisheries policy that has led to a conviction as defined in Article 2 of Council Framework Decision 2009/315/JHA of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States and falling within the scope of that Decision shall not be included in the Union register.</u></p> <p>EP AM 270, EX CA 21</p>		<p>Reject EP amendment.</p> <p>Sequence 10</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (69a), amending provision, article(3)				
949e		<p><u>3. Information relating to an infringement by a natural person of the rules of the common fisheries policy that has led to a conviction as defined in Article 3 of Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726 and falling within the scope of that Regulation shall not be included in the Union register.</u></p> <p>EP AM 270, EX CA 21</p>		<p>Reject EP amendment.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69a), amending provision, article(4)				
949f		<p><u>4. The Union register shall be composed of a central system, a national central access point in</u></p>		<p>Reject EP amendment.</p> <p>Sequence 10</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u><i>each Member State, interface software enabling the connection of the competent authorities to the central system via the national central access points and communication infrastructure between the central system and the national central access points.</i></u></p> <p>EP AM 270, EX CA 21</p>		
Article 1, first paragraph, point (69a), amending provision, article(5)				
949g		<p><u><i>5. The competent authorities of the Member States may only consult the Union register to verify whether, in respect of a Union fishing vessel or a natural person, any Member State holds information on infringements concerning that vessel or that natural person, as well as information on lost gear.</i></u></p> <p>EP AM 270, EX CA 21</p>		<p>Reject EP amendment.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69a), amending provision, article(6)				
949h		<p><u><i>6. The Member States may at any time rectify or erase the data they have entered into the central</i></u></p>		<p>Reject EP amendment.</p> <p>Sequence 10</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u>system of Union register. If a Member State other than the Member State which entered the data has reason to believe that data recorded in the central system are inaccurate, it shall contact the central access point of the Member State without undue delay, with a view to rectification of inaccurate data.</u></p> <p>EP AM 270, EX CA 21</p>		
Article 1, first paragraph, point (69a), amending provision, article(7)				
949i		<p><u>7. Data contained in the Union register shall only be stored for as long as the corresponding data are stored in the national register in accordance with Article 93(4). Member States shall ensure that, when data in the national register are erased, those data are immediately erased from the central system of the Union register.</u></p> <p>EP AM 270, EX CA 21</p>		<p>Reject EP amendment.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69a), amending provision, article(8)				
949j				Reject EP amendment.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u>8. Each Member State shall be responsible for ensuring a secure connection between its national register and the national central access point, ensuring a connection between its national systems and the Union register, and the management of and arrangements for access of duly authorised staff of the central authorities to the Union register in accordance with this Regulation. Each Member State shall give the staff of its competent authority who have a right to access the Union register appropriate training covering, in particular, data security and data protection rules and applicable rules concerning fundamental rights, before authorising them to process data stored in the Union register.</u></p> <p>EP AM 270, EX CA 21</p>		Sequence 10
Article 1, first paragraph, point (69a), amending provision, article(9)				
949k		<p><u>9. In accordance with applicable Union data protection rules, each Member State, together with the Commission, shall ensure that the data recorded in the Union</u></p>		<p>Reject EP amendment.</p> <p>Sequence 10</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u>register are registered lawfully, and in particular that only duly authorised staff have access to the data for the performance of their tasks, that the data are collected lawfully in a manner that fully respects the human dignity and fundamental rights of the individual concerned, that the data are entered into the Union register lawfully, and that the data are accurate and up-to-date when they are entered.</u></p> <p>EP AM 270, EX CA 21</p>		
Article 1, first paragraph, point (69a), amending provision, article(10)				
9491		<p><u>10. The European Fisheries Control Agency shall have direct access to the Union register for the purpose of fulfilling its tasks in accordance with Regulation (EU) 2019/473. In accordance with applicable Union data protection rules, the European Fisheries Control Agency shall ensure that only duly authorised staff have access to the data.</u></p> <p>EP AM 270, EX CA 21</p>		<p>Reject EP amendment.</p> <p>Sequence 10</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (69a), amending provision, article(11)				
949m		<p><u>11. The Commission shall adopt implementing acts laying down detailed rules on the technical development and implementation of the Union register in particular concerning the transfer of data from the national registers to the central system of the Union register, the technical specifications of the interface software, maintaining and accessing the Union register in accordance with paragraph 3, performance and availability requirements of the Union register. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</u></p> <p>EP AM 270, EX CA 21</p>		<p>Reject EP amendment.</p> <p>Sequence 10</p>
Article 1, first paragraph, point (69a), amending provision, article(12)				
949n		<p><u>12. The costs incurred in connection with the establishment and operation of the central system, the communication infrastructure, and the interface software shall be borne by the</u></p>		<p>Reject EP amendment.</p> <p>Sequence 10</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u>EMFF. The costs of connection of the European Fisheries Control Agency to the Union register shall be borne by the European Fisheries Control Agency's budget. Other costs shall be borne by the Member States, specifically the costs incurred by the connection of the existing national registers, and the competent authorities to the Union register.</u> "</p> <p>EP AM 270, EX CA 21</p>		
Article 1, first paragraph, point (71a), introductory part				
959a		<p><u>(71a) in Article 101, the following paragraph is added:</u></p> <p>EP AM 276, EX AM 85 (Rapporteur)</p>		<p>Reject EP amendment.</p> <p>Sequence 10 Sequence 6</p>
Article 1, first paragraph, point (71a), amending provision, numbered paragraph (1)				
959b		<p>"</p> <p><u>4a. If, after the action has been adopted, the Member State concerned still fails to remedy the situation and act on the</u></p>		<p>Reject EP amendment.</p> <p>Sequence 10 Sequence 6</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u>shortcomings in its control system, the Commission shall start an investigation with the aim of initiating an infringement procedure against that Member State.</u></p> <p>"</p> <p>EP AM 276, EX AM 85 (Rapporteur)</p>		
Article 4, first paragraph, point (3), introductory part				
1215	(3) Article 3 is replaced as follows:		(3) Article 3 is replaced as follows:	(3) Article 3 is replaced as follows: <a href="#">Sequence 10</a>
Article 4, first paragraph, point (3), amending provision, first paragraph				
1216	" Article 3		" Article 3	" Article 3 <a href="#">Sequence 10</a>
Article 4, first paragraph, point (3), amending provision, second paragraph				
1217	Fishing vessels engaged in IUU fishing		Fishing vessels engaged in IUU fishing	Fishing vessels engaged in IUU fishing " <a href="#">Sequence 10</a>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 4, first paragraph, point (3), amending provision, third paragraph, introductory part				
1218	A fishing vessel shall be presumed to be engaged in IUU fishing if it is shown that, contrary to the conservation and management measures applicable in the fishing area concerned, it carried out one or more activities:		A fishing vessel shall be <i>presumed</i> <del>to be</del> <u>considered to have been</u> engaged in IUU fishing if it is <del>shown</del> <u>confirmed</u> that, contrary to the conservation and management measures applicable in the fishing area concerned, it carried out one or more activities:	Agreed in line with revised mandate of 7.10.2022.  A fishing vessel shall be presumed to be engaged in IUU fishing if <del>it is shown that</del> , contrary to the conservation and management measures applicable in the fishing area concerned, it carried out one or more activities:  <u>Sequence 10</u>
Article 4, first paragraph, point (3), amending provision, third paragraph, first indent				
1219	- listed in points from (a) to (n) of Article 90(2) of Regulation (EC) No 1224/2009, or		- listed in points from <del>(a) to (n)</del> <u>(b) to (l)</u> of Article 90(2) of Regulation (EC) No 1224/2009, or	Defend revised mandate (i.e. defend GA and ensure alignment with the final text of Article 90(2) and (3)).  <u>Sequence 10</u>
Article 4, first paragraph, point (3), amending provision, third paragraph, second indent				
1220	- considered as serious infringements pursuant to points (a), (c), (e), (f) and (i) of Article		- considered as serious infringements pursuant to points <u>(ab), (ac), (a), (d)</u> <del>(a), (e)</del> , (e), (f),	Defend revised mandate (i.e. defend GA and ensure alignment with the final text of Article 90(2) and (3)).

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	90(3) of Regulation (EC) No 1224/2009. "		<del>(h), (i), (j) and (l)</del> and <del>(i)</del> of Article 90(3) of Regulation (EC) No 1224/2009. "	Sequence 10
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:	(5) in Article 11, paragraphs 1 and 2 are replaced by the following:  Sequence 10
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 (EC) No 1224/2009.</u>	GA accepted. " 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 (EC) No 1224/2009.</u>  Sequence 10
Article 4, first paragraph, point (5), amending provision(1)(1)				
1227	(1) record the suspected infringement in the inspection		<del>(1) record the suspected infringement in the inspection</del>	GA accepted.  (1) <del>record the suspected</del>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	report;		<i>report;</i>	<i>infringement in the inspection report;</i> Sequence 10
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;		<i>(2) take all necessary action to ensure safekeeping of the evidence pertaining to such suspected infringement;</i>	GA accepted. <i>(2) take all necessary action to ensure safekeeping of the evidence pertaining to such suspected infringement;</i> Sequence 10
Article 4, first paragraph, point (5), amending provision(1)(3)				
1229	(3) immediately forward the inspection report to the competent authority.		<i>(3) immediately forward the inspection report to the competent authority.</i>	GA accepted. <i>(3) immediately forward the inspection report to the competent authority.</i> Sequence 10
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		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	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

	<b>Commission Proposal</b>	<b>EP Mandate</b>	<b>Council Mandate</b>	<b>Presidency proposals on the way forward</b>
	tranship their catch or to have access to port services. "		tranship their catch or to have access to port services. "	tranship their catch or to have access to port services. " <a href="#">Sequence 10</a>
Article 4, first paragraph, point (11), introductory part				
1282	(11) The heading of Chapter IX is replaced by the following:		(11) The heading of Chapter IX is replaced by the following:	(11) The heading of Chapter IX is replaced by the following: <a href="#">Sequence 10</a>
Article 4, first paragraph, point (11), amending provision, first paragraph				
1283	" CHAPTER IX		" CHAPTER IX	" CHAPTER IX <a href="#">Sequence 10</a>
Article 4, first paragraph, point (11), amending provision, second paragraph				
1284	PROCEEDINGS AND ENFORCEMENT "		PROCEEDINGS AND ENFORCEMENT "	PROCEEDINGS AND ENFORCEMENT " <a href="#">Sequence 10</a>
Article 4, first paragraph, point (12), introductory part				
1285	(12) Article 42 is replaced by the following:		(12) Article 42 is replaced by the following:	(12) Article 42 is replaced by the following:

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 10
Article 4, first paragraph, point (12), amending provision, first paragraph				
1286	" Article 42		" Article 42	" Article 42  Sequence 10
Article 4, first paragraph, point (12), amending provision, second paragraph				
1287	Serious infringements		Serious infringements	Serious infringements  Sequence 10
Article 4, first paragraph, point (12), amending provision, third paragraph				
1288	"For the purpose of this Regulation, 'serious infringement' means any infringements listed in points (a) to (n), (o) and (p) of Article 90(2) of Regulation (EC) No 1224/2009 or considered as serious infringements pursuant to points (a), (c), (e), (f) and (i) of Article 90(3) of that Regulation (EC) No 1224/2009.	" "For the purpose of this Regulation, 'serious infringement' means any <del>infringements</del> listed in points (a) to <del>(n), (o) and</del> (p) of Article 90(2) of Regulation (EC) No 1224/2009 or considered as serious infringements pursuant to points (a), (c), (e), (f) and (i) of Article 90(3) of that <del>Regulation</del> (EC) No 1224/2009.  EP AM 296, EX ENVI 135	" "For the purpose of this Regulation, 'serious infringement' means any <del>infringements</del> listed in <del>points (a) to (n), (o) and (p) of</del> Article 90(2) of Regulation (EC) No 1224/2009 or considered as serious infringements pursuant to <del>points (a), (c), (e), (f) and (i) of</del> Article 90(3) of that <del>Regulation (EC) No 1224/2009</del> <u>Regulation</u> .	GA accepted.  "For the purpose of this Regulation, 'serious infringement' means any <del>infringements</del> listed in <del>points (a) to (n), (o) and (p) of</del> Article 90(2) of Regulation (EC) No 1224/2009 or considered as serious infringements pursuant to <del>points (a), (c), (e), (f) and (i) of</del> Article 90(3) of that <del>Regulation (EC) No 1224/2009</del> <u>Regulation</u> .  Sequence 10
Article 4, first paragraph, point (13), introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1289	(13) The following Article 42a is inserted:		(13) The following Article 42a is inserted:	(13) The following Article 42a is inserted: <a href="#">Sequence 10</a>
Article 4, first paragraph, point (13), amending provision, first paragraph				
1290	" Article 42a		" Article 42a	" Article 42a <a href="#">Sequence 10</a>
Article 4, first paragraph, point (13), amending provision, second paragraph				
1291	Proceedings in case of serious infringements		Proceedings in case of serious infringements	Proceedings in case of serious infringements <a href="#">Sequence 10</a>
Article 4, first paragraph, point (13), amending provision, third paragraph				
1292	Without prejudice to Articles 11(4) and 50 of this Regulation, Member States shall apply provisions of Article 85 of Regulation (EC) No 1224/2009 where a serious infringement is detected. "		Without prejudice to Articles 11(4) and 50 of this Regulation, Member States shall apply provisions of Article 85 of Regulation (EC) No 1224/2009 where a serious infringement is detected. "	Without prejudice to Articles 11(4) and 50 of this Regulation, Member States shall apply provisions of Article 85 of Regulation (EC) No 1224/2009 where a serious infringement is detected. " <a href="#">Sequence 10</a>
Article 4, first paragraph, point (14), introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1293	(14) Article 43 is replaced by the following:		(14) Article 43 is replaced by the following:	Sequence 10
Article 4, first paragraph, point (14), amending provision, first paragraph				
1294	" Article 43		" Article 43	Sequence 10
Article 4, first paragraph, point (14), amending provision, second paragraph				
1295	Measures to ensure compliance		<i>Measures to ensure compliance</i> <u>Sanctions and measures</u>	GA accepted. " <i>Measures to ensure compliance</i> <u>Sanctions and measures</u> "
Article 4, first paragraph, point (14), amending provision(1)				
1296	1. Without prejudice to the powers of the Member States to initiate criminal proceedings and impose criminal sanctions, Member States shall, in conformity with their national law, systematically apply administrative measures and sanctions against the natural person having committed or a legal person held liable for serious infringements as defined in this	" 1. Without prejudice to the powers of the Member States to initiate criminal proceedings and impose criminal sanctions, Member States shall, in conformity with their national law, systematically apply administrative measures and sanctions against the natural person having committed or a legal person held liable for serious	1. <i>Without prejudice to the powers of the Member States to initiate criminal proceedings and impose criminal sanctions</i> <u>In case of suspected and committed serious infringements referred to in Article 42</u> , Member States shall, <i>in conformity with their national law, systematically</i> apply <i>administrative</i> measures and sanctions <i>against the natural person having committed</i>	Accept the following simplified text (in line with revised mandate of 7.10.2022):  1. <i>Without prejudice to the powers of the Member States to initiate criminal proceedings and impose criminal sanctions</i> <u>In case of serious infringements</u> , Member States shall, <i>in conformity with their national law, systematically</i> apply <i>administrative</i> measures and

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	Regulation.	<p>infringements as defined in this Regulation.</p> <p><u>In respect of each specific act of infringement as referred to in the first subparagraph, no more than one Member State may initiate proceedings or impose sanctions against the natural or legal person concerned.</u></p> <p>EP AM 297, EX CA 24</p>	<p><del>or a legal person held liable for serious infringements as defined in this Regulation</del> <u>in accordance with Title VIII of Regulation (EC) No 1224/2009.</u></p>	<p>sanctions <del>against the natural person having committed or a legal person held liable for serious infringements as defined in this Regulation</del> <u>in accordance with Title VIII of Regulation (EC) No 1224/2009.</u></p> <p>See row 834a for the <i>ne bis in idem</i> principle.</p> <p>Sequence 10</p>
Article 4, first paragraph, point (14), amending provision(2)				
1297	<p>2. Where a natural person is suspected of having committed or is caught in the act while committing a serious infringement or a legal person is suspected of being held liable for such a serious infringement in accordance with this Regulation, Member States shall, in conformity with their national law, immediately take relevant and immediate measures in accordance with Article 91 of Regulation (EC) No 1224/2009.</p>	<p>2. Where a natural person is <del>suspected of having committed or is</del> caught in the act while committing a serious infringement or a <del>legal</del> <u>serious infringement has been detected in the course of an inspection in relation to that natural person, or there is evidence that a legal person is</u> <del>is</del> <u>suspected of being held</u> liable for such a serious infringement in accordance with this Regulation, Member States shall, in conformity with their national law, immediately take relevant and immediate measures in accordance</p>	<p>2. <del>Where a natural person is suspected of having committed or is caught in the act while committing a serious infringement or a legal person is suspected of being held liable for such a serious infringement in accordance with this Regulation, Member States shall, in conformity with their national law, immediately take relevant and immediate measures in accordance with Article 91 of Regulation (EC) No 1224/2009.</del></p>	<p>Linked to row 1296. GA accepted.</p> <p>Sequence 10</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		with Article 91 of Regulation (EC) No 1224/2009. " <p>EP AM 298, EX CA 24</p>		
Article 4, first paragraph, point (14), amending provision(3)				
1298	3. Member States shall ensure that a natural person having committed or a legal person held liable for a serious infringement is punishable by effective, proportionate and dissuasive sanctions, in accordance with the provisions of Articles, 89a, 91a, 91b and 92a of Regulation (EC) No 1224/2009. Member States shall also apply measures in accordance with Article 92 of Regulation (EC) No 1224/2009. "		<del>3. Member States shall ensure that a natural person having committed or a legal person held liable for a serious infringement is punishable by effective, proportionate and dissuasive sanctions, in accordance with the provisions of Articles, 89a, 91a, 91b and 92a of Regulation (EC) No 1224/2009. Member States shall also apply measures in accordance with Article 92 of Regulation (EC) No 1224/2009.</del> "	Linked to row 1296. GA accepted. Sequence 10
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:	(18) in Annex IV, the introductory sentence is replaced by the following: Sequence 10 Sequence 5
Article 4, first paragraph, point (18), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1312a			“ <u><a href="#">DOCUMENT NUMBER (insert document number)</a></u> ”	GA accepted. “ <u><a href="#">DOCUMENT NUMBER (insert document number)</a></u>  Sequence 10 Sequence 5
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 confirm that the processed fishery products: ... (product description and Combined Nomenclature code) have been obtained from catches under the following catch certificate(s):” “ Sequence 10 Sequence 5

## ANNEX IV<sup>1</sup>

### Criteria to qualify an activity ~~infringement~~ as a serious infringement in accordance with Article 90(3)

Infringements		Criteria to consider the infringements as serious
<i>Note: The text of the individual infringements is presented as agreed or as proposed by the Presidency in the 4-column table on Sequence 10</i>		<i>Note: Changes to the GA are marked in strike-through and bold. In some cases, due to the structure of the proposed modifications, the text of the GA is replaced by new proposals.</i>
856a	Article 90(3)(aa)  using falsified or invalid documents, <b><u>information or data, written on paper or stored in electronic form</u></b> , referred to in the rules of the common fisheries policy;	a. documents, data or information intentionally used in the own interest or those of third parties in order to obtain a benefit; or  Support the following Presidency proposal:  <b>b. the competent authority of a Member State has confirmed that the natural person or legal person concerned has committed or was held liable for an infringement under point (aa) of Article 90(3) in final judgment or decision issued in the last 12 months before the date on which the present infringement was committed.</b> <del>the same infringement has been sanctioned as a serious infringement in the preceding 24 months.</del>  Note: Please note that, unlike for other infringements under Article 90(3), for this infringement it is proposed to base the recidivism-criterion on a previous confirmed infringement and not on a previous confirmed <i>serious</i> infringement. The reason is that it is in practice very difficult to prove the intentionality behind the act.

<sup>1</sup> Flexibility to accept the following footnote, based on row 888:

When calculating the value of the fishery or aquaculture products obtained **as a result of committing an infringement referred to in this Annex**, Member States shall consider national prices at first sale, prices identified on principal international markets relevant for the species and fishing area concerned or the **prices** of the European Market Observatory for Fisheries and Aquaculture Products (EUMOFA) platform, at the time when the infringement was committed.

Infringements		Criteria to consider the infringements as serious
<p><i>Note: The text of the individual infringements is presented as agreed or as proposed by the Presidency in the 4-column table on Sequence 10</i></p>		<p><i>Note: Changes to the GA are marked in strike-through and bold. In some cases, due to the structure of the proposed modifications, the text of the GA is replaced by new proposals.</i></p>
856b	<p>Moved to Art. 90(2)  <del>Article 90(3)(ab)</del>  <del>fishing without a valid licence, authorisation or permit issued by the flag State or the relevant coastal State;</del></p>	<p><del>a. fishing is subject to rules of a regional fisheries management organisation or bilateral agreements;</del>  <del>b. no request for a licence, authorisation or permit is pending, except where a request for a permit is submitted within two working days of the infringement and a permit for the fishery concerned is granted and the same infringement was not committed in the previous 12 months;</del>  <del>c. fishing activities, including, catches have not been reported as required under this regulation; or</del>  <del>d. the same infringement has been sanctioned as a serious infringement in the preceding 12 months.</del></p>
856c	<p>Agreed to be deleted  <del>Article 90(3)(ac) —</del>  <del>failing to cooperate with officials or observers, in the exercise of their duties, in violation of Articles 73 and 75 of this Regulation;</del></p>	<p><del>a. fishing is subject to rules of a regional fisheries management organisation or bilateral agreements;</del>  <del>b. the conduct has negative impacts on the effectiveness of the inspection;</del>  <del>c. the same infringement has been sanctioned as a serious infringement in the preceding 24 months.</del></p>
857	<p>Article 90(3)(a)  failing to fulfil obligations to accurately record, store and report data relating to fishing activities, including data to be transmitted by vessel monitoring systems, as well as data with regard to prior notifications, catch declarations, <b>transshipment declarations</b>, landing declarations, weighing records, takeover</p>	<p>Support the following text:</p> <p><del>a. fishery products related to the infringement represent a value equal to or more than 1.000€ or quantities that are equal to or more than 500 kg or 20 % above the permitted margins of tolerance referred to in this Regulation or when the difference between the landing declaration and the take-over declaration or between the landing declaration and the sales note exceeds 20 %, after taking into account any sales under Article 65;</del></p>

Infringements	Criteria to consider the infringements as serious
<p>declarations, transport documents or sales notes, as required under the rules of the common fisheries policy, <b>except for obligations to which the margin of tolerance applies in accordance with Article 14(4), (4a) and (4b) and Article 21(3) of this Regulation;</b></p>	<p><i>Note: Changes to the GA are marked in strike-through and bold. In some cases, due to the structure of the proposed modifications, the text of the GA is replaced by new proposals.</i></p> <p>a. <del>Where fishery products related to the infringement represent a value equal to or more than 1.000€, or 2 10% or more of the total weight of the products concerned total value of all species concerned, or quantities that are equal to or more than 500 kg in any of the relevant documents;</del></p> <p>b. failure to record and report catches of species subject to the landing obligation or of by-catch per species, haul, area, day or fishing trip <b>if it concerns more than 5% of the catches;</b></p> <p>c. interference with the installation or functioning of the vessel monitoring system, automatic identification system, logbook, REM, <b>weighing system</b>, continuous engine power monitoring device or any other applicable monitoring system of the Member State, including its switch off, except where authorised by the <b>competent</b> fisheries monitoring centres;</p> <p>Support the following COM proposal:</p> <p><del>d. no data and information recorded and/or sent to the flag Member State's fisheries monitoring centre or failing to notify the MS authorities about malfunctioning or failing to transmit data relating to fishing and fishing operations, including sales notes, when the landing or transhipment or the fishing operation has taken place outside the Union waters;</del> or;</p> <p>d. <b>no data and information recorded and/or sent to the flag Member State's fisheries monitoring centre;</b></p> <p>e. <b>failing to notify the MS authorities about malfunctioning of the vessel monitoring system, automatic identification system, logbook, REM, or any other monitoring device or system as required under the rules of the CFP;</b></p> <p>f. <b>failing to transmit data relating to fishing and fishing operations, including sales notes, when the landing or transhipment or the fishing operation has taken place outside the Union waters;</b></p>

<p>Infringements</p> <p><i>Note: The text of the individual infringements is presented as agreed or as proposed by the Presidency in the 4-column table on Sequence 10</i></p>	<p>Criteria to consider the infringements as serious</p> <p><i>Note: Changes to the GA are marked in strike-through and bold. In some cases, due to the structure of the proposed modifications, the text of the GA is replaced by new proposals.</i></p>
	<p>Support the following Presidency proposal:</p> <p><b>c. the competent authority of a Member State has confirmed that the natural person or legal person concerned has committed or was held liable for a serious infringement under point (a) of Article 90(3) in final judgment or decision issued in the last 12 months before the date on which the present infringement was committed.</b></p>
<p>857a (new)</p>	<p>Article 90(3)(ax) not fulfilling obligations to accurately record estimates of quantities within the permitted margin of tolerance, in accordance with Article 14(4), (4a) and (4b) and Article 21(3) of this Regulation;</p> <p>Reject the following COM proposal:</p> <p>a. Where fishery products related to the infringement include stocks subject to a multiannual plan or quotas that represent a value equal to or more than 1.000€ or quantities that are equal to or more than 500 kg;</p> <p>b. Where fishery products related to the infringement, other than those referred to in criterion (a), represent a value equal to or more than 1.000€ or quantities that are equal to or more than 500 kg or 20% calculated as a percentage of the fishing logbook figures per species;</p> <p>c. the competent authority of a Member State has confirmed in the last 12 months that the natural person or legal person concerned has committed or was liable for an infringement under point (aa) of Article 90(3) as a serious infringement.</p> <p>Flexibility to support the following proposals in line with current proposals on Sequence 16.</p> <p>Note: Criteria might need to be further adjusted on the basis of the outcome of the discussions on that sequence.</p> <p>a. Where fishery products related to the infringement represent quantities that are equal to or more than <del>200 kg</del> <b>or 100% of the permitted margin of tolerance, calculated as permissible amount in percentage or kilogram;</b></p>

Infringements	<p>Note: The text of the individual infringements is presented as agreed or as proposed by the Presidency in the 4-column table on Sequence 10</p>	<p>Criteria to consider the infringements as serious</p> <p>Note: Changes to the GA are marked in strike-through and bold. In some cases, due to the structure of the proposed modifications, the text of the GA is replaced by new proposals.</p>
		<p>Support the following Presidency proposal:</p> <p><b>b. the competent authority of a Member State has confirmed that the natural person or legal person concerned has committed or was held liable for a serious infringement under point (ax) of Article 90(3) in final judgment or decision issued in the last 12 months before the date on which the present infringement was committed;</b></p>
860	<p>Article 90(3)(d) not fulfilling obligations related to the characteristics or use of fishing gear, acoustic deterrent devices, selectivity or fishing aggregating devices, in particular marking and identification, areas, depth, periods or number of gears, mesh size, or of the equipment for grading, water separation, or processing or not complying with measures to reduce incidental catches of sensitive species as required under the rules of the common fisheries policy, <b>unless the activity serious infringement is a serious infringement under paragraph 2;</b></p>	<p>Support the following Presidency proposal:</p> <p><b>aa. passive fishing gear and fishing aggregating devices either lack any correct marking or have incorrect marking, labelling or related characteristics affecting more than half of the fishing gear or fishing aggregating device;</b></p> <p><b>bb. more than 10% of the required number of acoustic deterrent devices are not used or more than 10 % of the required acoustic deterrent devices used are not properly functioning;</b></p> <p>b. the number of <del>unauthorised</del> passive fishing gear and fishing aggregating devices used exceeds <b>by 210% of the allowed authorised number of such gear or devices;</b></p> <p>c. the size of the whole or part of the active fishing gear exceeds <del>the allowed authorised</del> <b>dimension of such gear by 210 %;</b></p> <p>Support the following EP proposal:</p> <p><b>d. the selectivity characteristics of gear as required under the rules of the CFP are altered by reducing the size of those elements of a gear which determine selectivity, such as mesh size, yarn diameter or hook size, by 3 mm or 5%, whichever is greater;</b></p>

<p>Infringements</p> <p><i>Note: The text of the individual infringements is presented as agreed or as proposed by the Presidency in the 4-coumn table on Sequence 10</i></p>	<p>Criteria to consider the infringements as serious</p> <p><i>Note: Changes to the GA are marked in strike-through and bold. In some cases, due to the structure of the proposed modifications, the text of the GA is replaced by new proposals.</i></p>
	<p>Support the following COM proposal:</p> <p><b>e. failing to deploy other methods and devices in accordance with the rules of the CFP in order to optimise selectivity, such as escape panels, sorting grids or exit holes;</b></p> <p>Support the following Presidency proposal:</p> <p><b>f. using devices that obstruct or otherwise effectively diminish the selectivity characteristics of gear or the methods and devices referred to in point (e).</b></p> <p>g. the equipment on board for grading <del>or</del> water separation is used for species <b>for which the use of such devices is prohibited, and which are</b> subject to fishing opportunities, multiannual plans, inspection and control plans <del>or the</del> landing obligations; or</p> <p>Support the following Presidency proposal:</p> <p><del>h. failure to respect restrictions relating to distances and depths;</del> <b>h. using fishing gear on a location where the distance to shore deviates from the allowed distance by more than 10 %, or where the sea-depth deviates from the allowed depth;</b></p> <p>Support the following Presidency proposal:</p> <p><b>i. the competent authority of a Member State has confirmed that the natural person or legal person concerned has committed or was held liable for a serious infringement under point (d) of Article 90(3) in final judgment or decision issued in the last 12 months before the date on which the present infringement was committed.</b></p>

Infringements		Criteria to consider the infringements as serious
<p><i>Note: The text of the individual infringements is presented as agreed or as proposed by the Presidency in the 4-column table on Sequence 10</i></p>		<p><i>Note: Changes to the GA are marked in strike-through and bold. In some cases, due to the structure of the proposed modifications, the text of the GA is replaced by new proposals.</i></p>
861	<p>Article 90(3)(e)</p> <p>(e) failing to bring and retain on board the fishing vessel, including through slipping, <b>or failing to land or, where applicable, to tranship or transfer</b>, species subject to the landing obligation, including catches below the minimum conservation reference size, in breach of the rules of the common fisheries policy applicable to fisheries or fishing zones.</p>	<p>Support the following text (based on EP proposal):</p> <p>a. catches related to the <del>suspected</del> infringement represent a value equal to or more than <b>1.000 €, or 10% of the total value of fishery products concerned</b>; or quantities that are equal to or more than <b>200kg</b>;</p> <p>Support the following Presidency proposal:</p> <p><b>b. the competent authority of a Member State has confirmed that the natural person or legal person concerned has committed or was held liable for a serious infringement under point (e) of Article 90(3) in final judgment or decision issued in the last 12 months before the date on which the present infringement was committed.</b></p>
862	<p>Article 90(3)(f)</p> <p>carrying out fishing activities in the area of a regional fisheries management organisation in a manner inconsistent with, or in contravention of, <b>applicable</b> conservation and management measures of that organisation <del>implemented in Union law unless the activity serious infringement is a serious infringement</del> under paragraph 2 <del>in the case where these activities are not considered as serious infringement under paragraph 2</del> or under other points of this paragraph.</p>	<p>Support the following Presidency proposal:</p> <p>a. qualified as a serious infringement under <b>applicable</b> rules of a regional fisheries management organisation <del>that are binding on the Union; or</del></p> <p><b>b. the competent authority of a Member State has confirmed that the natural person or legal person concerned has committed or was held liable for a serious infringement under point (f) of Article 90(3) in final judgment or decision issued in the last 12 months before the date on which the present infringement was committed.</b></p>
863	<p>Article 90(3)(g)</p> <p>making available on the market fishery or</p>	<p>Flexibility to support the following proposals.</p>

Infringements	Criteria to consider the infringements as serious
<p><i>Note: The text of the individual infringements is presented as agreed or as proposed by the Presidency in the 4-coumn table on Sequence 10</i></p>	<p><i>Note: Changes to the GA are marked in strike-through and bold. In some cases, due to the structure of the proposed modifications, the text of the GA is replaced by new proposals.</i></p>
<p>864</p>	<p>aquaculture products in breach of the rules of the common fisheries policy in the case where those activities are not considered as serious infringement under Article 90(2);</p> <p>Note: Criteria might need to be further adjusted on the basis of the outcome of the discussions on the sequence on traceability.</p> <p>a. operators, masters or their representatives conducts the first sale with a non-registered auction centre, <del>or</del> a buyer <b>or a producer organisation</b>;</p> <p>Support the following Presidency proposals:</p> <p>b. non-existent minimum mandatory information to <b>consumers</b> as provided by Article 35 of Regulation (EU) 1379/2013 for lots of 20 kg or more <b>or equivalent number of individuals for species marketed by number of individuals</b>, or which represent a value equal to or more than <b>1000€</b>;</p> <p>c. incomplete traceability information for lots of 20 kg or more <b>or equivalent number of individuals for species marketed by number of individuals</b>, or which represent a value equal to or more than <b>1000€</b>;</p> <p>d. the products are imported in breach of the provisions of the Regulation (EC) No 1005/2008; or</p> <p>Support the following Presidency proposal:</p> <p>e. <b>the competent authority of a Member State has confirmed that the natural person or legal person concerned has committed or was held liable for a serious infringement under point (g) of Article 90(3) in final judgment or decision issued in the last 12 months before the date on which the present infringement was committed.</b></p>
<p>864</p>	<p>Article 90(3)(h) conducting recreational fishing activities in</p> <p>Defend GA for the following point a (Note: the numbers will be adjusted at a later point of time):</p>

Infringements	Criteria to consider the infringements as serious
<p><i>Note: The text of the individual infringements is presented as agreed or as proposed by the Presidency in the 4-coumn table on Sequence 10</i></p> <p>breach of the rules of the common fisheries policy or the sale of fishery products from recreational fisheries;</p>	<p><i>Note: Changes to the GA are marked in strike-through and bold. In some cases, due to the structure of the proposed modifications, the text of the GA is replaced by new proposals.</i></p> <p>a. selling fishery products which represent a value equal to or greater than 50 € or quantities that are equal to or more than 10 kg;</p> <p>Accept EP proposals for the following points a) and b):</p> <p><b>a. 2 individuals or more of specimen retained are unauthorized or 1 individual or more are prohibited species;</b></p> <p><b>b. 25% or more of specimen retained are noncompliant with the minimum conservation reference size;</b></p> <p><del>b. 50% or more of specimen retained are unauthorized or prohibited species or are noncompliant with the minimum conservation reference size;</del></p> <p>Reject EP proposal for point c):</p> <p><b>c. retaining quantities of species exceeding by 25% the bag or catch limits;</b></p> <p>Defend GA for point c):</p> <p>c. retaining quantities of species exceeding the bag or catch limits or exceeding by 50% applicable quotas;</p> <p>Support the following Presidency proposal:</p> <p><b>d. the competent authority of a Member State has confirmed that the natural person or legal person concerned has committed or was held liable for a serious infringement under point (h) of Article 90(3) in final judgment or decision issued in the last 12 months</b></p>

Infringements		Criteria to consider the infringements as serious
<i>Note: The text of the individual infringements is presented as agreed or as proposed by the Presidency in the 4-column table on Sequence 10</i>		<i>Note: Changes to the GA are marked in strike-through and bold. In some cases, due to the structure of the proposed modifications, the text of the GA is replaced by new proposals.</i>
		<b>before the date on which the present infringement was committed.</b>
865	Article 90(3)(i) <b><u>committing multiple infringements of the rules of the common fisheries policy;</u></b>	Defend the revised mandate of 7.10.2022, as follows:  <b>committing</b> three or more infringements <b>referred to in Article 90(3), detected in the course of the same inspection, surveillance or investigation, and</b> which are not <b>individually</b> considered as serious.
865a	Article 90(3)(j) conducting any of the activities referred to in point (g) of Article 90(2) in relation to a vessel engaged in IUU fishing as defined in Regulation (EC) No 1005/2008 and not listed in the IUU vessel list of the Union or of a regional fisheries management organisation;	Support the following proposal:  <del>a. when, in the course of the same event, any other serious infringement under Article 90 has been committed with the same fishing vessel; or</del> <b>transshipping from or to, or conducting transfer operations with, participating in joint fishing operations with, supporting or supplying a vessel in relation to a fishing trip where that vessel has been used to commit a serious infringement;</b>  Support the following Presidency proposal:  <b>b. the competent authority of a Member State has confirmed that the natural person or legal person concerned has committed or was held liable for a serious infringement under point (j) of Article 90(3) in final judgment or decision issued in the last 12 months before the date on which the present infringement was committed.</b>
865b	Article 90(3)(k) <b><u>using an engine power beyond the maximum continuous engine power certified and recorded in the Member State fleet register;</u></b>	Defend GA.  Note: Criteria might need to be further adjusted on the basis of the outcome of the discussions on the sequence 14.

Infringements		Criteria to consider the infringements as serious
<p><i>Note: The text of the individual infringements is presented as agreed or as proposed by the Presidency in the 4-column table on Sequence 10</i></p>		<p><i>Note: Changes to the GA are marked in strike-through and bold. In some cases, due to the structure of the proposed modifications, the text of the GA is replaced by new proposals.</i></p>
		<p>a. when the difference between the power verified and the power certified and recorded is higher than 20%; or</p> <p>Reject the following EP amendment for point a), with the modification to 10% in sub-point ii):</p> <p>a. when the difference between the power verified and the power certified and recorded is higher than:</p> <p>i) <del>510%</del> for vessels of 12 metres length overall or more</p> <p>ii) 20% for vessels of less than 12 metres length overall;</p> <p>Support the following Presidency proposal:</p> <p><b>b. the competent authority of a Member State has confirmed that the natural person or legal person concerned has committed or was held liable for a serious infringement under point (k) of Article 90(3) in final judgment or decision issued in the last 12 months before the date on which the present infringement was committed.</b></p>
865c	Article 90(3)(l) landing in ports of third countries without prior notification as referred to in Article 19a of this Regulation;	<p>Support the following Presidency proposal:</p> <p><b>the competent authority of a Member State has confirmed that the natural person or legal person concerned has committed or was held liable for an infringement under point (l) of Article 90(3) in final judgment or decision issued in the last 12 months before the date on which the present infringement was committed.</b></p>
865d	Article 90(3)(m)	a. in case all legally required documents were not produced;

Infringements		Criteria to consider the infringements as serious
<p><i>Note: The text of the individual infringements is presented as agreed or as proposed by the Presidency in the 4-column table on Sequence 10</i></p>		<p><i>Note: Changes to the GA are marked in strike-through and bold. In some cases, due to the structure of the proposed modifications, the text of the GA is replaced by new proposals.</i></p>
	<p>conducting business directly connected to IUU fishing, including trade in, import, export, processing and marketing of, fishery products stemming from IUU fishing.</p>	<p>b. <b>importing, although the cases where</b> import has been refused under Article 18 of Regulation (EC) No 1005/2008;</p> <p>c. importing without complying with Article 16 of Regulation (EC) No 1005/2008 (submission of catch certificates to competent authorities);</p> <p>d. the vessel is included in the IUU vessel list of the Union or of a regional fisheries management organisation; or</p> <p>Reject the following COM proposal (in line with the revised mandate of 7.10.2022):</p> <p>e. <b>the business activity concerns fishery products which were caught or produced committing a serious infringement;</b></p> <p>Support the following Presidency proposal:</p> <p>e. <b>the competent authority of a Member State has confirmed that the natural person or legal person concerned has committed or was held liable for a serious infringement under point (m) of Article 90(3) in final judgment or decision issued in the last 12 months before the date on which the present infringement was committed.</b></p>
865e	<p>Article 90(3)(n) Illegally disposing of a fishing gear or a gear at sea from a fishing vessel.</p>	<p>Agreed in line with the revised mandate of 5.10.2022:</p> <p>a. The disposal is deliberate and results or is likely to result in serious damage to the marine environment, including to marine biological resources and marine ecosystems;</p> <p>b. The disposal is deliberate and occurs in a fishing restricted area; or</p> <p>c. The disposal is deliberate and concerns a fishing gear that is prohibited under Article 7(1)(a), (b), (c), (d) and (g) of Regulation (EU) 2019/1241.</p>

## Sequence 11 (Recreational fisheries)

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
<i>Article 1, first paragraph, point (1)(i), introductory part</i>				
148	(i) point 28 is replaced by the following:		(i) point 28 is replaced by the following:	<a href="#">Sequence 11</a>
<i>Article 1, first paragraph, point (1)(i), amending provision(28)</i>				
149	" 28. 'recreational fisheries' means non-commercial fishing activities exploiting marine biological resources for recreation, tourism or sport." "		" 28. 'recreational fisheries' means non-commercial fishing activities exploiting marine biological resources <u>such as</u> for recreation, tourism or sport: <sup>1</sup>  <u>1. A recital about recreational fisheries will clarify that such fisheries include fishing activities organised by commercial entities active in the tourism sector and in the sector of sports competition.</u> "	Defend GA, in line with revised mandate of 18.11.2022.  <a href="#">Sequence 11</a>
<i>Article 1, first paragraph, point (1)(ia)</i>				
149a		<u>(ia) the following point is inserted:</u> <u>28a. 'recreational fishing charter vessel' means a skippered boat or</u>		Reject the EP amendment, in line with revised mandate of 18.11.2022.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u>vessel taking passengers to sea to carry out recreational fishing activities;</u></p> <p>EP AM 48, EX CA 3A</p>		Sequence 11
Article 1, first paragraph, point (1)(ib)				
149b		<p><u>(ib) the following point is inserted:</u></p> <p><u>28b. 'pesca-tourism' means recreational fishing activities organised by fishers, taking passengers to sea to carry out recreational fishing activities, as a sideline supplementing their core activity;</u></p> <p>EP AM 49, EX CA 3B</p>		<p>Reject the EP amendment, in line with revised mandate of 18.11.2022.</p> <p>Sequence 11</p>
Article 1, first paragraph, point (44), introductory part				
509	(44) Article 55 is replaced by the following:		(44) Article 55 is replaced by the following:	(44) Article 55 is replaced by the following: Sequence 11
Article 1, first paragraph, point (44), amending provision, first paragraph				
510	Article 55		Article 55	Article 55

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Revised mandate of 18.11.2022: Note that the overall structure of Article 55 might need to be modified in view of the final agreement. This will be done at a later stage and will be presented to delegations.  Sequence 11
Article 1, first paragraph, point (44), amending provision, second paragraph				
511	Recreational fisheries		Recreational fisheries	Recreational fisheries  Sequence 11
Article 1, first paragraph, point (44), amending provision(1), first subparagraph				
512	1. Member States shall ensure that recreational fisheries on their territory and in Union waters are conducted in a manner compatible with the objectives and rules of the common fisheries policy.	1. Member States shall ensure that recreational fisheries on their territory and in Union waters are conducted in a manner compatible with the objectives and rules of the common fisheries policy <u>and with <a href="#">Union conservation measures, including those adopted as part of multiannual plans.</a></u>  EP AM 149, EX CA 3C	1. Member States shall ensure that recreational fisheries on their territory and in Union waters are conducted in a manner compatible with the objectives and rules of the common fisheries policy.	Defend GA, but flexibility to accept the following recital:  With the exception of the prohibition of the marketing or sale of catches from recreational fisheries, which should be enforced by all Member States, rules on the control of recreational fisheries should apply to Coastal Member States only.  Sequence 11
Article 1, first paragraph, point (44), amending provision(1), second subparagraph, introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
513	For this purpose Member States shall:		For this purpose Member States shall:	<p>Flexibility to accept the following COM proposal as amended by the Presidency:</p> <p>1a. For this purpose coastal Member States shall have in place an electronic system allowing for the recording and reporting of catches from recreational fisheries <del>by natural and legal persons engaged in recreational fisheries.</del></p>
Article 1, first paragraph, point (44), amending provision(1), second subparagraph(-a)				
513a				<p>Flexibility to accept the following COM proposal:</p> <p>Coastal Member States may use an electronic system developed at national or Union level. If one or more coastal Member States so request by ... [4 months after the entry into force of this Regulation], the Commission shall develop such a system.</p> <p>Flexibility to add the following text to respond to a request by the European Parliament:</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				<p>A requesting Member State shall implement the system as developed by the Commission.</p> <p>Note: See the revised mandate as set out in ST 10027/22, in particular row 274b (Sequence 7/on logbook etc.) in which delegations accepted the same obligation for using systems for fishing logbooks developed by the Commission if requested.</p>
Article 1, first paragraph, point (44), amending provision(1), second subparagraph(a)				
514	(a) put in place a registration or a licensing system monitoring the number of natural and legal persons involved in recreational fisheries; and	(a) <u>building on already existing practices in Member States,</u> put in place a registration or a licensing system monitoring the number of natural and legal persons involved in recreational fisheries, <u>together with an appropriate system of sanctions for non-compliance, informing applicants for such licences about the Union conservation measures to be applied in the area, including catch restrictions and arrangements governing sanctions;</u> and	<del>(a) put in place a registration or a licensing system monitoring the number of natural and legal persons involved in recreational fisheries; and</del>	<p>See proposal in row 513.</p> <p>Defend GA to delete text in row 514, as the topic is covered by the new proposal in row 513.</p> <p>Sequence 11</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		EP AM 150, EX CA 3C		
Article 1, first paragraph, point (44), amending provision(1), second subparagraph				
515	(b) collect data on catches from such fisheries through catch reporting or other data collection mechanisms based on a methodology which shall be notified to the Commission.	(b) collect data on catches from such fisheries through <del>catch reporting or other data collection mechanisms based on a methodology which shall be notified to the Commission</del> <u>simple, free of charge, harmonised electronic form or application.</u> EP AM 151, EX CA 3C	<del>(b)</del> collect data on catches from <del>such</del> <u>recreational</u> fisheries through <del>catch reporting or other</del> data collection mechanisms based on a methodology which shall be <u>determined by each Member State and notified to the Commission. Member States shall send those data to the Commission at least once a year.</u>	Flexibility to limit and define the number of species for which data collection is required, along the following lines:  <b>1b. Except for data for recreational fisheries recorded and reported pursuant to paragraph 2 and without prejudice to the collection of data for recreational fisheries under Regulation (EU) 2017/1004(*), coastal Member States shall collect data on catches by natural persons engaged in recreational fisheries for species, stocks or groups of stocks for which fishing opportunities are set by the Union or which are covered by a multiannual plan.</b>  Those data shall be collected through data collection mechanisms based on a methodology, which shall be determined by each coastal Member State and notified to the Commission.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Coastal Member States shall send those data to the Commission at least <b>once a year referring to the preceding calendar year.</b>  Sequence 11
Article 1, first paragraph, point (44), amending provision, third paragraph				
515a			<u><i>In order to comply with the obligation set out in the first subparagraph, Member States may use the data collected under Regulation (EU) 2017/1004(*).</i></u>	Defend revised mandate of 18.11.2022.  In order to comply with the obligation set out in the first subparagraph, coastal Member States may use the data collected under Regulation (EU) 2017/1004(*).  Sequence 11
Article 1, first paragraph, point (44), amending provision(2), introductory part				
516	2. As regards stocks, groups of stocks and species that are subject to Union conservation measures applicable to recreational fisheries, Member States shall	2. As regards stocks, groups of stocks and species that are subject to Union conservation measures applicable to recreational fisheries, <u><i>including additional conservation measures adopted as part of multiannual plans,</i></u> Member States shall:  EP AM 152, EX CA 3D	2. As regards <u><i>species,</i></u> stocks, <del>or</del> groups of stocks <del>and species</del> that are subject to Union conservation measures <u><i>which apply specifically applicable</i></u> to recreational fisheries, <u><i>such as quotas, catch-limits and bag limits<sup>1</sup>,</i></u> Member States shall  <u><i>I. Recital (31) will be amended as follows: A number of specific conservation measures applicable to recreational fisheries has already been established</i></u>	In view of an agreement with the Parliament, flexibility to accept the following text, which allows for implementing acts:  2. Coastal Member States shall ensure that natural persons engaged in recreational fisheries are registered, and that they record and report their catches through an electronic system referred to in point (a) of paragraph 1a as

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<p><u>under the common fisheries policy, in particular in the Council regulations fixing for specific years the fishing opportunities for certain fish stocks or groups of fish stocks. The specific conservation measures already applied include quotas, catch-limits, bag-limits, and prohibitions to fish in certain periods or with certain gear. The conservation of particular species might require using other measures than those in the future. Recording and reporting of catches of those species should allow the effective control of compliance with those specific conservation measures.</u></p>	<p>follows:</p> <ul style="list-style-type: none"> <li>i. For species, stocks, or groups of stocks that are subject to Union conservation measures which apply specifically to recreational fisheries, such as quotas, catch-limits and bag limits, <b>on a daily basis</b>, as from [date of application of this regulation], and</li> <li>ii. For species, stocks or groups of stocks for which fishing opportunities <b>are set by the Union</b> or which are covered by a multiannual plan, and for which species scientific advice indicates that recreational fishing is having a significant impact on the fishing mortality, <b>as from 1 January 2030.</b></li> </ul> <p><b>The Commission may, by way of implementing acts, adopt the list</b></p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				<p>of species, stocks or groups of stocks to which point ii of this paragraph applies and to set the frequency of recording and reporting these catches.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</p> <p style="text-align: right;">Sequence 11</p>
New row 516a				<p>Flexibility to accept the additional paragraph along the following lines:</p> <p>2a. The recording and reporting of recreational catches by natural persons may be carried out by a legal person on their behalf.</p> <p style="text-align: right;">Sequence 11</p>
Article 1, first paragraph, point (44), amending provision(2), first subparagraph				
517	(a) ensure that natural and legal persons involved in recreational fisheries for such stocks or species record and send catch declarations electronically to the competent authorities on a daily basis or after	(a) ensure that natural and legal persons involved in recreational fisheries for such stocks or species <u>receive clear information on applicable Union conservation measures,</u> record and send catch	<del>(a)</del> ensure that natural and legal persons <del>involved</del> <u>engaged</u> in recreational fisheries for such <u>species,</u> stocks or <del>species</del> <u>groups of stocks are registered<sup>1</sup> and</u> record and <del>send catch declarations</del>	<p>Flexibility to delete, as covered by new proposal in row 516.</p> <p style="text-align: right;">Sequence 11</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	each fishing trip; and	<p>declarations electronically to the competent authorities on a daily basis or after each fishing trip; and</p> <p>EP AM 152, EX CA 3D</p>	<p><del>electronically</del> <u>report their catches by electronic means</u> to the competent authorities <del>on a daily basis or after each fishing trip; and.</del></p> <p><u>1. A recital will clarify that the registration system put in place by Member States may foresee the registration before or after catching the concerned species, stocks or groups of stocks.</u></p>	
Article 1, first paragraph, point (44), amending provision(2)(b)				
518	(b) put in place a registration or licencing system for vessels used in such recreational fisheries, in addition to the registration or licencing system for natural and legal persons referred to in paragraph 1.		<p><del>(b) put in place a registration or licencing system for vessels used in such recreational fisheries, in addition to the registration or licencing system for natural and legal persons referred to in paragraph 1.</del></p>	<p>Defend GA, in line with the revised mandate of 18.11.2022.</p> <p>Sequence 11</p>
Article 1, first paragraph, point (44), amending provision(3)				
519	3. The sale of catches from recreational fisheries shall be prohibited.		<p>3. The <u>marketing or</u> sale of catches from recreational fisheries shall be prohibited.</p>	<p>Linked to row 512 (see comments above).</p> <p>3. The <u>marketing or</u> sale of catches from recreational fisheries shall be prohibited.</p> <p>Sequence 11</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (44), amending provision, numbered paragraph (3a)				
519a		<p><u>3a. The master of a fishing vessel used in pesca-tourism shall, before each occasion where the fishing vessel is used for that specific purpose, notify the competent authorities accordingly. Article 15 shall not apply.</u></p> <p>Plenary AM 342 (S&amp;D and Greens/EFA)</p>		<p>Reject the EP amendment, in line with the revised mandate of 18.11.2022.</p> <p>Sequence 11</p>
Article 1, first paragraph, point (44), amending provision(4)				
520	<p>4. National control programmes referred to in Article 93a shall include specific control activities concerning the recreational fisheries.</p>	<p><del>4. National control programmes referred to in Article 93a shall include specific control activities concerning the recreational fisheries.</del></p> <p>EP AM 154, EX AMs 653 (EPP) and 654 (The Left)</p>	<p><del>4. National control programmes referred to in Article 93a shall include specific control activities concerning the recreational fisheries.</del></p>	<p>GA accepted</p> <p><del>4. National control programmes referred to in Article 93a shall include specific control activities concerning the recreational fisheries.</del></p> <p>"</p>
Article 1, first paragraph, point (44), amending provision, numbered paragraph (4a)				
520a			<p><u>4a. This Article shall not apply to Member States that are neither</u></p>	<p>In line with revised mandate 18.11.2022, flexibility to withdraw</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>coastal nor flag states.</u>	GA. Sequence 11
Article 1, first paragraph, point (44), amending provision(5), first subparagraph, introductory part				
521	5. The Commission may, by way of implementing acts, adopt detailed rules concerning:	5. The Commission <del>may, by way of implementing</del> <u>is empowered to adopt delegated</u> acts, <del>adopt in accordance with Article 119a,</del> <u>supplementing this Regulation by laying down</u> detailed rules concerning:  EP AM 155, EX 3E	<del>5. The Commission may, by way of implementing acts, adopt detailed rules concerning:</del>	In line with the revised mandate of 18.11.2022, flexibility to accept implementing powers in row 523.  Sequence 11
Article 1, first paragraph, point (44), amending provision(5), first subparagraph(a)				
522	(a) the registration or licensing systems for recreational fisheries for specific species or stocks,		<del>(a) the registration or licensing systems for recreational fisheries for specific species or stocks;</del>	Defend GA, in line with the revised mandate of 18.11.2022.  Sequence 11
Article 1, first paragraph, point (44), amending provision(5), first subparagraph(aa)				
522a		<u>(aa) the notification by the master of a fishing vessel as referred to in paragraph 3a,</u>		Reject the EP amendment, in line with the revised mandate of 18.11.2022.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		Plenary AM 343 (S&D and Greens/EFA)		Sequence 11
Article 1, first paragraph, point (44), amending provision(5), first subparagraph(b)				
523	(b) the collection of data and the recording and submission of the catch data,	(b) the collection of data and the recording and submission of the catch data <u>through a simple, free of charge and harmonised electronic form or application;</u> EP AM 156, EX 3E	<del>(b) the collection of data and the recording and submission of the catch data;</del>	In line with the revised mandate of 18.11.2022, flexibility to accept the following COM proposal:  b) the submission to the Commission of catch data collected by Member States under paragraphs 1a [row 513] and 2 [row 516] of this Article.  Sequence 11
Article 1, first paragraph, point (44), amending provision(5), first subparagraph(c)				
524	(c) the tracking of vessels used for recreational fisheries, and	(c) the tracking of <del>vessels</del> <u>a vessel</u> used for <u>pesca-tourism and recreational fisheries; fishing charter vessels;</u> and EP AM 157, EX 3E	<del>(c) the tracking of vessels used for recreational fisheries, and</del>	Flexibility to accept a provision along the following lines:  Note that the wording in yellow is taken from row 149.  c) Tracking of <b>vessels of 12 meters length or more used by commercial entities active in the tourism sector and in the sector of sports competition</b> when used for recreational fisheries concerning species, stocks, or groups of stocks subject to Union conservation measures, which

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				apply specifically to recreational fisheries and include restrictions relating to geographical areas.  Sequence 11
Article 1, first paragraph, point (44), amending provision(5), first subparagraph(d)				
525	(d) the control and marking of gears used for recreational fisheries.	(d) the control and marking of gears used for recreational fisheries. <u>in a simple and proportionate manner.</u>  EP AM 158, EX 3E	<del>(d) the control and marking of gears used for recreational fisheries.</del>	Flexibility to accept the following text:  (d) the marking of gear used for recreational fisheries in a simple and proportionate manner, except hand-held gear.  Sequence 11
Article 1, first paragraph, point (44), amending provision(5), second subparagraph				
526	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).	<del>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</del>  EP AM 159, EX 3E	<del>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</del>	Flexibility to align with row 521, in line with the revised mandate of 18.11.2022.  Sequence 11
Article 1, first paragraph, point (44), amending provision(6)				
527	6. This Article shall apply to any recreational fishing activities, including fishing activities organised by commercial entities in the tourism sector and in the	6. This Article shall apply to any recreational fishing activities, <u>such as those performed with the support of a vessel, diving or on foot with the use of any catching</u>	<del>6. This Article shall apply to any recreational fishing activities, including fishing activities organised by commercial entities in the tourism sector and in the</del>	Flexibility to add examples of recreational fishing activities mentioned by the EP in a recital, in line with the revised mandate of 18.11.2022.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	sector of sport competition.	" <u>or harvesting method</u> , including fishing activities organised by commercial entities in the tourism sector and <del>in</del> the sector of sport competition, <u>as well as in the context of pesca-tourism and with recreational fishing charter vessels</u> . "	<del>sector of sport competition.</del>	" Sequence 11
		EP AM 160, EX 3F		
Article 3				
1205	Article 3 Amendments to Regulation (EC) No 1967/2006		Article 3 Amendments to Regulation (EC) No 1967/2006	Article 3 Amendments to Regulation (EC) No 1967/2006  Sequence 11
Article 3, first paragraph, introductory part				
1206	Regulation (EC) No 1967/2006 is amended as follows:		Regulation (EC) No 1967/2006 is amended as follows:	Regulation (EC) No 1967/2006 is amended as follows:  Sequence 11
Article 3, first paragraph, point (1)				
1207	(1) in Article 17, paragraphs 2 to 6 are deleted.		(1) in Article 17, paragraphs 2 to 6 are deleted.	(1) in Article 17, paragraphs 2 to 6 are deleted.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				<a href="#">Sequence 11</a>
Article 3, first paragraph, point (2)				
1208	(2) in Article 20(1), the second sentence is deleted.		(2) in Article 20(1), the second sentence is deleted.	(2) in Article 20(1), the second sentence is deleted. <a href="#">Sequence 11</a>
Article 3, first paragraph, point (3)				
1209	(3) Article 21 is deleted.		(3) Article 21 is deleted.	(3) Article 21 is deleted. <a href="#">Sequence 11</a>

## Sequence 12 (Data recording by MS and exchange of data)

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (12), amending provision(4)				
272	4. The competent authorities of a coastal Member State shall accept electronic reports received from the flag Member State containing the data from fishing vessels referred to in paragraphs 1, 2 and 3.	4. <u>The competent authorities of the flag Member State shall send electronic reports containing the data from fishing vessels obtained pursuant to paragraphs 1, 2 and 3 to the competent authorities of a coastal Member State.</u> The competent authorities of a coastal Member State shall accept electronic reports received from the flag Member State containing the data from fishing vessels referred to in paragraphs 1, 2 and 3.  EP AM 87, EX ENVI 43	4. <del>The competent authorities of a coastal Member State</del> <u>Paragraphs 1 to 3 of this Article</u> shall <del>accept</del> <del>electronic reports received from the flag Member State containing the data from fishing vessels referred to in paragraphs 1, 2 and 3.</del> <u>apply from ... [24 months after the date of application of this Regulation].</u>	Defend GA, but flexibility to discuss the date of application in Sequence 19 'Entry into force'  Sequence 12 Sequence 7
Article 1, first paragraph, point (27)				
420	(27) Article 33 is replaced by the following:		(27) Article 33 is replaced by the following:	(27) Article 33 is replaced by the following:  Sequence 12
Article 1, first paragraph, point (27), amending provision, first paragraph				
421				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	“ Article 33		“ Article 33	“ Article 33 <a href="#">Sequence 12</a>
Article 1, first paragraph, point (27), amending provision, second paragraph				
422	Recording of catches and fishing effort		Recording of catches and fishing effort	Recording of catches and fishing effort <a href="#">Sequence 12</a>
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 <a href="#">or, in the case of fisheries without a fishing vessel as referred to in Article 54d, each coastal Member State</a> , 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, <del>55, 59a</del> <a href="#">54d</a> , 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.	Defend GA, with flexibility to reintroduce the reference to Art. 55 depending on the outcome of discussion in sequence 11. <a href="#">Sequence 4</a> <a href="#">Sequence 12</a>
Article 1, first paragraph, point (27), amending provision(2)				
424				GA accepted, with the following

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	2. Before the 15th of each month, each flag Member State shall submit electronically to the Commission or the body designated by it, the aggregated data:		2. Before the 15th of each month, 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 submit <del>electronically</del> <u>by electronic means</u> to the Commission or the body designated by it, the aggregated data <u>on</u> :	change regarding fishing without a vessel:  2. Before the 15th of each month, each flag Member State <u>or, in the case of fishing without a vessel, each coastal Member State</u> shall submit <del>electronically</del> <u>by electronic means</u> to the Commission or the body designated by it, the aggregated data <u>on</u> :  Sequence 12 Sequence 4
Article 1, first paragraph, point (27), amending provision(2), point (a)				
425	(a) on the quantities of each stock or group of stocks caught and kept on board, and on the quantities of each species discarded, in live-weight equivalent, during the preceding month, including, as separate entries, those below the applicable minimum conservation reference size;		(a) <del>on</del> the quantities of each <u>species, if applicable by</u> stock or group of stocks, caught and kept on board, and <del>on</del> the quantities of each species discarded, in live-weight equivalent, during the preceding month, including, as separate <del>entries</del> <u>entry</u> , those below the applicable minimum conservation reference size;	Defend GA  Sequence 12
Article 1, first paragraph, point (27), amending provision(2), point (b)				
426	(b) on the fishing effort deployed during the preceding month for each fishing area subject to a		(b) <del>on</del> the fishing effort deployed during the preceding month for each fishing area subject to a	Defend GA  Sequence 12

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	fishing effort regime or, where appropriate, for each fishery subject to a fishing effort regime.		fishing effort regime or, where appropriate, for each fishery subject to a fishing effort regime.	
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>	GA accepted, with the following change regarding fishing without a vessel:  <u>(ba) the quantities of each species, if applicable by stock or group of stocks, caught in the case of fishing without a vessel, 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>  Sequence 12 Sequence 4
Article 1, first paragraph, point (27), amending provision(2), point (bb)				
426b				Flexibility to accept the following Presidency proposal:  2a. By way of derogation from monthly submission in paragraph 2, each coastal Member State shall once a year submit by electronic means to the Commission or the

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				body designated by it, the aggregated data on the quantities of each species, by stock or group of stocks if applicable, in live-weight equivalent, caught in the case of recreational fisheries as referred to in Article 55.  Sequence 12
Article 1, first paragraph, point (27), amending provision(3)				
427	3. In cases where the data submitted by a Member States in accordance with paragraph 2 is based on estimates for a stock or group of stocks, the Member State shall provide to the Commission the corrected quantities established on the basis of landing declarations as soon as available and no later than 12 months after the date of landing.	“ 3. In cases where the data submitted by a Member States in accordance with paragraph 2 is based on estimates for a stock or group of stocks, the Member State shall provide to the Commission the corrected quantities established on the basis of landing declarations as soon as available and no later than <del>12</del> <b>three</b> months after the date of landing.  EP AM 128, EX AM 545 (S&D)	3. In cases where the data submitted by a Member <del>States</del> <b>State</b> in accordance with paragraph 2 is based on estimates for a <u>species, a stock or a group of stocks</u> , the Member State shall <del>provide</del> <b>submit to the Commission the corrected data on quantities established on the basis of landing declarations or sales notes as soon as available and no later than 30 March of the year following the calendar year of the catch. In case where the measures concerning the fishing opportunities set out a reference period different from the calendar year, the Member State shall submit</b> to the Commission the corrected <u>data on</u> quantities	Flexibility to accept the following Presidency proposal:  In cases where the data submitted by a Member State in accordance with paragraph 2 is based on estimates for a species, a stock or a group of stocks, the Member State shall submit to the Commission the corrected data on quantities established on the basis of landing declarations or sales notes as soon as possible and no later than three months after the end of the period for which the quota or effort limit was set.”  Note: The Presidency believes that there is no need to refer explicitly to fishing without a vessel in this paragraph, if paragraph 2 (row 424

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			established on the basis of landing declarations as soon as available and no later than <del>12</del> <sup>three</sup> months after the <del>date of landing</del> <sup>end of that period</sup> .	to 426a) refers to it, as done in the Council's General Approach (see e.g. row 424).  Sequence 12
Article 1, first paragraph, point (27), amending provision(4)				
428	4. In the case where a Member State detects inconsistencies between the information submitted to the Commission in accordance with paragraphs 2 and 3 and the results of the validation performed in accordance with Article 109, the Member State shall provide to the Commission the corrected quantities established on the basis of that validation as soon as available and no later than 12 months after the date of landing.	4. In the case where a Member State detects inconsistencies between the information submitted to the Commission in accordance with paragraphs 2 and 3 and the results of the validation performed in accordance with Article 109, <u>it shall verify and cross-check data so as to correct such inconsistencies. In addition,</u> the Member State shall provide to the Commission the corrected quantities established on the basis of that validation as soon as available and no later than <del>12</del> <sup>3</sup> months after the date of landing.  <small>EP AM 129, EX AMs 51 (Rapporteur) and 546 (Greens/EFA)</small>	4. In the case where a Member State detects inconsistencies between the information submitted to the Commission in accordance with paragraphs 2 and 3 and the results of the validation performed in accordance with Article 109, the Member State shall <del>provide</del> <sup>submit</sup> to the Commission the corrected <u>data on</u> quantities established on the basis of that validation as soon as available and no later than <del>12</del> <sup>30 June of the year following the calendar year of the catch. In case where the measures concerning the fishing opportunities set out a reference period different from the calendar year, the Member State shall submit to the Commission the corrected data on quantities established on the basis of that validation as soon as available.</sup>	Flexibility to accept the following Presidency proposal:  4. Where a Member State detects inconsistencies between the information submitted to the Commission in accordance with paragraphs 2 and 3 of this Article and the results of the validation performed in accordance with Article 109, the Member State shall submit to the Commission the corrected data on quantities established on the basis of that validation as soon as possible and no later than six months after the end of the period for which the quota or effort limit was set.  Sequence 12

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<i>and no later than six</i> months after the <del><i>date of landing</i></del> <i>end of that period.</i>	
Article 1, first paragraph, point (27), amending provision, numbered paragraph (4a)				
428a				To be discussed at a later stage.  Commission proposal:  4. Where the Commission detects inconsistencies concerning the data submitted by a Member State to the Commission in accordance with this Article, it may correct the data after consulting the Member State concerned.  <u>Sequence 12</u>
Article 1, first paragraph, point (27), amending provision(5)				
429	5. All catches of a stock or a group of stocks subject to quota made by Union fishing vessels shall be counted against the quotas applicable to their flag Member State for the stock or group of stocks in question, irrespective of the place of landing.		5. <del>All</del> Catches of <u>each species</u> , a stock or a group of stocks subject to <del>quota made by Union fishing vessels a quota</del> shall be counted against the quotas applicable to <del>their flag Member State for the stock or group of stocks in question, irrespective of the place of landing</del> <u>the Member States in accordance with Article 15 of Regulation (EU) No 1380/2013.</u>	Defend GA, but flexibility to accept the following Presidency proposal for a recital:  It should be clarified that catches [of each species, a stock or a group of stocks] subject to a quota are only to be counted against the quota applicable to the Member States when this is required under Article 15 of Regulation (EU) No 1380/2013 [and not when

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				<p>derogations or exemptions from the landing obligation under that Article apply].</p> <p>Sequence 12</p>
Article 1, first paragraph, point (27), amending provision(6)				
430	<p>6. Catches taken in the framework of scientific research which are marketed and sold including, where appropriate, those below the applicable minimum conservation reference size, shall be recorded by the Member States and the data on such catches shall be submitted to the Commission. They shall be counted against the quota applicable to the flag Member State insofar as they exceed 2 % of the quotas concerned. This paragraph shall not apply to catches taken during research surveys at sea as referred to in Article 5(1)(b) of Regulation (EU) 2017/1004 of the European Parliament and of the Council (*).</p>		<p>6. Catches taken in the framework of scientific research which are marketed and sold, including, where appropriate, those below the applicable minimum conservation reference size, shall be recorded by the Member States and the data on such catches shall be submitted to the Commission. They shall be counted against the quota applicable to the flag Member State insofar as they exceed 2 % of the quotas concerned. This paragraph shall not apply to catches taken during <u>mandatory</u> research surveys at sea as referred to in <u>point (b) of Article <del>5(1)(b)</del>5(1)</u> of Regulation (EU) 2017/1004 of the European Parliament and of the Council-(*).</p>	<p>GA accepted, with the following linguistic improvement:</p> <p>6. Catches taken in the framework of scientific research which are marketed and sold, including, where appropriate, those below the applicable minimum conservation reference size, shall be recorded by the Member States and the data on such catches shall be submitted to the Commission. They shall be counted against the quota applicable to the flag Member State insofar as they exceed 2 % of the <del>quotas</del><u>quota</u> concerned. This paragraph shall not apply to catches taken during <u>mandatory</u> research surveys at sea as referred to in <u>point (b) of Article <del>5(1)(b)</del>5(1)</u> of Regulation (EU) 2017/1004 of the European Parliament and of the Council-(*).</p> <p>Sequence 12</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (27), amending provision, numbered paragraph (6a)				
430a		<p><u>6a. Catches taken in the framework of scientific research may be donated to social projects, including providing food for homeless people.</u></p> <p>”</p> <p>EP AM 130, EX AM 53 (Rapporteur)</p>		<p>Reject EP amendment</p> <p>Sequence 12</p>
Article 1, first paragraph, point (27), amending provision(7)				
431	<p>7. Except for effort deployed by fishing vessels that are excluded from the application of a fishing effort regime, all fishing effort deployed by Union fishing vessels when carrying on board or, where appropriate, using a fishing gear or gears subject to a fishing effort regime or operating in a fishery subject to a fishing effort regime in a geographical area subject to that fishing effort regime shall be counted against the maximum allowable fishing effort related to such geographical area and to such fishing gear or such fishery available to the flag Member State.</p>		<p>7. Except for effort deployed by <del>fishing</del><u>catching</u> vessels that are excluded from the application of a fishing effort regime, all fishing effort deployed by Union <del>fishing</del><u>catching</u> vessels when carrying on board or, where appropriate, using a fishing gear <del>or gears</del> subject to a fishing effort regime or operating in a fishery subject to a fishing effort regime in a geographical area subject to that fishing effort regime shall be counted against the maximum allowable fishing effort related to such geographical area and to such fishing gear or such fishery available to the flag Member State.</p>	<p>GA accepted, with improvements for consistency and linguistic changes:</p> <p>7. Except for effort deployed by <del>fishing</del><u>catching</u> vessels that are excluded from the application of a fishing effort regime, all fishing effort deployed by Union <del>fishing</del><u>catching</u> vessels when carrying on board or, where appropriate, using a fishing gear <del>or gears</del><u>which is</u> subject to a fishing effort regime or operating in a fishery subject to a fishing effort regime in a geographical area subject to that fishing effort regime shall be counted against the maximum allowable fishing effort</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				related to such geographical area <del>and to such</del> fishing gear or <del>such</del> fishery, <u>which is</u> available to the flag Member State <u>concerned</u> .  Sequence 12
Article 1, first paragraph, point (27), amending provision(8)				
432	8. Fishing effort deployed in the framework of scientific research by a vessel carrying a fishing gear or gears subject to a fishing effort regime or operating in a fishery subject to a fishing effort regime in a geographical area subject to that fishing effort regime shall be counted against the maximum allowable fishing effort related to such fishing gear or gears or such fishery and to such geographical area of its flag Member State if the catches taken during the deployment of this effort are marketed and sold insofar as they exceed 2 % of the fishing effort allocated. This paragraph shall not apply to catches taken during research surveys at sea as referred to in Article 5(1)(b) of Regulation (EU) 2017/1004.		8. Fishing effort deployed in the framework of scientific research by a vessel carrying a fishing gear <del>or gears</del> subject to a fishing effort regime or operating in a fishery subject to a fishing effort regime in a geographical area subject to that fishing effort regime shall be counted against the maximum allowable fishing effort related to such fishing gear or <del>gears or</del> such fishery and to such geographical area of its flag Member State, if the catches taken during the deployment of <del>this</del> <u>that fishing</u> effort are marketed and sold insofar as they exceed 2 % of the fishing effort allocated. This paragraph shall not apply to catches taken during <u>mandatory</u> research surveys at sea as referred to in <u>point (b) of Article 5(1)(b),5(1)</u> of Regulation (EU) 2017/1004.	GA accepted, with improvements for consistency and linguistic changes:  8. Fishing effort deployed in the framework of scientific research by a <u>catching</u> vessel carrying a fishing gear <del>or gears</del> <u>which is</u> subject to a fishing effort regime or operating in a fishery subject to a fishing effort regime in a geographical area subject to that fishing effort regime shall be counted against the maximum allowable fishing effort related to such fishing gear <del>or gears or such</del> fishery and <del>to such geographical area of</del> <u>geographical area which is available to</u> its flag Member State, if the catches taken during the deployment of <del>this</del> <u>that fishing</u> effort are marketed and sold, insofar as they exceed 2 % of the fishing effort allocated. This paragraph shall not apply to

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				catches taken during <u>mandatory</u> research surveys at sea as referred to in <u>point (b) of</u> Article <del>5(1)(b)</del> <u>5(1)</u> of Regulation (EU) 2017/1004.  <u>Sequence 12</u>
Article 1, first paragraph, point (27), amending provision(9)				
433	9. The Commission may, by means of implementing acts, adopt formats for the transmission of the data referred to in this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).		9. The Commission may, by means of implementing acts, adopt formats for the transmission of the data referred to in this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).	Defend GA, but flexibility for the following change:  9. The Commission may, by means of implementing acts, <del>adopt</del> <u>lay down rules concerning the</u> formats for the transmission of the data referred to in this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).  <u>Sequence 12</u>
Article 1, first paragraph, point (27), amending provision, twelfth paragraph				
434	(*) 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		(*) <del>—</del> 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	(*) <del>—</del> 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

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008 (OJ L 157, 20.6.2017, p. 1). ”		scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008 (OJ L 157, 20.6.2017, p. 1). ”	scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008 (OJ L 157, 20.6.2017, p. 1). <sup>12</sup> ; ” <a href="#">Sequence 12</a>
Article 1, first paragraph, point (28)				
435	(28) Article 34 is replaced by the following :		(28) Article 34 is replaced by the following :	(28) Article 34 is replaced by the following : <a href="#">Sequence 12</a>
Article 1, first paragraph, point (28), amending provision, first paragraph				
436	“ Article 34		“ Article 34	“ Article 34 <a href="#">Sequence 12</a>
Article 1, first paragraph, point (28), amending provision, second paragraph				
437	Data on exhaustion of fishing opportunities		Data on exhaustion of fishing opportunities	Data on exhaustion of fishing opportunities <a href="#">Sequence 12</a>
Article 1, first paragraph, point (28), amending provision, third paragraph				
438	The Commission may request a	“	<del>The Commission may request a</del>	Flexibility to accept presidency proposal in row 438a that covers

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	<p>Member State to submit more detailed and more frequent information than provided for in Article 33 in the case it is established that 80 % of a quota for a stock or group of stocks is deemed to be exhausted.</p>	<p><u><i>A Member State shall inform the Commission, without delay, when it establishes that:</i></u>  <u><i>(a) 80 % of the catches of a stock or group of stocks subject to a quota related to fishing vessels flying its flag has been exhausted;</i></u>  <u><i>or</i></u>  <u><i>(b) 80 % of the maximum allowable fishing effort related to a fishing gear or a specific fishery and to a corresponding geographical area and applicable to all or a part of the fishing vessels flying its flag has been reached.</i></u>  <u><i>In that case, the Commission may request more detailed and frequent information than that provided for under Article 33</i></u><del><i>may request a Member State to submit more detailed and more frequent information than provided for in Article 33 in the case it is established that 80 % of a quota for a stock or group of stocks is deemed to be exhausted.</i></del></p> <p>EP AM 131, EX AM 55 (Rapporteur)</p>	<p><del><i>Member State to submit more detailed and more frequent information than provided for in Article 33 in the case it is established that 80 % of a quota for a stock or group of stocks is deemed to be exhausted</i></del><u><i>Where 80% of a quota for a stock or a group of stocks is deemed to be exhausted, the Commission may request a Member State to submit more detailed and more frequent information than as provided for in Article 33."</i></u></p>	<p>GA in 438.</p> <p>Sequence 12</p>
Article 1, first paragraph, point (28), amending provision, third paragraph a				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
438a		<p><u><i>1a. The Commission may request a Member State to submit more detailed and more frequent information than provided for in Article 33 where it is established that 80 % of a quota for a stock or group of stocks is deemed to be exhausted, or 80 % of the maximum allowable fishing effort for a fishing gear or a specific fishery and a corresponding geographical area has been reached. In that case, the Member State shall provide the Commission with the information requested.</i></u></p> <p>”</p> <p>EP AM 132, EX AM 56 (Rapporteur)</p>		<p>Flexibility to accept the following Presidency proposal:</p> <p>The Commission may request a Member State to submit more detailed information than that provided for in Article 33 where it is established that 80 % of a quota for a stock or a group of stocks is deemed to be exhausted, or 80 % of the maximum allowable fishing effort for a fishing gear or a specific fishery and a corresponding geographical area has been reached.</p> <p>Sequence 12</p>
Article 1, first paragraph, point (29)				
439	(29) in Article 35, paragraphs 2 and 3 are replaced by the following:		<p>(29) <u>Article 35 is amended as follows:</u></p> <p><u>(a) in paragraph 1 in Article 35, 'fishing vessel' is replaced by 'catching vessel'.</u></p> <p><u>(b) paragraphs 2 and 3 are replaced</u></p>	<p>Flexibility to accept the following Presidency proposal:</p> <p>Presidency proposal 17.1.2023:</p> <p>(29) Article 35 is amended as follows:</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			by the following:	<p>(a) paragraphs 1, 2 and 3 are replaced by the following:</p> <p>1. Each Member States shall establish the date from which:</p> <p>(a) the catches of a stock or a group of stocks subject to a quota made by the vessels flying its flag or in the case of fishing without a vessel as referred to in Article 54d shall be deemed to have exhausted that quota;</p> <p>(b) the maximum allowable fishing effort related to a fishing gear or a fishery and to a geographical area and applicable to all or part of the catching vessels flying its flag, or fishing without a vessel as referred to in Article 54d, shall be deemed to have been reached.</p> <p><a href="#">Sequence 12</a></p>
Article 1, first paragraph, point (29), amending provision(2)				
440	“ 2. As from the date referred to in paragraph 1, the Member State concerned shall prohibit fishing activities either for the stock or		“ 2. As from the date referred to in paragraph 1, the Member State concerned shall prohibit fishing <del>activities</del> <u>operations</u> either for the	Defend GA with minor linguistic changes and flexibility to accept the inclusion of fishing without a vessel “

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	group of stocks whose quota has been exhausted, in the relevant fishery, or when carrying on board the relevant fishing gear in the geographical area where the maximum allowable fishing effort has been reached, by all or part of the fishing vessels flying its flag and shall decide on a date up to which transshipments, transfers and landings or final declarations of catches are permitted.		stock or group of stocks whose quota has been exhausted, in the relevant fishery, or when carrying on board the relevant fishing gear in the geographical area where the maximum allowable fishing effort has been reached, by all or part of the <del>fishing</del> <u>catching</u> vessels flying its flag, <del>and it may fix</del> <u>and shall decide on</u> a date <del>up to</del> <u>by</u> which transshipments, transfers and landings or final declarations of catches <del>are permitted</del> <u>have to be completed</u> .	2. As from the date referred to in paragraph 1, the Member State concerned shall prohibit fishing <del>activities either</del> <u>operations, as well as fishing without a vessel</u> , for the stock or <del>the</del> group of stocks <del>whose</del> <u>for which the</u> quota has been exhausted, in the relevant fishery, or when carrying on board the relevant fishing gear in the geographical area where the maximum allowable fishing effort has been reached, by all or part of the <del>fishing</del> <u>catching</u> vessels flying its flag <del>and shall decide on</del> <u>or, as applicable, by its operators in the case of fishing without vessel. In such a case that Member State may fix</u> a date <del>up to</del> <u>by</u> which transshipments, transfers and landings or final declarations of catches <del>are permitted</del> <u>have to be completed</u> . ” Sequence 12
Article 1, first paragraph, point (29), amending provision(3)				
441	3. The decision referred to in paragraph 2 shall be made public by the Member State concerned and immediately communicated to		3. The decision referred to in paragraph 2 shall be made public by the Member State concerned and immediately communicated to	Defend GA Sequence 12

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	the Commission. It shall be made public also on the public website of the Commission. As from the date that the decision has been made public by the Member State concerned, Member States shall ensure that no fishing activity concerning the stock or group of stocks concerned, by fishing vessels or a group of the vessels flying the flag of the Member State concerned, take place in their waters and on their territory. ”		the Commission. <del>It shall be made public also on the public website of The Commission. As from the date that the decision has been made public by the Member State concerned, Member States shall ensure that no fishing activity concerning the stock or group of stocks concerned, by fishing vessels or a group of the vessels flying the flag of the Member State concerned, take place in their waters and on their territory.</del> <u>make it publicly available on its website.</u> ”	
Article 1, first paragraph, point (29)(c), introductory part				
441a			<u>(c) the following paragraph is inserted:</u>	Defend GA Sequence 12
Article 1, first paragraph, point (29a), amending provision(3a)				
441b			” <u>3a. As from the date that the decision referred to in paragraph 2 has been made public by the Member State concerned, that Member State shall ensure that no fishing operation for the stock or group of stocks concerned, by</u>	Flexibility to accept the following text (close to GA): ” <u>1. 3a. As from the date on which the decision referred to in paragraph 2 was made public by the Member State concerned, that Member State shall ensure that no</u>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u><i>catching vessels or a group of the vessels flying its flag , take place in its waters.</i></u>	<u><i>fishing operations by all or part of the catching vessels flying its flag, or fishing without a vessel by its operators, take place for the stock or group of stocks concerned.</i></u> Sequence 12
Article 1, first paragraph, point (30)				
442	(30) in Article 36, paragraph 2 is replaced by the following:		(30) in Article 36, paragraph 2 is replaced by the following:	(30) in Article 36, paragraph 2 is replaced by the following: Sequence 12
Article 1, first paragraph, point (30), amending provision(2)				
443	" 2. Where the Commission finds that fishing opportunities available to the Union, a Member State or group of Member States are deemed to have been exhausted, the Commission shall inform the Member States concerned thereof and may, by means of implementing acts, prohibit fishing activities for the respective area, gear, stock, group of stocks or fleet involved in those specific fishing activities." "		" 2. Where the Commission finds that fishing opportunities available to the Union, a Member State or group of Member States are deemed to have been exhausted, the Commission shall inform the Member States concerned thereof and may, by means of implementing acts, prohibit fishing <del>activities</del> <u>operations</u> for the <del>respective</del> <u>relevant</u> area, <u>fishing</u> gear, stock, group of stocks or fleet involved in those specific fishing <del>activities</del> <u>operations</u> ." "	Defend GA, but flexibility to include fishing without a vessel. " 2. Where the Commission finds that fishing opportunities available to the Union, a Member State or group of Member States are deemed to have been exhausted, the Commission shall inform the Member States concerned thereof and may, by means of implementing acts, prohibit fishing <del>activities</del> <u>operations, as well as fishing without a vessel</u> , for the <del>respective</del> <u>relevant</u> area, <u>fishing</u> gear, stock, group of stocks or fleet

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				involved in those specific fishing <del>activities</del> <u>operations</u> . Sequence 12
Article 1, first paragraph, point (31)				
444	(31) Article 37 is amended as follows:		(31) Article 37 is amended as follows:	(31) Article 37 is amended as follows: Sequence 12
Article 1, first paragraph, point (31)(a0)				
444a			<u>(a0) in paragraph 1, 'fishing' is replaced by 'fishing operations'.</u>	Flexibility to accept the following text: <u>(a) paragraphs 1 and 2 are replaced by the following:</u>  <u>"1. Where the Commission has prohibited fishing operations, as well as fishing without a vessel, because of the alleged exhaustion of the fishing opportunities available to a Member State or group of Member States or to the Union and it transpires that a Member State has not in fact exhausted its fishing opportunities, this Article shall apply.</u>  Sequence 12

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (31)(a)				
445	(a) paragraph 2 is replaced by the following:		(a) paragraph 2 is replaced by the following:	Delete (see lawyer-linguists' change in row 444a). <a href="#">Sequence 12</a>
Article 1, first paragraph, point (31)(a), amending provision(2)				
446	" 2. If the prejudice suffered by the Member State for which fishing has been prohibited before its fishing opportunities were exhausted has not been removed, the Commission shall adopt measures with the aim of remedying in an appropriate manner the prejudice caused, by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). Those measures may involve making deductions from the fishing opportunities of any Member State which has overfished and allocating the quantities so deducted appropriately to the Member States whose fishing activities were prohibited before their fishing		" 2. If the prejudice suffered by the Member State for which fishing <del>has operations have</del> been prohibited before its fishing opportunities were exhausted has not been removed, the Commission shall, <u>by means of implementing acts</u> , adopt measures with the aim of remedying in an appropriate manner the prejudice caused, <del>by means of implementing acts</del> . Those implementing acts shall <del>be adopted in accordance with the examination procedure referred to in Article 119(2). Those measures may involve making deductions from the fishing opportunities of any Member State which has overfished and allocating the quantities so deducted appropriately to the Member States whose fishing activities were</del>	Defend GA <a href="#">Sequence 12</a>

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	opportunities were exhausted. "		<del>prohibited before their fishing opportunities were exhausted.</del> <u>in particular, lay down:</u> "	
Article 1, first paragraph, point (31)(b), introductory part				
447	(b) paragraph 4 is replaced by the following:		(b) <del>paragraph 4 is replaced by the following:</del>	Defend GA  Sequence 12
Article 1, first paragraph, point (31)(b), amending provision(4), first subparagraph				
448	" 4. The Commission shall lay down, by means of implementing acts :		" 4. <del>The Commission shall lay down, by means of implementing acts :</del>	Defend GA  Sequence 12
Article 1, first paragraph, point (31)(b), amending provision(4), first subparagraph(a)				
449	(a) the notification of a prejudice suffered,		(a) the notification of a prejudice suffered; <u>2</u>	Defend GA  Sequence 12
Article 1, first paragraph, point (31)(b), amending provision(4), first subparagraph, point (b)				
450	(b) the identification of Member States which suffered prejudice and the amount of the prejudice,		(b) the identification of <u>the</u> Member States which suffered prejudice and the amount of the	GA accepted. " (b) the identification of <u>the</u> Member States which suffered

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			prejudice <sup>2</sup>	prejudice and the amount of the prejudice <sup>2</sup> Sequence 12
Article 1, first paragraph, point (31)(b), amending provision(4), first subparagraph, point (c)				
451	(c) the identification of the Member States which have overfished and the quantities of fish caught in excess,		(c) the identification of the Member States <sub>2</sub> which have overfished <sub>2</sub> and the quantities of fish caught in excess <sup>2</sup>	GA accepted. (c) the identification of the Member States which have overfished <sub>2</sub> and the quantities of fish caught in excess <sup>2</sup> Sequence 12
Article 1, first paragraph, point (31)(b), amending provision(4), first subparagraph, point (d)				
452	(d) the deductions to be made from the fishing opportunities of Member States which have overfished in proportion to the exceeded fishing opportunities,		(d) the deductions to be made from the fishing opportunities of Member States <sub>2</sub> which have overfished <sub>2</sub> in proportion to the exceeded fishing opportunities <sup>2</sup>	GA accepted. (d) the deductions to be made from the fishing opportunities of Member States which have overfished <sub>2</sub> in proportion to the exceeded fishing opportunities <sup>2</sup> Sequence 12
Article 1, first paragraph, point (31)(b), amending provision(4), first subparagraph, point (e)				
453	(e) the additions to be made to the fishing opportunities of the prejudiced Member States in proportion to the prejudice suffered,		(e) the additions to be made to the fishing opportunities of the prejudiced Member States in proportion to the prejudice suffered <sup>2</sup>	GA accepted. (e) the additions to be made to the fishing opportunities of the prejudiced Member States in proportion to the prejudice

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				suffered <del>;</del> Sequence 12
Article 1, first paragraph, point (31)(b), amending provision(4), first subparagraph, point (f)				
454	(f) the dates on which the additions and deductions shall take effect and,		(f) the dates on which the additions and deductions shall take effect <del>and;</del>	GA accepted. (f) the dates on which the additions and deductions shall take effect <del>and;</del> Sequence 12
Article 1, first paragraph, point (31)(b), amending provision(4), first subparagraph, point (g)				
455	(g) where appropriate, any other necessary measure on how to remedy the prejudice suffered.		(g) <del>where appropriate, any other necessary measure on how to remedy the prejudice suffered.</del>	Defend GA Sequence 12
Article 1, first paragraph, point (31)(b), amending provision(4), second subparagraph				
456	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).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). <del>;</del> Sequence 12
Article 1, first paragraph, point (31)(b), introductory part				
456a			<del>(b) paragraph 4 is deleted.</del>	GA accepted. " <del>(b) paragraph 4 is deleted.</del> ;"

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				" Sequence 12
Article 1, first paragraph, point (73a)				
967a			<u>(73a) in Chapter III of Title XI the heading is replaced by the following:</u>	GA accepted. <u>(73a) in Chapter III of Title XI the heading is replaced by the following:</u> Sequence 12
Article 1, first paragraph, point (73a), amending provision, first paragraph				
967b			" <u>CHAPTER III</u>	Defend GA Sequence 12
Article 1, first paragraph, point (73a), amending provision, second paragraph				
967c			<u>Deduction and adjustments of quotas and fishing effort</u> "	Defend GA Sequence 12
Article 1, first paragraph, point (74)				
968	(74) Article 105 is amended as follows:		(74) Article 105 is amended as follows:	(74) Article 105 is amended as follows: Sequence 12
Article 1, first paragraph, point (74)(a)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
969	(a) in paragraph 2, the introductory sentence of the first subparagraph is replaced by the following:		(a) in paragraph 2, the introductory sentence of the first subparagraph is replaced by the following:	(a) in paragraph 2, the introductory sentence of the first subparagraph is replaced by the following: <a href="#">Sequence 12</a>
Article 1, first paragraph, point (74)(a), amending provision, first paragraph				
970	" In the case of an overfishing of a quota, allocation or share of a stock or a group of stocks available to a Member State in a given year, the Commission shall, by means of implementing acts, operate deductions in the following year or years from the annual quota, allocation or share of the Member State which has overfished by applying a multiplying factor according to the following table:" "		" In the case of an overfishing of a quota, allocation or share of a stock or a group of stocks available to a Member State in a given year, the Commission shall, by means of implementing acts <u>and after consultation of the Member State concerned</u> , operate deductions in the following year or years from the annual quota, allocation or share of the Member State which has overfished by applying a multiplying factor according to the following table:" "	Defend GA  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (74)(a1), introductory part				
970a			<u>(a1) the following paragraphs are inserted:</u>	Defend GA  <a href="#">Sequence 12</a>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (74)(a1), amending provision(2a)				
970b			<p>"</p> <p><u>2a. By way of derogation from paragraph 2, in the case of an overfishing by one or more Member States of a quota, allocation or share of a stock or a group of stocks established under an international agreement for the European Union, the Commission shall, by means of implementing acts and after consultation of the Member State concerned, operate deductions from the quota, allocation or share of the Member State which has overfished in the same time frame as the deduction applied under the international agreement and by applying a multiplying factor according to paragraphs 2 and 3.</u></p> <p>"</p>	<p>GA accepted</p> <p>"</p> <p><u>2a. By way of derogation from paragraph 2, in the case of an overfishing by one or more Member States of a quota, allocation or share of a stock or a group of stocks established under an international agreement for the European Union, the Commission shall, by means of implementing acts and after consultation of the Member State concerned, operate deductions from the quota, allocation or share of the Member State which has overfished in the same time frame as the deduction applied under the international agreement and by applying a multiplying factor according to paragraphs 2 and 3.</u>"</p> <p>Sequence 12</p>
Article 1, first paragraph, point (74)(a1), amending provision(3a)				
970c			<p>"</p> <p><u>3a. By way of derogation from paragraphs 2 and 3, in case a multiplying factor is also</u></p>	<p>GA accepted</p> <p>"</p> <p><u>3a. By way of derogation from paragraphs 2 and 3, in case a</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>applicable under a relevant international agreement on the Union share, the multiplying factor to be applied on the Member State quota deduction set pursuant to paragraph 2a shall be the highest of the two applicable multiplying factors.</u>	<u>multiplying factor is also applicable under a relevant international agreement on the Union share, the multiplying factor to be applied on the Member State quota deduction set pursuant to paragraph 2a shall be the highest of the two applicable multiplying factors.</u> " Sequence 12 "
Article 1, first paragraph, point (74)(b)				
971	(b) paragraphs 4, 5 and 6 are replaced by the following:		(b) paragraphs 4, 5 and 6 are replaced by the following:	(b) paragraphs 4, 5 and 6 are replaced by the following: Sequence 12
Article 1, first paragraph, point (74)(b), amending provision(4)				
972	" 4. In the case of an overfishing of a quota, allocation or share of a stock or a group of stocks available to a Member State in earlier years, the Commission, may, by means of implementing acts, deduct quotas from future quotas of that Member State to take account of the level of overfishing.		" 4. In the case of an overfishing of a quota, allocation or share of a stock or a group of stocks available to a Member State in earlier years, the Commission, may, by means of implementing acts <u>and after consultation of the Member State concerned</u> , deduct quotas from future quotas of that Member State to take account of the level of overfishing.	GA accepted " 4. In the case of an overfishing of a quota, allocation or share of a stock or a group of stocks available to a Member State in earlier years, the Commission, may, by means of implementing acts <u>and after consulting the Member State concerned</u> , deduct quotas from future quotas of that Member State to take account of the level of

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				overfishing. Sequence 12
Article 1, first paragraph, point (74)(b), amending provision(5)				
973	5. If a deduction according to paragraphs 1 and 2 cannot be operated on the quota, allocation or share of a stock or group of stocks that was overfished as such because that quota, allocation or share of a stock or group of stocks is not or not sufficiently available to the Member State concerned, the Commission may, by means of implementing acts, deduct in the following year or years quotas for other stocks or groups of stocks available to that Member State in the same geographical area, or with the same commercial value in accordance with paragraph 1.		5. If a deduction according to paragraphs 1 and 2 cannot be operated on the quota, allocation or share of a stock or group of stocks that was overfished as such because that quota, allocation or share of a stock or group of stocks is not or not sufficiently available to the Member State concerned, the Commission may, by means of implementing acts <u>and after consultation of the Member State concerned</u> , deduct in the following year or years quotas for other stocks or groups of stocks available to that Member State in the same geographical area, or with the same commercial value in accordance with paragraph 1.	GA accepted, with linguistic changes: 5. If a deduction <del>according to</del> <u>cannot be operated in accordance with</u> paragraphs 1 and 2 <del>cannot be operated</del> on the quota, allocation or share of a stock or <u>a</u> group of stocks that was overfished <del>as such</del> , because that quota, allocation or share of a stock or group of stocks is not or not sufficiently available to the Member State concerned, the Commission may, by means of implementing acts <u>and after consulting the Member State concerned</u> , deduct in the following year or years quotas for other stocks or groups of stocks available to that Member State in the same geographical area, or with the same commercial value in accordance with paragraph 1. " Sequence 12
Article 1, first paragraph, point (74)(b), amending provision(6)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
974	6. The Commission may, by means of implementing acts, lay down detailed rules concerning the assessment of the adapted quota against which the excess of utilisation shall be calculated. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "		6. The Commission may, by means of implementing acts, lay down detailed rules concerning the assessment of the adapted quota against which the excess of utilisation shall be calculated <u>and the estimated duration of the deductions</u> . These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "	Flexibility to accept the following COM proposal:  COM 18.1.2023 6. The Commission may, by means of implementing acts, lay down detailed rules concerning the adapted quota against which the excess of utilisation shall be calculated, the deductions of quotas and the time period of the deductions. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).";  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (75)				
975	(75) Article 106 is amended as follows:		(75) Article 106 is amended as follows:	(75) Article 106 is amended as follows:  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (75)(a)				
976	(a) paragraph 1 is replaced by the following:		(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (75)(a), amending provision(1)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
977	" 1. When the Commission has established that a Member State has exceeded the fishing effort which has been allocated to it, the Commission shall, by means of implementing acts, operate deductions from future fishing effort of that Member State." "		" 1. When the Commission has established that a Member State has exceeded the fishing effort which has been allocated to it, the Commission shall, by means of implementing acts <u>and after consulting of the Member State concerned</u> , operate deductions from future fishing effort of that Member State." "	GA accepted. " 1. When the Commission has established that a Member State has exceeded the fishing effort which has been allocated to it, the Commission shall, by means of implementing acts <u>and after consulting the Member State concerned</u> , operate deductions from future fishing effort of that Member State." " <a href="#">Sequence 12</a>
Article 1, first paragraph, point (75)(b)				
978	(b) in paragraph 2, the introductory phrase is replaced by the following:		(b) in paragraph 2, the introductory phrase is replaced by the following:	(b) in paragraph 2, the introductory phrase is replaced by the following:  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (75)(b), amending provision, first paragraph				
979	" If the fishing effort in a geographical area or in a fishery available to a Member State is exceeded the Commission shall, by means of implementing acts, operate deductions in the following		" If the fishing effort in a geographical area or in a fishery available to a Member State is exceeded the Commission shall, by means of implementing acts <u>and after consultation of the Member</u>	GA accepted, with minor linguistic change. " If the fishing effort in a geographical area or in a fishery available to a Member State is exceeded, the Commission shall,

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	year or years from the fishing effort available to that Member State for the geographical area or the fishery concerned by applying a multiplying factor according to the following table:"		<u>State concerned</u> , operate deductions in the following year or years from the fishing effort available to that Member State for the geographical area or the fishery concerned by applying a multiplying factor according to the following table:"	by means of implementing acts <u>and after consulting the Member State concerned</u> , operate deductions in the following year or years from the fishing effort available to that Member State for the geographical area or the fishery concerned by applying a multiplying factor according to the following table:"
Article 1, first paragraph, point (75)(c)				
980	(c) paragraphs 3 and 4 are replaced by the following:		(c) paragraphs 3 and 4 are replaced by the following:	(c) paragraphs 3 and 4 are replaced by the following:
Article 1, first paragraph, point (75)(c), amending provision(3)				
981	" 3. If a deduction according to paragraph 2 cannot be operated on the maximum allowable fishing effort for a stock that was exceeded as such because such maximum allowable fishing effort for that stock is not or not sufficiently available to the Member State concerned, the Commission, by means of implementing acts, may		" 3. If a deduction according to paragraph 2 cannot be operated on the maximum allowable fishing effort for a stock that was exceeded as such because such maximum allowable fishing effort for that stock is not or not sufficiently available to the Member State concerned, the Commission, by means of implementing acts <u>and</u>	GA accepted " 3. If a deduction according to paragraph 2 cannot be operated on the maximum allowable fishing effort for a stock that was exceeded as such because such maximum allowable fishing effort for that stock is not or not sufficiently available to the Member State concerned, the Commission, by

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	deduct in the following year or years fishing effort available to that Member State in the same geographical area in accordance with paragraph 2.		<u>after consultation of the Member State concerned</u> , may deduct in the following year or years fishing effort available to that Member State in the same geographical area in accordance with paragraph 2.	means of implementing acts <u>and after consultation of the Member State concerned</u> , may deduct in the following year or years fishing effort available to that Member State in the same geographical area in accordance with paragraph 2. "  Sequence 12
Article 1, first paragraph, point (75)(c), amending provision(4)				
982	4. The Commission may, by means of implementing acts, lay down detailed rules concerning the assessment of the maximum available effort against which the excess of utilisation shall be calculated. 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 detailed rules concerning the assessment of the maximum available effort against which the excess of utilisation shall be calculated <u>and the estimated duration of the deductions</u> . Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "	Flexibility to accept the following COM proposal:  4. The Commission may, by means of implementing acts, lay down detailed rules concerning the maximum allowable fishing effort against which the excess of utilisation shall be calculated, the deduction of fishing efforts and the time period of the deductions. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).";  Sequence 12
Article 1, first paragraph, point (76)				
983				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	(76) Article 107 is amended as follows:		(76) Article 107 is amended as follows:	(76) Article 107 is amended as follows: <a href="#">Sequence 12</a>
Article 1, first paragraph, point (76)(a)				
984	(a) paragraph 1 is replaced by the following:		(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following: <a href="#">Sequence 12</a>
Article 1, first paragraph, point (76)(a), amending provision(1)				
985	" 1. Where there is evidence that rules on the common fisheries policy are not being complied with by a Member State and that this may lead to a serious threat to the conservation of stocks subject to fishing opportunities, the Commission may, by means of implementing acts, operate deductions in the following year or years from the annual quotas, allocations or shares of a stock or group of stocks available to that Member State, applying the proportionality principle by taking into account the damage caused to the stocks. "		" 1. Where there is evidence that rules on the common fisheries policy are not being complied with by a Member State and that this may lead to a serious threat to the conservation of stocks subject to fishing opportunities, the Commission may, by means of implementing acts, operate deductions in the following year or years from the annual quotas, allocations or shares of a stock or group of stocks available to that Member State, applying the proportionality principle by taking into account the damage caused to the stocks. "	Flexibility to accept the following COM proposal:  1. Where there is evidence that rules on the common fisheries policy are not being complied with by a Member State and that this may lead to a serious threat to the conservation of stocks subject to fishing opportunities or a fishing effort regime, the Commission may, by means of implementing acts, operate deductions in the following year or years from the annual quotas, allocations or shares of a stock or a group of stocks, or from the fishing effort available to that Member State, applying the proportionality principle by taking into account the damage caused to

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				the stocks concerned." Sequence 12
Article 1, first paragraph, point (76)(b)				
986	(b) paragraph 4 is replaced by the following:		(b) paragraph 4 is replaced by the following:	(b) paragraph 4 is replaced by the following: Sequence 12
Article 1, first paragraph, point (76)(b), amending provision(4)				
987	" 4. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning the deadline for Member States to demonstrate that the fisheries can be safely exploited, the material to be included by Member States in their reply and the determination of the quantities to be deducted by taking into account:		" 4. The Commission <i>is empowered to adopt delegated acts in accordance with Article 119a may, by means of implementing acts, lay down detailed rules</i> concerning the deadline for Member States to demonstrate that the fisheries can be safely exploited, the material to be included by Member States in their reply and the determination of the quantities to be deducted by taking into account:	Defend GA Sequence 12
Article 1, first paragraph, point (76)(b), amending provision(4), point (a)				
988	(a) the extent and nature of non-		(a) the extent and nature of non-	"

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	compliance,		compliance,	(a) the extent and nature of non-compliance; Sequence 12
Article 1, first paragraph, point (76)(b), amending provision(4), point (b)				
989	(b) the gravity of the threat to conservation,		(b) the gravity of the threat to conservation,	Flexibility to accept the following text: (b) the gravity of the threat to <u>the</u> conservation, <u>of stocks</u> ; Sequence 12
Article 1, first paragraph, point (76)(b), amending provision(4), point (c)				
990	(c) the damage caused to the stock by non-compliance. "		(c) the damage caused to the stock by non-compliance.	(c) the damage caused to the stock by non-compliance. " Sequence 12
Article 1, first paragraph, point (76)(b), amending provision, first paragraph				
990a			<u>4a. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</u> "	Defend GA Sequence 12
Article 1, first paragraph, point (76a)				
990b				GA accepted

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u><a href="#">(76a) Article 107a is inserted as follows:</a></u>	<u><a href="#">(76a) The following Article is inserted:</a></u> Sequence 12
Article 1, first paragraph, point (76a), amending provision, first paragraph				
990c			" <u><a href="#">Adjustment of fishing opportunities in case of reduction of the Union quota under international agreements</a></u>	GA accepted " <u><a href="#">Article 107a</a></u> <u><a href="#">Adjustment of fishing opportunities in case of reduction of the Union quota under international agreements</a></u> Sequence 12
Article 1, first paragraph, point (76a), amending provision, second paragraph				
990d			<u><a href="#">Where overfishing by one or more Member States of a quota, allocation or share of a stock or a group of stocks established under an international agreement for the European Union leads to a reduction of the Union's quota under that international agreement, the Council shall make the following adjustments when allocating the fishing opportunities for that stock or</a></u>	GA accepted <u><a href="#">Where overfishing by one or more Member States of a quota, allocation or share of a stock or a group of stocks established for the Union under an international agreement leads to a reduction of the Union's quota under that international agreement, the Council shall, when allocating the fishing opportunities for that stock or group of stocks under Article</a></u>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>group of stocks under Article 43(3) TFEU and Article 16 of Regulation 1380/2013 for the year for which that reduction is made: the quota of the Member States which have not overfished shall be increased to the quota which those Member States would have received if the Union share under the international agreement would not have been reduced. If such adjustment cannot be done in a given year due to an insufficient Union share, the remaining quantities shall be adjusted in the following year.</u>	<u>43(3) TFEU and Article 16 of Regulation 1380/2013 for the year for which that reduction is made, adjust the quotas of the Member States which have not overfished by increasing them to the quotas which those Member States would have received if the Union share under the international agreement had not been reduced. If such adjustment cannot be made in a given year due to an insufficient Union share, the remaining quantities shall be adjusted in the following year.</u> " Sequence 12
Article 1, first paragraph, point (77)				
991	(77) Article 109 is amended as follows:		(77) Article 109 is amended as follows:	(77) Article 109 is amended as follows: Sequence 12
Article 1, first paragraph, point (77)(a)				
992	(a) paragraphs 1 and 2 are replaced by the following:		(a) paragraphs 1 and 2 are replaced by the following:	(a) paragraphs 1 and 2 are replaced by the following: Sequence 12

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (77)(a), amending provision(1)				
993	<p>"</p> <p>1. Member States shall set up a computerised database for the purpose of validation of data recorded in accordance with this Regulation. The validation of the data recorded includes the cross-checking, analysis and verification of the data.</p>	<p>"</p> <p>1. Member States shall, <u>by ... [31 December of the third year after the date of entry in force of this amending Regulation]</u>, set up a computerised database for the purpose of validation of data recorded in accordance with this Regulation. The validation of the data recorded includes the cross-checking, analysis and verification of the data. <u>The set of data from the Member States' databases shall be transferred to a single database managed by the European Fisheries Control Agency.</u></p> <p>EP AM 277, EX AMs 87 (Rapporteur), 1036 (S&amp;D)</p>	<p>"</p> <p>1. Member States shall set up a computerised database for the purpose of validation of data recorded in accordance with this Regulation. The validation of the data recorded includes the cross-checking, analysis and verification of the data.</p>	<p>Flexibility to accept the following Presidency proposal:</p> <p>1. Member States shall set up an electronic database for the purpose of validation of data recorded in accordance with this Regulation. The validation of the data recorded shall include the cross-checking, analysis and verification of the data.</p> <p>Sequence 12</p>
Article 1, first paragraph, point (77)(a), amending provision(2)				
994	<p>2. Member States shall ensure that all data recorded in accordance with this Regulation are accurate, complete and submitted by operators within deadlines laid down in the common fisheries policy rules. In particular:</p>		<p>2. Member States shall ensure that all data recorded in accordance with this Regulation are accurate, complete and submitted by operators, <u>masters or other authorised persons</u> within deadlines laid down in the common</p>	<p>Defend GA</p> <p>Sequence 12</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			fisheries policy rules. <del>In particular:</del>	
Article 1, first paragraph, point (77)(a), amending provision(2), point (-a)				
994a			<u>(-a) the following paragraph is inserted:</u>	Defend GA Sequence 12
Article 1, first paragraph, point (77)(a), amending provision(2), point (-b)				
994b			<u>(-b) 2a. For the purpose of paragraphs 1 and 2:</u>	Defend GA Sequence 12
Article 1, first paragraph, point (77)(a), amending provision(2), point (a)				
995	(a) Member States shall validate the following data through automated computerised algorithms and mechanisms:		(a) Member States shall validate the following data, <u>including data recorded in the context of fisheries agreements referred to in Article 3(1)</u> , through automated computerised algorithms and mechanisms:	Defend GA Sequence 12
Article 1, first paragraph, point (77)(a), amending provision(2)(a)(i)				
996	(i) vessel position data;		(i) vessel position data;	" (i) vessel position data; Sequence 12
Article 1, first paragraph, point (77)(a), amending provision(2), point (a)(ii)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
997	(ii) fishing activity data, in particular the fishing logbook, the landing declaration, the transhipment declaration and prior notification;		(ii) fishing activity data, in particular <u><i>data on entries into and exits from fishing areas, on</i></u> the fishing logbook, <u><i>on</i></u> the landing declaration, <u><i>on</i></u> the transhipment declaration and <u><i>on</i></u> prior notification;	Defend GA  Sequence 12
Article 1, first paragraph, point (77)(a), amending provision(2), point (a)(ii)(a)				
997a				Flexibility to accept the following COM proposal:  (xx) data on fishing effort;  Sequence 12
Article 1, first paragraph, point (77)(a), amending provision(2), point (a)(iii)				
998	(iii) data from take-over declarations, transport documents and sales notes;		(iii) data from take-over declarations, transport documents and sales notes;	(iii) data from take-over declarations, transport documents and sales notes;  Sequence 12
Article 1, first paragraph, point (77)(a), amending provision(2), point (a)(iiia)				
998a			<u><i>(iv) data from fishing licences and fishing authorisations;</i></u>	Defend GA  Sequence 12

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (77)(a), amending provision(2), point (a)(iiib)				
998b			<i>(v) data on controls of engine power;</i>	Defend GA Sequence 12
Article 1, first paragraph, point (77)(a), amending provision(2), point (b)				
999	(b) Member States shall also validate the data listed above with the following data where applicable:		(b) Member States shall also validate the data listed above <i>with using in particular</i> the following data, where <i>applicableavailable</i> :	Defend GA Sequence 12
Article 1, first paragraph, point (77)(a), amending provision(2), point (b)(i)				
1000	(i) vessel detection system data;		(i) vessel detection system data;	(i) vessel detection system data; Sequence 12
Article 1, first paragraph, point (77)(a), amending provision(2), point (b)(ii)				
1001	(ii) data on sightings;		(ii) data on sightings;	(ii) data on sightings; Sequence 12
Article 1, first paragraph, point (77)(a), amending provision(2), point (b)(iii)				
1002	(iii) data relating to fishing activity in the context of fisheries agreements referred to in paragraph 1 of Article 3;		(iii) <i>data relating to fishing activity in the context of fisheries agreements referred to in paragraph 1 of Article 3;</i>	Defend GA Sequence 12

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (77)(a), amending provision(2), point (b)(iv)				
1003	(iv) data on entries into and exits from fishing areas,		(iv) <i>data on entries into and exits from fishing areas;</i>	Defend GA <a href="#">Sequence 12</a>
Article 1, first paragraph, point (77)(a), amending provision(2), point (b)(v)				
1004	(v) automatic identification system data;		(v) automatic identification system data;	(v) automatic identification system data; <a href="#">Sequence 12</a>
Article 1, first paragraph, point (77)(a), amending provision(2), point (b)(vi)				
1005	(vi) data from fishing licences and fishing authorisations;		(vi) <i>data from fishing licences and fishing authorisations;</i>	Defend GA <a href="#">Sequence 12</a>
Article 1, first paragraph, point (77)(a), amending provision(2), point (b)(vii)				
1006	(vii) data from inspection reports and data contained in national register of infringements;		(vii) data from inspection reports <i>and data contained in national register of infringements;</i>	Defend GA <a href="#">Sequence 12</a>
Article 1, first paragraph, point (77)(a), amending provision(2), point (b)(viii)				
1007	(viii) data on engine power;		(viii) <i>data on engine power;</i>	Defend GA <a href="#">Sequence 12</a>
Article 1, first paragraph, point (77)(a), amending provision(2), point (b)(ix)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1008	(ix) control observers reports;		(ix) control observers reports;	Flexibility to accept the following text:  (ix) <u>data from</u> control observers reports;  <u>Sequence 12</u>
Article 1, first paragraph, point (77)(a), amending provision(2), point (b)(x)				
1009	(x) data from close circuit television systems on board of fishing vessels and other electronic monitoring of the landing obligation in accordance with Article 25a.	(x) data from <del>close circuit television systems on board of fishing vessels and other electronic</del> <u>electronic devices for</u> monitoring of the landing obligation <del>in accordance with Article 25a.</del> "  <u>EP AM 278, EX AM 1038 (S&amp;D)</u>	(x) data from <del>close circuit television</del> <u>systems on board of fishing vessels and other electronic monitoring of the landing obligation</u> in accordance with Article <del>25a</del> <u>13</u> .	GA accepted, with corrected reference to the article.  (x) data from <del>close circuit television</del> <u>systems on board of fishing vessels and other electronic monitoring of the landing obligation</u> in accordance with Article <del>25a</del> <u>25 (13).</u> "  <u>Sequence 12</u>
Article 1, first paragraph, point (77)(a1), amending provision(2a)(c), introductory part				
1010	(b) paragraph 5 is replaced by the following:		<del>(b)</del> <u>(c)</u> paragraph 5 is replaced by the following:	(b) paragraph 5 is replaced by the following:  <u>Sequence 12</u>
Article 1, first paragraph, point (77)(a1), amending provision(2a)(c)(5)				
1011	" 5. If an inconsistency in the data		" 5. If an inconsistency in the data	GA accepted. " 5. If an inconsistency in the data

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	has been identified, the Member State concerned shall undertake and document the necessary investigations, analyses and cross-checks. The results of the investigations and corresponding documentation shall be transmitted to the Commission on request. If there are reasons to suspect that an infringement has been committed, the Member State shall carry out investigations and take the necessary immediate measures in accordance with Articles 85 and 91.		has been identified, the Member State concerned shall undertake and document the necessary investigations, analyses and cross-checks. The results of the investigations and corresponding documentation shall be transmitted to the Commission on request. If there are reasons to suspect that an infringement has been committed, the Member State shall <u>also</u> carry out investigations and take the necessary immediate measures in accordance with Articles 85 and 91.	has been identified, the Member State concerned shall undertake and document the necessary investigations, analyses and cross-checks. The results of the investigations and corresponding documentation shall be transmitted to the Commission on request. If there are reasons to suspect that an infringement has been committed, the Member State shall <u>also</u> carry out investigations and take the necessary immediate measures in accordance with Articles 85 and 91.  Sequence 12
Article 1, first paragraph, point (77)(a1), amending provision(2a)(d), introductory part				
1012	(c) paragraph 8 is replaced by the following:		<del>(c)</del> (d) paragraph 8 is replaced by the following:	(c) paragraph 8 is replaced by the following:  Sequence 12
Article 1, first paragraph, point (77)(a1), amending provision(2a)(d)(8)				
1013	" 8. Member States shall establish and keep up to date a national plan for the implementation of the validation system covering the data		" 8. Member States shall establish and keep up to date a national plan for the implementation of the validation system covering the data	Flexibility to accept the following COM proposal:  8. Member States shall establish and keep up to date a national plan for the implementation of the

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	listed under points (a) and (b) of paragraph 2 and the follow-up of inconsistencies. The plan shall define the Member State priorities for the validation of data and subsequent follow up on inconsistencies, following a risk-based approach.		listed under points (a) and (b) of paragraph 2 and the follow-up of inconsistencies. The plan shall define the Member State priorities for the validation of data and subsequent follow up on inconsistencies, following a risk-based approach.	validation system covering the data listed under points (a) and (b) of paragraph 2a and the follow-up of inconsistencies. The plan shall define the Member State priorities for the validation of data and subsequent follow-up on inconsistencies, following a risk-based approach. Member shall submit these national plans to the Commission within 2 months from their adoption or update.” <a href="#">Sequence 12</a>
Article 1, first paragraph, point (78)				
1014	(78) Articles 110 and 111 are replaced by the following:		(78) Articles 110 and 111 are replaced by the following:	(78) Articles 110 and 111 are replaced by the following: <a href="#">Sequence 12</a>
Article 1, first paragraph, point (78), amending provision, first paragraph				
1015	" Article 110		" Article 110	" Article 110 <a href="#">Sequence 12</a>
Article 1, first paragraph, point (78), amending provision, second paragraph				
1016	Access to, storage and processing of data		Access to, storage and processing of data	Access to, storage and processing of data

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 12
Article 1, first paragraph, point (78), amending provision(1)				
1017	1. Member States shall ensure the remote access at all time and without prior notice, for the Commission or the body(ies) designated by it, of the following data in a non-aggregated form:		1. Member States shall ensure <del>the</del> <u>and grant</u> remote access at all time and without prior notice, for the Commission or the body(ies) designated by it, of the following data in a non-aggregated form:	Flexibility to accept original COM proposal.  Note: As MS shall ensure access for the Commission it is already implicit that the access is granted.  Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (a)				
1018	(a) fishing activity data:		(a) fishing activity data, <u>including data relating to fishing activity in the context of fisheries agreements referred to in paragraph 1 of Article 3:</u>	GA accepted with a minor change:  (a) fishing activity data, <u>including data relating to fishing activity in the context of fisheries agreements referred to in Article 3(I):</u>  Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (a)(i)				
1019	(i) vessel position data;		(i) vessel position data;	(i) vessel position data;  Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (a)(ii)				
1020				GA accepted.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	(ii) fishing activity data, in particular fishing logbooks, landing declarations, transhipment declarations and prior notifications;		(ii) fishing activity data, in particular <u><a href="#">data on entries into and exits from fishing areas</a></u> , fishing logbooks, landing declarations, transhipment declarations and prior notifications;	(ii) fishing activity data, in particular <u><a href="#">data on entries into and exits from fishing areas</a></u> , fishing logbooks, landing declarations, transhipment declarations and prior notifications;  Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (a)(iii)				
1021	(iii) data from take-over declarations, transport documents and sales notes;		(iii) data from take-over declarations, transport documents and sales notes;	(iii) data from take-over declarations, transport documents and sales notes;  Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (a)(iv)				
1022	(iv) data on fishing effort.		(iv) data on fishing effort.	(iv) data on fishing effort;  Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (b)				
1023	(b) other control data:		(b) other control data:	(b) other control data:  Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (b)(i)				
1024	(i) data on sightings;		(i) data on sightings;	(i) data on sightings;

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (b)(ii)				
1025	(ii) data relating to fishing activity in the context of fisheries agreements referred to in paragraph 1 of Article 3;		(ii) <i>data relating to fishing activity in the context of fisheries agreements referred to in paragraph 1 of Article 3;</i>	GA accepted (ii) <i>data relating to fishing activity in the context of fisheries agreements referred to in paragraph 1 of Article 3;</i>  Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (b)(iii)				
1026	(iii) data on entries into and exits from fishing areas,		(iii) <i>data on entries into and exits from fishing areas;</i>	GA accepted. (iii) <i>data on entries into and exits from fishing areas;</i>  Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (b)(iv)				
1027	(iv) data from fishing licences and fishing authorisations;		(iv) data from fishing licences and fishing authorisations;	(iv) data from fishing licences and fishing authorisations;  Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (b)(v)				
1028	(v) inspection reports;		(v) inspection reports;	Flexibility to accept the following text:

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				(v) <u>data from</u> inspection reports; Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (b)(vi)				
1029	(vi) data on engine power;		(vi) data on <u>control of</u> engine power;	GA accepted. (vi) data on <u>controls of</u> engine power; Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (b)(vii)				
1030	(vii) control observers reports;		(vii) control observers reports;	Flexibility to accept the following text: (vii) <u>data from</u> control observers reports; Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (b)(viii)				
1031	(viii) national control action programmes;		(viii) national control <del>action</del> programmes;	GA accepted. (viii) national control <del>action</del> programmes; Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (b)(ix)				
1032	(ix) list of national officials.		(ix) list of national officials.	(ix) list of national officials.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (c)				
1033	(c) the electronic database for the purpose of the verification of the completeness and the quality of the data collected as referred to in Article 109;		(c) the electronic database for the purpose of the verification of the completeness and the quality of the data collected as referred to in Article 109 <del>;</del>	(c) the electronic database for the purpose of the verification of the completeness and the quality of the data collected as referred to in Article 109 <del>;</del>  Sequence 12
Article 1, first paragraph, point (78), amending provision(1), point (d)				
1034	(d) the national register of infringements as referred to in Article 93.		(d) <del>the national register of infringements as referred to in Article 93.</del>	Defend GA.  Sequence 12
Article 1, first paragraph, point (78), amending provision(2)				
1035	2. The Commission or the body designated by it may collect data, where necessary including personal data, in order to fulfil their duties under the rules of the common fisheries policy, in particular for carrying out inspections, verifications, audits and enquiries, or under the rules of agreements with third countries or international organisations.		2. The Commission or the body designated by it may <del>collect data, where necessary including personal data</del> <u>process the data referred to in paragraph 1,</u> in order to fulfil their duties under the rules of the common fisheries policy, in particular for carrying out inspections, verifications, audits and enquiries, or under the rules of agreements with third	Flexibility to accept the following proposal:  2. The Commission or the body designated by it may <del>collect data, where necessary including personal data</del> <u>process the data referred to in paragraph 1,</u> in order to fulfil their duties under the rules of the common fisheries policy, in particular for carrying out inspections, verifications,

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			countries or international organisations.	audits and enquiries, or under the rules of agreements with third countries or international organisations.  In addition, the Commission may use data referred in paragraph 1 for the development, production and dissemination of European statistics, in particular by Eurostat in accordance with Regulation (EC) No 223/2009 of the European Parliament and of the Council and according to its mission.  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (78), amending provision(3)				
1036	3. Member States shall grant access to Commission officials or staff of the body designated by the Commission to the data referred to in paragraph 1.		3. <del>Member States shall grant access to Commission officials or staff of the body designated by the Commission to the data referred to in paragraph 1.</del>	GA accepted.  3. <del>Member States shall grant access to Commission officials or staff of the body designated by the Commission to the data referred to in paragraph 1.</del>  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (78), amending provision(4), first subparagraph				
1037	4. Vessel position data may be provided to and used by scientific		4. Vessel position data may be provided to and used by scientific	To be discussed at a later stage.  <a href="#">Sequence 12</a>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	bodies of Member States and scientific bodies of the Union in order to perform scientific research and provide scientific advice if this data no longer contains the reference to the vessel identification numbers and does not allow for the identification of natural persons.		bodies of Member States and scientific bodies of the Union in order to perform scientific research and provide scientific advice <i>if this data no longer contains the reference to the vessel identification numbers and does not allow for the identification of natural persons.</i>	
Article 1, first paragraph, point (78), amending provision(4), second subparagraph				
1038	Data listed in paragraph 1(a)(ii) and (iii) may be provided to scientific bodies of Member States, scientific bodies of the Union and Eurostat.	" Data listed in paragraph 1(a)(ii) and (iii) may be provided to scientific bodies of Member States, scientific bodies of the Union and Eurostat. <u>Those data shall be in an anonymised format, so as not to permit the identification of individual vessels or natural persons.</u>  EP AM 279, EX AM 1044 (EPP)	Data listed in paragraph 1(a)(ii) <u>to (iv) and data concerning catches, discards and landings contained in data listed in paragraph 1(b)(v) and (vii)</u> may be provided to scientific bodies of Member States, <del>and</del> scientific bodies of the Union <u>in order to perform scientific research and provide scientific advice. Data listed in paragraph 1(a)(ii) to (iv) may be provided to</u> <del>and</del> Eurostat <u>in order to perform its mission.</u>	To be discussed at a later stage.  Sequence 12
Article 1, first paragraph, point (78), amending provision(4), third subparagraph				
1038a			<u>These bodies shall ensure that in</u>	To be discussed at a later stage.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u><i>any advice or other publications based on such data, that data is anonymised.</i></u>	Sequence 12
Article 1, first paragraph, point (78), amending provision(5)				
1039	5. Member States shall establish, implement and host the relevant fisheries data bases containing the data referred to in paragraph 1. Access to these data bases shall be granted by means of secured access with control of access and specific user profiles, solely for the purpose of reporting, statistics, inspections and the investigation of infringements.		5. Member States shall establish, implement and host the relevant fisheries data bases containing the data referred to in paragraph 1. Access to these data bases shall be granted by means of secured access with control of access and specific user profiles, solely for the purpose of reporting, statistics, inspections and the investigation of infringements.	Defend GA, oppose following COM proposal:  COM 18.1.2023 5. Member States shall establish, implement and host the relevant fisheries databases containing the data referred to in paragraph 1.  Sequence 12
Article 1, first paragraph, point (78), amending provision, numbered paragraph (5a)				
1039a			<u><i>5a. When necessary and justified, Member States shall upon request transmit data on infringements to the Commission or the body(ies) designated by it. The data shall include, in particular, the date of the infringement, the date of the definitive decision and the applied sanctions and measures, including assigned points.</i></u>	Flexibility to accept the following Presidency proposal:  5a. Member States shall upon reasoned request by the Commission transmit data on infringements to the Commission or the body(ies) designated by it. The data shall include, in particular, the date of the infringement, the date of the definitive decision and the applied

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				sanctions and measures, including assigned points. <a href="#">Sequence 12</a>
Article 1, first paragraph, point (78), amending provision, numbered paragraph (5b)				
1039b		<a href="#">5a. Member States shall publish annually their annual reports on national control programmes on the website of their competent authorities.</a>  EP AM 280, EX AMs 1046 (Greens/EFA) and ENVI 119	"	Reject EP amendment.  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (79), introductory part				
1040	Article 111		<a href="#">(79)</a> Article 111  Due to an error in the column of the Commission proposal ((79) missing), the numbering of the recitals as of recital (79) has been modified within the Council mandate.	<a href="#">(79)</a> Article 111  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (79), amending provision, ninth paragraph				
1041	Exchange of data		Exchange of data	Exchange of data

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				<a href="#">Sequence 12</a>
Article 1, first paragraph, point (79), amending provision(1), introductory part				
1042	1. Each flag Member State shall ensure the direct electronic exchange of relevant information with other Member States, and where appropriate, the Commission or the body(ies) designated by it, in particular:		1. Each flag Member State shall ensure the direct electronic exchange of relevant information with other Member States <i>concerned</i> , and where appropriate, the Commission or the body(ies) designated by it, in particular:	Flexibility to accept the following Presidency proposal:  Each flag Member State shall ensure the direct electronic exchange of relevant information with other Member States concerned, in particular:  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (79), amending provision(1)(a)				
1043	(a) vessel position data when its vessels are present in another Member State's waters;		(a) vessel position data when its vessels are present in another Member State's waters;	Flexibility to accept the following change:  (a) vessel position data, when its <i>fishing</i> vessels are present in another Member State's waters;  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (79), amending provision(1)(b)				
1044	(b) fishing logbook information when its vessels are fishing, landing or transhipping in another Member State's waters;		(b) fishing logbook information when its vessels are fishing, landing or transhipping in another Member State's waters;	Flexibility to accept the following proposal:  (b) fishing logbook information, when its catching vessels are fishing, landing or transhipping in

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				another Member State's waters; Sequence 12
Article 1, first paragraph, point (79), amending provision(1)(c)				
1045	(c) landing declarations and transshipment declarations when such operations take place in another Member State's ports;		(c) landing declarations and transshipment declarations when <del>such operations</del> <u>landings or transhipments</u> take place in another Member State's ports;	GA accepted. (c) landing declarations and transshipment declarations, <u>when landings or transhipments</u> <del>when such operations</del> take place in another Member State's ports; Sequence 12
Article 1, first paragraph, point (79), amending provision(1)(d)				
1046	(d) prior notification when the intended port is in another Member State;		(d) prior notification when the intended port is in another Member State;	(d) prior notification, <u>when</u> the intended port is in another Member State; Sequence 12
Article 1, first paragraph, point (79), amending provision(1)(e)				
1047	(e) sales notes, transport documents and take-over declarations when one or more of those operations take place in another Member State;		(e) sales notes, transport documents and take-over declarations when <del>one or more of those operations take</del> <u>the sale, transport or take-over takes</u> place in another Member State;	GA accepted. (e) sales notes, transport documents and take-over declarations, <u>when the sale, transport or take-over takes</u> <del>when one or more of those operations take</del> place in another Member State;

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 12
Article 1, first paragraph, point (79), amending provision(1)(f)				
1048	(f) inspection and surveillance reports;		(f) inspection and surveillance reports; <u>and risk analysis for vessels flying its flag being inspected in another Member States's waters or ports.</u>	GA accepted. (f) inspection and surveillance reports; <u>and risk analysis for its fishing vessels being inspected in another Member States's waters or ports.</u>  Sequence 12
Article 1, first paragraph, point (79), amending provision(1)(g)				
1049	(g) the national register of infringements.		(g) <del>the national register of infringements.</del>	Defend GA.  Sequence 12
Article 1, first paragraph, point (79), amending provision, numbered paragraph (1a), introductory part				
1049a			<u>1a. Each flag Member State shall ensure the direct electronic exchange of relevant information concerning vessels flying its flag to the Commission or the body(ies) designated by it, in particular:</u>	Flexibility to move GA from para 1a to para 3.  Sequence 12
Article 1, first paragraph, point (79), amending provision, numbered paragraph (1a)(a)				
1049b			<u>(a) vessel position data;</u>	Flexibility to move GA from para 1a to para 3.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 12
Article 1, first paragraph, point (79), amending provision, numbered paragraph (1a)(b)				
1049c			<u>(b) fishing logbook information when the Union fishing vessels operate outside Union waters;</u>	Flexibility to move GA from para 1a to para 3 with changed wording:  (b) fishing logbook information;  Note: In order to avoid incomplete information of a fishing trip, the reference to outside union waters is deleted in row 1049c-f.  Sequence 12
Article 1, first paragraph, point (79), amending provision, numbered paragraph (1a)(c)				
1049d			<u>(c) landing declarations and transshipment declarations, when the Union fishing vessels operate outside Union waters;</u>	Flexibility to move GA from para 1a to para 3 with changed wording:  (c) landing declarations and transshipment declarations;  Note: In order to avoid incomplete information of a fishing trip, the reference to outside union waters is deleted in row 1049c-f.  Sequence 12
Article 1, first paragraph, point (79), amending provision, numbered paragraph (1a)(d)				
1049e				Flexibility to move GA from para

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>(d) prior notification when the Union fishing vessels operate outside Union waters;</u>	1a to para 3 with changed wording:  (d) prior notification;  Note: In order to avoid incomplete information of a fishing trip, the reference to outside union waters is deleted in row 1049c-f.  Sequence 12
Article 1, first paragraph, point (79), amending provision, numbered paragraph (1a)(e)				
1049f			<u>(e) sales notes, transport documents and take-over declarations, when the Union fishing vessels operate outside Union waters;</u>	Flexibility to move GA from para 1a to para 3 with changed wording:  (e) sales notes, transport documents and take-over declarations;  Note: In order to avoid incomplete information of a fishing trip, the reference to outside union waters is deleted in row 1049c-f.  Sequence 12
Article 1, first paragraph, point (79), amending provision, numbered paragraph (1a)(f)				
1049g			<u>(f) inspection and surveillance reports.</u>	Flexibility to move GA from para 1a to para 3 with changed wording:  Sequence 12
Article 1, first paragraph, point (79), amending provision(2), first subparagraph, introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1050	2. Each coastal Member State shall ensure the direct electronic exchange of relevant information with other Member States and, where appropriate, the Commission or the body(ies) designated by it, in particular by sending:		2. Each coastal Member State shall ensure the direct electronic exchange of relevant information with other Member States <u>concerned</u> and, where appropriate, the Commission or the body(ies) designated by it, in particular by sending:	Defend GA, but flexibility to delete 'where appropriate':  Sequence 12
Article 1, first paragraph, point (79), amending provision(2), first subparagraph(a)				
1051	(a) sales notes' information to the flag Member State when a first sale originates from another Member State's fishing vessel;		(a) sales notes' information to the flag Member State when a first sale originates from another Member State's fishing vessel;	GA accepted with minor linguistic change:  (a) sales <del>notes</del> <u>note</u> ' information to the flag Member State, when a first sale originates from another Member State's fishing vessel;  Sequence 12
Article 1, first paragraph, point (79), amending provision(2), first subparagraph(b)				
1052	(b) take-over declaration information when the fish is placed in storage in a Member State other than the flag Member State or the Member State of landing;		(b) take-over declaration information when the fish is placed in storage in a Member State other than the flag Member State or the Member State of landing;	GA accepted with minor linguistic change:  (b) take-over declaration information, when the fish is placed in storage in a Member State other than the flag Member State or the Member State of landing;

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 12
Article 1, first paragraph, point (79), amending provision(2), first subparagraph(c)				
1053	(c) sales notes and take-over declaration information to the Member State where the landing took place;		(c) sales notes and take-over declaration information to the Member State where the landing took place;	GA accepted with minor linguistic change:  (c) sales <del>notes</del> <sup>note</sup> and take-over declaration information to the Member State where the landing took place;  Sequence 12
Article 1, first paragraph, point (79), amending provision(2), first subparagraph(d)				
1054	(d) transport documents to the flag Member State, Member State of destination and transit of the transport.		(d) transport documents to the flag Member State, Member State of destination and transit of the transport.	(d) transport documents to the flag Member State, Member State of destination and transit of the transport.  Sequence 12
Article 1, first paragraph, point (79), amending provision(2), first subparagraph(e)				
1055	(e) inspection and surveillance reports;		(e) inspection and surveillance reports <sup>;</sup>	(e) inspection and surveillance reports <sup>;</sup>  Sequence 12
Article 1, first paragraph, point (79), amending provision(2), first subparagraph(f)				
1056	(f) the national register of infringements.		(f) <del>the national register of infringements.</del>	Defend GA.  Sequence 12

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (79), amending provision(2), second subparagraph				
1057	----- ----- ---		----- ----- ---	----- ----- - <a href="#">Sequence 12</a>
Article 1, first paragraph, point (79), amending provision(2), third subparagraph				
1058	(* 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 L 119, 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 L 119, 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 L 119, 4.5.2016, p. 1). " <a href="#">Sequence 12</a>
Article 1, first paragraph, point (80), introductory part				
1059	(79) the following Article 111a is inserted:		<del>(79)</del> <sup>80</sup> the following Article 111a is inserted:	<del>(79)</del> <sup>79</sup> the following Article <del>111a</del> is inserted: <a href="#">Sequence 12</a>
Article 1, first paragraph, point (79), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1060	" Article 111a		" Article 111a	" Article 111a <a href="#">Sequence 12</a>
Article 1, first paragraph, point (79), amending provision, second paragraph				
1061	Uniform conditions for the implementation of provisions on data		Uniform conditions for the implementation of provisions on data	Uniform conditions for the implementation of provisions on data <a href="#">Sequence 12</a>
Article 1, first paragraph, point (79), amending provision, third paragraph				
1062	For the purpose of implementing Articles 110 and 111, the Commission may, by means of implementing acts, lay down detailed rules on		For the purpose of implementing Articles 110 and 111, the Commission may, by means of implementing acts, lay down detailed rules on	For the purpose of implementing Articles 110 and 111, the Commission may, by means of implementing acts, lay down detailed rules on: <a href="#">Sequence 12</a>
Article 1, first paragraph, point (79), amending provision, third paragraph, first indent				
1063	- data quality, compliance with deadlines for submission of data by operators, validation of the data, including cross-checks, analysis, verification,		- data quality, compliance with deadlines for submission of data by operators, validation of the data, including cross-checks, analysis, verification,	GA accepted with minor linguistic change: <del>-(a)</del> data quality, compliance with deadlines for submission of data by operators, validation of the data, including cross-checks, analysis, <a href="#">and</a> verification; <del>;</del>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 12
Article 1, first paragraph, point (79), amending provision, third paragraph, second indent				
1064	- exchange of data between Member States,		- exchange of data between Member States,	Flexibility to accept the following text:  - <del>(b)</del> exchange of data between Member States, <i>and between the <u>Member States and the Commission or the bodi(es) designated by it;</u></i>  Sequence 12
Article 1, first paragraph, point (79), amending provision, third paragraph, third indent				
1065	- access to the data by the Commission or body designated by it,		- access to the data by the Commission or body( <i>ies</i> ) designated by it,	GA accepted with the following linguistic change:  - <del>(c)</del> access to the data by the Commission or <i>the</i> body designated by it;  Sequence 12
Article 1, first paragraph, point (79), amending provision, third paragraph, fourth indent				
1066	- access to the data by scientific bodies of the Union and Eurostat,		- access to the data by scientific bodies of the Union and Eurostat,	- <del>(d)</del> access to the data by scientific bodies of the Union and Eurostat;  Sequence 12
Article 1, first paragraph, point (79), amending provision, third paragraph, fifth indent				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1067	- interoperability and standardisation of databases		- interoperability and standardisation of databases	- <del>(e)</del> interoperability and standardisation of databases; Sequence 12
Article 1, first paragraph, point (79), amending provision, third paragraph, sixth indent				
1068	- data listed in Article 110(1) and (2), including additional specific safeguards for processing of personal data and security rules applicable to the databases.		- data listed in Article 110(1) and (2), including additional specific safeguards for processing of personal data and security rules applicable to the databases.	- <del>(f)</del> data listed in Article 110(1) and (2), including additional specific safeguards for processing of personal data and security rules applicable to the databases. Sequence 12
Article 1, first paragraph, point (79), amending provision, fourth paragraph				
1069	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). "	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). <del>":</del> Sequence 12
Article 1, first paragraph, point (81), introductory part				
1070	(80) Article 112 is replaced by the following:		<del>(80)</del> Article 112 is replaced by the following:	<del>(80)</del> Article 112 is replaced by the following: Sequence 12
Article 1, first paragraph, point (81), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1071	" Article 112		" Article 112	" Article 112 <a href="#">Sequence 12</a>
Article 1, first paragraph, point (81), amending provision, second paragraph				
1072	Protection of personal data		Protection of personal data	Protection of personal data <a href="#">Sequence 12</a>
Article 1, first paragraph, point (81), amending provision(1)				
1073	1. Data referred to in Article 110(1) with the exception of data referred to in paragraph 1(b) (viii), and in Article 110(2) may include personal data.		1. Data referred to in Article 110(1), with the exception of data referred to in <del>paragraph 1(b) (viii)</del> <a href="#">point (viii) of paragraph 1(b) of that Article</a> , and in Article 110(2) may include personal data.	Flexibility to accept the following COM proposal:  1. Regulations (EU) 2016/679 and (EU) 2018/1725 and the national provisions transposing Directive (EU) 2016/6803, apply to the processing of personal data carried out pursuant to this Regulation by Member States, the Commission and the body designated by it.  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (81), amending provision(2), introductory part				
1074	2. The Commission may process		2. The Commission may process	Flexibility to accept the following COM proposal:

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	personal data to which it has access pursuant to Article 110(1) and (2) for the following purposes:		personal data to which it has access pursuant to Article 110(1) and (2) for the following purposes:	2. Personal data collected under this Regulation may only be processed for the following purposes, provided those purposes cannot be fulfilled with data that does not permit identification of data subjects:  Sequence 12
Article 1, first paragraph, point (81), amending provision(2)(a)				
1075	(a) monitoring of fishing opportunities including quota consumption;		(a) monitoring of fishing opportunities including quota consumption;	Flexibility to accept the following text:  (a) monitoring of fishing opportunities, including quota <del>consumption</del> uptake;  Sequence 12
Article 1, first paragraph, point (81), amending provision(2)(b)				
1076	(b) validation of data;		(b) validation of data;	(b) validation of data;  Sequence 12
Article 1, first paragraph, point (81), amending provision(2)(c)				
1077	(c) monitoring of fishing activities		(c) monitoring of fishing activities	Flexibility to accept the following change for consistency:

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	carried out by Union fishing vessels, or fishing activities of vessels within Union waters;		carried out by Union fishing vessels, or fishing activities of vessels within Union waters;	(c) monitoring of fishing activities carried out by Union fishing vessels, or fishing activities of <b>fishing</b> vessels within Union waters;  Sequence 12
Article 1, first paragraph, point (81), amending provision(2)(d)				
1078	(d) monitoring Member States' controls of fishing activities and in the supply chain;		(d) monitoring Member States' controls of fishing activities and in the supply chain;	(d) monitoring <b>of</b> Member States' controls of fishing activities and in the supply chain;  Sequence 12
Article 1, first paragraph, point (81), amending provision(2)(e)				
1079	(e) inspections, verifications, audits and enquiries;		(e) inspections, verifications, audits and enquiries;	(e) inspections, verifications, audits and enquiries;  Sequence 12
Article 1, first paragraph, point (81), amending provision(2)(f)				
1080	(f) preparation of, and compliance with international agreements and conservation measures;		(f) preparation of, and compliance with international agreements and conservation measures;	(f) preparation of, and compliance with <b>international</b> agreements and conservation measures;  Sequence 12
Article 1, first paragraph, point (81), amending provision(2)(g)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1081	(g) policy evaluations and impact assessments;		(g) policy evaluations and impact assessments;	Flexibility to accept the following COM proposal:  (g) <b>risk management</b> , policy evaluations and impact assessments;  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (81), amending provision(2)(h)				
1082	(h) scientific research and scientific advice;		(h) scientific research and scientific advice;	(h) scientific research and scientific advice;  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (81), amending provision(2)(i)				
1083	(i) enquiries pertaining to complaints and infringements.		(i) enquiries pertaining to complaints and infringements.	Flexibility to accept the following COM proposal:  (i) enquiries pertaining to complaints and infringements <b>and judicial or administrative proceedings</b> ;  <a href="#">Sequence 12</a>
1083a				Flexibility to accept the following COM proposal:

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				(j) establishing or providing evidence of fishing rights of individual vessels, Member States or the Union.  Sequence 12
Article 1, first paragraph, point (81), amending provision(3)				
1084	3. Personal data contained in information referred to in Article 110(1) and (2) 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. If the information listed in Article 110(1) and (2) is retained for a longer period of time, the data shall be anonymized.	" 3. Personal data contained in information referred to in Article 110(1) and (2) shall not be stored for a period longer than <del>5 years</del> <u>one year</u> , 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. If the information listed in Article 110(1) and (2) is retained for a longer period of time, the data shall be <del>anonymized</del> <u>anonymised</u> . "  EP AM 281, EX AMs 88 (Rapporteur)	3. Personal data contained in information referred to in Article 110(1) and (2) shall not be stored for a period longer than <del>5</del> <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, <del>which may be retained for</del> <u>until the completion of the procedure concerned and for no longer than</u> 10 years. If the information <del>referred to</del> <u>listed</u> in Article 110(1) and (2) is retained for a longer period of time, the <u>personal</u> data shall be anonymized.	To be discussed at a later stage.  Sequence 12
Article 1, first paragraph, point (81), amending provision(3a)				
1084a			<u>3a. By way of derogation from</u>	To be discussed at a later stage.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u><i>paragraph 3, personal data contained in the information referred to in points (a) and (b) of Article 110(1) may be stored for a period of up to 25 years if that is justified and done solely for the purpose of performing scientific research and providing scientific advice. That data may be stored for longer periods if it is anonymised or pseudonymised.</i></u>	Sequence 12
Article 1, first paragraph, point (81), amending provision(3b)				
1084b			<u><i>3b. Personal data contained in CCTV footage/images collected under Article 13 shall be stored on board the vessel only until it has been accessed by the competent authority of the Member State(s) concerned and in any case for no longer than 1 year. Such data shall not be stored by Member State competent authorities for a period longer than 1 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.</i></u>	To be discussed at a later stage. Sequence 12

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (81), amending provision(4)				
1085	4. Member States shall be regarded as a controller as defined in Article 4(7) of Regulation (EU) 2016/679(*) in relation with the processing of personal data which they collect pursuant to this Regulation.		4. Member States <u>authorities</u> shall be regarded as a controller as defined in Article 4(7) of Regulation (EU) 2016/679(*) in relation with the processing of personal data which they collect pursuant to this Regulation.	GA accepted with minor linguistic changes.  4. <u>The authorities of</u> Member States shall be regarded as a controller as defined in <u>point (7) of Article 4(7)4</u> of Regulation (EU) 2016/679(*) in relation <u>withto</u> the processing of personal data which they collect pursuant to this Regulation.  <u>Sequence 12</u>
Article 1, first paragraph, point (81), amending provision(5)				
1086	5. The Commission shall be regarded as a controller as defined in point (b) of Article 3(2) of Regulation (EU) 2018/2018 of the European Parliament and of the Council(**) in relation with the processing of personal data which it has collected pursuant to Article 110(1) and (2) of this Regulation.		5. The Commission shall be regarded as a controller as defined <u>in point (b) of</u> Article <u>3(2)3(8)</u> of Regulation (EU) <u>2018/20182018/1725</u> of the European Parliament and of the Council(**) in relation with the processing of personal data which it has collected pursuant to Article 110(1) and (2) of this Regulation.	GA accepted with minor linguistic changes.  5. The Commission shall be regarded as a controller as defined in point <u>(b)(8)</u> of Article <u>3(2)3</u> of Regulation (EU) <u>2018/20182018/1725</u> of the European Parliament and of the Council(**) in relation <u>withto</u> the processing of personal data which it has collected pursuant to Article 110(1) and (2) of this Regulation.  <u>Sequence 12</u>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (81), amending provision(6)				
1087	6. The Commission or body designated by it and the Member State authorities shall ensure the security of the processing of personal data that takes place pursuant to the application of this Regulation. The Commission or body designated by it and the Member State authorities shall cooperate on security-related tasks.		6. The Commission or body designated by it and the Member State authorities shall ensure the security of the processing of personal data that takes place pursuant to the application of this Regulation. The Commission or body designated by it and the Member State authorities shall cooperate on security-related tasks.	GA accepted with minor linguistic changes.  6. The Commission or <u>the</u> body designated by it and the <del>Member State authorities</del> <u>authorities of the Member States</u> shall ensure the security of the processing of personal data that takes place <del>pursuant to</del> <u>for</u> the application of this Regulation. The Commission or <u>the</u> body designated by it and the <del>Member State authorities</del> <u>authorities of the Member States</u> shall cooperate on security-related tasks.  Sequence 12
Article 1, first paragraph, point (81), amending provision(7), introductory part				
1088	7. In particular, the Commission shall adopt the necessary measures, including a security plan, a business continuity plan and a disaster recovery plan, in order to:		7. In particular, the Commission shall adopt the necessary measures, including a security plan, a business continuity plan and a disaster recovery plan, in order to:	7. In particular, the Commission shall adopt the necessary measures, including a security plan, a business continuity plan and a disaster recovery plan, in order to:  Sequence 12
Article 1, first paragraph, point (81), amending provision(7)(a)				
1089				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	(a) physically protect data, including by making contingency plans for the protection of critical infrastructure;		(a) physically protect data, including by making contingency plans for the protection of critical infrastructure;	(a) physically protect data, including by making contingency plans for the protection of critical infrastructure; <a href="#">Sequence 12</a>
Article 1, first paragraph, point (81), amending provision(7)(b)				
1090	(b) prevent the unauthorised reading, copying, modification or removal of data media;		(b) prevent the unauthorised reading, copying, modification or removal of data media;	(b) prevent the unauthorised reading, copying, modification or removal of data media; <a href="#">Sequence 12</a>
Article 1, first paragraph, point (81), amending provision(7)(c)				
1091	(c) prevent the unauthorised input of data and the unauthorised inspection, modification or deletion of recorded personal data;		(c) prevent the unauthorised input of data and the unauthorised inspection, modification or deletion of recorded personal data;	(c) prevent the unauthorised input of data and the unauthorised inspection, modification or deletion of recorded personal data; <a href="#">Sequence 12</a>
Article 1, first paragraph, point (81), amending provision(7)(d)				
1092	(d) prevent the unauthorised processing of data and any unauthorised copying, modification or deletion of data;		(d) prevent the unauthorised processing of data and any unauthorised copying, modification or deletion of data;	(d) prevent the unauthorised processing of data and any unauthorised copying, modification or deletion of data; <a href="#">Sequence 12</a>
Article 1, first paragraph, point (81), amending provision(7)(e)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1093	(e) ensure that persons authorised to access the relevant fisheries data bases have access only to the data covered by their access authorisation, by means of individual user identities and confidential access modes only;		(e) ensure that persons authorised to access the relevant fisheries data bases have access only to the data covered by their access authorisation, by means of individual user identities and confidential access modes only;	(e) ensure that persons authorised to access the relevant fisheries data bases have access only to the data covered by their access authorisation, by means of individual user identities and confidential access modes only;  Sequence 12
Article 1, first paragraph, point (81), amending provision(7)(f)				
1094	(f) ensure that it is possible to verify and establish to which bodies personal data may be transmitted and what data has been processed in the relevant fisheries data bases, when, by whom and for what purpose;		(f) ensure that it is possible to verify and establish to which bodies personal data may be transmitted and what data has been processed in the relevant fisheries data bases, when, by whom and for what purpose;	(f) ensure that it is possible to verify and establish to which bodies personal data may be transmitted and what data has been processed in the relevant fisheries data bases, when, by whom and for what purpose;  Sequence 12
Article 1, first paragraph, point (81), amending provision(7)(g)				
1095	(g) prevent the unauthorised reading, copying, modification or deletion of personal data during the transmission of personal data to or from the relevant fisheries data bases or during the transport of data media, in particular by means of appropriate encryption		(g) prevent the unauthorised reading, copying, modification or deletion of personal data during the transmission of personal data to or from the relevant fisheries data bases or during the transport of data media, in particular by means of appropriate encryption	(g) prevent the unauthorised reading, copying, modification or deletion of personal data during the transmission of personal data to or from the relevant fisheries data bases or during the transport of data media, in particular by means of appropriate encryption

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	techniques;		techniques;	techniques; <a href="#">Sequence 12</a>
Article 1, first paragraph, point (81), amending provision(7)(h)				
1096	(h) monitor the effectiveness of the security measures referred to in this paragraph and take the necessary organisational measures related to internal monitoring to ensure compliance with this Regulation.		(h) monitor the effectiveness of the security measures referred to in this paragraph and take the necessary organisational measures related to internal monitoring to ensure compliance with this Regulation.	(h) monitor the effectiveness of the security measures referred to in this paragraph and take the necessary organisational measures related to internal monitoring to ensure compliance with this Regulation.  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (81), amending provision(8)				
1097	8. Member States shall take measures equivalent to those referred to in paragraph 7 as regards security in respect of the processing of personal data by the authorities having a right to access any of the relevant fisheries data bases.		8. Member States <a href="#">authorities</a> shall take measures equivalent to those referred to in paragraph 7 as regards security in respect of the processing of personal data by the authorities having a right to access any of the relevant fisheries data bases.	GA accepted with minor linguistic changes.  8. <a href="#">The authorities of the</a> Member States shall take measures equivalent to those referred to in paragraph 7 as regards security in respect of the processing of personal data by the authorities having a right to access any of the relevant fisheries <del>data</del> <a href="#">basesdatabases</a> .  " <a href="#">Sequence 12</a>
Article 1, first paragraph, point (80a)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1099a		<p><u><a href="#">(80a) Article 113 is amended as follows</a></u>  <u><a href="#">(a) paragraph 2 is replaced by the following:</a></u>  <u><a href="#">"2. The data exchanged between Member States and the Commission may be transmitted to persons other than those in Member States or Community institutions whose functions require them to have such access unless the Member States transmitting the data provide a reasoned refusal to disclose the data."</a></u></p> <p>Plenary AM 333 (Greens/EFA)</p>		<p>Flexibility to accept the following Presidency proposal:</p> <p>"1. Member States and the Commission shall take all necessary steps to ensure that data covered by professional and commercial secrecy, collected, received and transmitted within the framework of this Regulation are treated in accordance with applicable rules on professional and commercial secrecy of data.</p> <p>2. Data referred to in paragraph 1 exchanged between Member States and the Commission may only be transmitted to persons other than those in Member States or the Commission or body designated by it whose functions require them to have such access, with the consent of the Member State or institution which has provided that information. In the case of a refusal, the Member State or the Union institution shall provide the reasons for refusal to transmit the data. The absence of a reply to a request for consent within a period of 1 month shall be regarded as consent."</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 12
Article 1, first paragraph, point (80b)				
1099b		<p><u>(80b) Article 113 is amended as follows</u>  <u>(b) paragraph 3 is replaced by the following:</u>  <u>"3. The data referred to in paragraph 1 may be used for a purpose other than that provided for in this Regulation unless the authorities providing the data provide a reasoned refusal for it to be so used."</u></p> <p>Plenary AM 334 (Greens/EFA)</p>		<p>Flexibility to accept the following Presidency proposal:</p> <p>3. The data referred to in paragraph 1 shall not be used for any purpose other than that provided for in this Regulation except with the consent of the Member State or institution which has provided that information and on condition that the provisions in force in the Member State of the authority receiving the data do not prohibit such use. In the case of a refusal, the Member State or the Union institution shall provide the reasons for refusal.</p> <p>Sequence 12</p>
Article 1, first paragraph, point (80c)				
1099c		<p><u>(80c) Article 113 is amended as follows</u>  <u>(c) the following paragraph is added:</u>  <u>"7a. This Article is without</u></p>		<p>Reject EP amendment.</p> <p>Sequence 12</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u><a href="#">prejudice to Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents and Regulation (EC) No 1367/2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies.</a></u></p> <p>Plenary AM 335 (Greens/EFA)</p>		
Article 1, first paragraph, point (82), introductory part				
1100	(81) Articles 114 and 115 are replaced by the following:		( <del>81</del> 82) Articles 114 and 115 are replaced by the following:	Sequence 12
Article 1, first paragraph, point (82), amending provision, first paragraph				
1101	" Article 114		" Article 114	" Article 114  Sequence 12
Article 1, first paragraph, point (82), amending provision, second paragraph				
1102	Official website		Official website	Official <del>website</del> <a href="#">websites</a>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 12
Article 1, first paragraph, point (82), amending provision, third paragraph				
1103	"For the purpose of this Regulation, each Member State shall set up and keep up-to date an official website for operators and the general public, containing as a minimum the information listed in Article 115.	" "For the purpose of this Regulation, each Member State <u>or region</u> shall set up and keep up-to date an official website <u>or websites</u> for operators and the general public, containing as a minimum the information listed in Article 115.  EP AM 282, EX AM 1056 (Renew)	"For the purpose of this Regulation, each Member State shall set up and keep up-to date an official website for operators and the general public, containing as a minimum the information listed in Article 115.	GA accepted with minor linguistic change:  "For the purpose of this Regulation, each Member State shall set up and keep up-to date an official <del>website</del> <u>websites</u> for operators and the general public, containing as a minimum the information listed in Article 115.  Sequence 12
Article 1, first paragraph, point (82), amending provision, fourth paragraph				
1104	Article 115		Article 115	Article 115  Sequence 12
Article 1, first paragraph, point (82), amending provision, fifth paragraph				
1105	Content of the website		Content of the website	Flexibility to accept the following text:  Content of the <u>official</u> website  Sequence 12
Article 1, first paragraph, point (82), amending provision, sixth paragraph, introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1106	On their websites, Member States shall publish without delay, or provide a direct link to, the following information:	On their websites, Member States <u>or regions</u> shall publish without delay, or provide a direct link to, the following information:  EP AM 283, EX AM 1057 (Renew)	On their websites, Member States shall publish without delay, or provide a direct link to, the following information:	See row 1105  On their <u>official</u> websites, Member States shall publish without delay, or provide a direct link to, the following information:  Sequence 12
Article 1, first paragraph, point (82), amending provision, sixth paragraph(a)				
1107	(a) the names and addresses of the competent authorities responsible for issuing fishing licences, and fishing authorisations referred to in Article 7;		(a) the names and addresses of the competent authorities responsible for issuing fishing licences, and fishing authorisations referred to in Article 7;	(a) the names and addresses of the competent authorities responsible for issuing fishing licences, and fishing authorisations referred to in Article 7;  Sequence 12
Article 1, first paragraph, point (82), amending provision, sixth paragraph(b)				
1108	(b) the list of designated ports for the purpose of transshipment specifying their operating hours, as referred to in Article 20;		(b) the list of designated ports for the purpose of transshipment specifying their operating hours, as referred to in Article 20;	GA accepted with minor linguistic change:  (b) the list of designated ports, <u>specifying their operating hours</u> , for the purpose of transshipment <del>specifying their operating hours</del> , as referred to in Article 20;  Sequence 12
Article 1, first paragraph, point (82), amending provision, sixth paragraph(c)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1109	(c) one month after the entry into force of a multiannual plan, and after approval by the Commission, the list of designated ports, specifying their operating hours as referred to in Article 43, and within 30 days thereafter, the associated conditions for recording and reporting the quantities of the species under the multiannual plan for each landing;		(c) one month after the entry into force of a multiannual plan, and after approval by the Commission, the list of designated ports, specifying their operating hours as referred to in Article 43, and within 30 days thereafter, the associated conditions for recording and reporting the quantities of the species under the multiannual plan for each landing;	GA accepted with minor linguistic change:  (c) one month after- <u> </u> the entry into force of a multiannual plan, and <u>after on</u> approval by the Commission, the list of designated ports, specifying their operating hours, as referred to in Article 43, and within 30 days thereafter, the associated conditions for recording and reporting the quantities of the species under the multiannual plan for each landing;  <u>Sequence 12</u>
Article 1, first paragraph, point (82), amending provision, sixth paragraph(d)				
1110	(d) the decision establishing the real-time closure, and defining clearly the geographical area of the affected fishing grounds, the duration of the closure and the conditions governing fisheries in that area during the closure, as referred to in Article 53(2);		(d) the decision establishing the real-time closure, and defining clearly the geographical area of the affected fishing grounds, the duration of the closure and the conditions governing fisheries in that area during the closure, as referred to in Article 53(2);	GA accepted with minor linguistic change:  (d) the decision establishing the real-time closure, <u>and</u> <u>defining including</u> clearly <u>defining</u> the geographical area of the affected fishing grounds, the duration of the closure and the conditions governing fisheries in that area during the closure, as referred to in Article 53(2);  <u>Sequence 12</u>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (82), amending provision, sixth paragraph(e)				
1111	(e) the contact point details for the transmission or submission of fishing logbooks, prior notifications, transshipment declarations, landing declarations, sales notes, take-over declarations and transport documents as referred to in Articles 14, 17, 20, 23, 55, 62, 66 and 68;		(e) the contact point details for the transmission or submission of fishing logbooks, prior notifications, transshipment declarations, landing declarations, sales notes, take-over declarations and transport documents as referred to in Articles 14, 17, 20, 23, 55, 62, 66 and 68;	Flexibility to accept the following Presidency proposal:  (e) the contact point details for the transmission or submission of fishing logbooks, prior notifications, transshipment declarations, landing declarations, sales notes, take-over declarations, transport documents, and reports on catches from recreational fisheries as referred to in Articles 14, 17, 20, 23, 55, 62, 66 and 68;  Sequence 12
Article 1, first paragraph, point (82), amending provision, sixth paragraph(f)				
1112	(f) a map with the coordinates of the area of temporary real-time closures as referred to in Article 54, specifying the duration of the closure and the conditions governing fisheries in that area during the closure;		(f) a map with the coordinates of the area of temporary real-time closures as referred to in Article 54, specifying the duration of the closure and the conditions governing fisheries in that area during the closure;	(f) a map with the coordinates of the area of temporary real-time closures as referred to in Article 54, specifying the duration of the closure and the conditions governing fisheries in that area during the closure;  Sequence 12
Article 1, first paragraph, point (82), amending provision, sixth paragraph(g)				
1113	(g) the decision to close a fishery		(g) the decision to close a fishery	GA accepted with minor linguistic change:

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	under Article 35 and all necessary details;		under Article 35 and all necessary details;	(g) the decision to close a fishery under Article 35, <del>including and</del> all necessary details;  Sequence 12
Article 1, first paragraph, point (82), amending provision, sixth paragraph(h)				
1114	(h) a list of the fishing restricted areas and corresponding restrictions		(h) a list of the fishing restricted areas and corresponding restrictions	(h) a list of the fishing restricted areas and corresponding restrictions;  Sequence 12
Article 1, first paragraph, point (82), amending provision, sixth paragraph(i)				
1115	(i) a list of registered weighers specifying the port and the weighing facility in accordance with Article 59a. "		(i) a list of <u>operators who may carry out weighing under Article 60(1c)</u> <del>registered weighers</del> specifying the port and the weighing facility <del>in accordance with Article 59a.</del> "	GA accepted.  (i) a list of <u>operators who may carry out weighing under Article 60(1c)</u> <del>registered weighers</del> specifying the port and the weighing facility <del>in accordance with Article 59a.</del> ";  Sequence 12
Article 1, first paragraph, point (82), amending provision, sixth paragraph(ia)				
1115a		<u>(ia) the national control programme set, the results and the evaluation report made by the Commission at least 30 days after</u>		Flexibility to accept the following EP proposal:  EP proposal 2.2.2023 (ia) the national control

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u><a href="#">the dates established in Article 93a.</a></u></p> <p>EP AM 284, EX AM 1059 (S&amp;D)</p>	"	<p>programme referred to in article 93a, with the exception of those parts of the plan the disclosure of which could undermine the effectiveness of official controls.</p> <p>(ib) the annual report on controls and inspections and a link to the Commission's website including the compilation of information from reports referred to in paragraph 1 of article 93b</p> <p>Sequence 12</p>
Article 1, first paragraph, point (81), amending provision, sixth paragraph, point (ib)				
1115b				<p>COM proposal accepted in line with revised mandate:</p> <p><u><a href="#">(ib) the shorter period for prior notification set out under Article 17( 1a).</a></u></p> <p>Sequence 12</p>
Article 1, first paragraph, point (83)				
1116	(82) Article 116 is deleted.		( <del>8283</del> ) Article 116 is deleted.	<p>(<del>8283</del>) Article 116 is deleted.;</p> <p>Sequence 12</p>
Article 1, first paragraph, point (84), introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1117	(83) in Article 117, paragraph 4 is replaced by the following:		( <del>83</del> 84) in Article 117, paragraph 4 is replaced by the following:	( <del>83</del> 84) in Article 117, paragraph 4 is replaced by the following: <a href="#">Sequence 12</a>
Article 1, first paragraph, point (84), amending provision(4), first subparagraph, introductory part				
1118	" 4. The Commission may by means of implementing acts, lay down rules on mutual assistance concerning:		" 4. The Commission may by means of implementing acts, lay down rules on mutual assistance concerning:	" 4. The Commission may <sub>1</sub> by means of implementing acts, lay down rules on mutual assistance concerning: <a href="#">Sequence 12</a>
Article 1, first paragraph, point (84), amending provision(4), first subparagraph(a)				
1119	(a) administrative cooperation between Member States, third countries, the Commission and the body designated by it;		(a) administrative cooperation between Member States, third countries, the Commission and the body( <i>ies</i> ) designated by it;	(a) administrative cooperation between Member States, third countries, the Commission and the body designated by it; <a href="#">Sequence 12</a>
Article 1, first paragraph, point (84), amending provision(4), first subparagraph(b)				
1120	(b) costs of executing a requests for assistance;		(b) <i>costs of executing a requests for assistance;</i>	GA accepted. (b) <i>costs of executing a requests for assistance;</i> <a href="#">Sequence 12</a>
Article 1, first paragraph, point (84), amending provision(4), first subparagraph(c)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1121	(c) designation of Member States' single authority;		(c) designation of Member States' single authority;	(c) designation of Member States' single authority; <a href="#">Sequence 12</a>
Article 1, first paragraph, point (84), amending provision(4), first subparagraph(d)				
1122	(d) communication of follow-up measures taken by national authorities further to exchange of information;		(d) communication of follow-up measures taken by national authorities further to exchange of information;	(d) communication of follow-up measures taken by national authorities further to exchange of information; <a href="#">Sequence 12</a>
Article 1, first paragraph, point (84), amending provision(4), first subparagraph(e)				
1123	(e) request for assistance, including requests for information, requests for measures and requests for administrative notifications and establishing deadlines for replies;		(e) request for assistance, including requests for information, requests for measures and requests for administrative notifications and establishing deadlines for replies;	GA accepted with linguistic improvements: (e) <del>request</del> <a href="#">requests</a> for assistance, including requests for information, <del>requests for</del> measures and <del>requests for</del> administrative notifications, and establishing deadlines for replies; <a href="#">Sequence 12</a>
Article 1, first paragraph, point (84), amending provision(4), first subparagraph(f)				
1124	(f) information without prior request;		(f) information without prior request;	(f) information without prior request;

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				<a href="#">Sequence 12</a>
Article 1, first paragraph, point (84), amending provision(4), first subparagraph(g)				
1125	(g) Member States' relations with the Commission and with third countries.		(g) Member States' relations with the Commission and with third countries.	GA accepted with linguistic improvement:  (g) Member States' relations with the Commission and <del>with</del> third countries.  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (84), amending provision(4), second subparagraph				
1126	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). "	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "; "  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (85), introductory part				
1127	(84) in Article 118, paragraph 5 is replaced by the following:		<del>(8485)</del> in Article 118, paragraph 5 is replaced by the following:	<del>(8485)</del> in Article 118, paragraph 5 is replaced by the following:  <a href="#">Sequence 12</a>
Article 1, first paragraph, point (85), amending provision(5), first subparagraph				
1128	" 5. The Commission may, by		" 5. The Commission may, by	GA accepted with linguistic improvement:

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	means of implementing act, lay down rules concerning the content and format of the reports by Member States.		means of implementing act, lay down rules concerning the content and format of the reports by Member States.	" 5. The Commission may, by means of implementing <del>acts</del> <u>acts</u> , lay down rules concerning the content and format of the reports by Member States.  Sequence 12
Article 1, first paragraph, point (85), amending provision(5), second subparagraph				
1129	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). "	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). <u>":</u> "  Sequence 12
Article 1, first paragraph, point (86), introductory part				
1130	(85) Article 119 is replaced by the following		( <del>8586</del> ) Article 119 is replaced by the following	( <del>8586</del> ) Article 119 is replaced by the following:  Sequence 12
Article 1, first paragraph, point (86), amending provision, first paragraph				
1131	" Article 119		" Article 119	" Article 119  Sequence 12
Article 1, first paragraph, point (86), amending provision, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
1132	Committee procedure		Committee procedure	Committee procedure <a href="#">Sequence 12</a>
Article 1, first paragraph, point (86), amending provision(1)				
1133	1. The Commission shall be assisted by the Committee for Fisheries and Aquaculture established by Article 47 of Regulation (EU) 1380/2013. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council (*).		1. The Commission shall be assisted by the Committee for Fisheries and Aquaculture established by Article 47 of Regulation (EU) 1380/2013. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council (*).	1. The Commission shall be assisted by the Committee for Fisheries and Aquaculture established by Article 47 of Regulation (EU) 1380/2013. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council (*). <a href="#">Sequence 12</a>
Article 1, first paragraph, point (86), amending provision(2)				
1134	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.		2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. <a href="#">Sequence 12</a>
Article 1, first paragraph, point (86), amending provision, fifth paragraph				
1135	(* Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the		(* Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the	(* Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13) "		rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13) "	rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13)."; <a href="#">Sequence 12</a> "
Article 1, first paragraph, point (87), introductory part				
1136	(86) the following Article 119a is inserted:		( <del>86</del> 87) the following Article 119a is inserted:	( <del>86</del> 87) the following Article 119a is inserted: <a href="#">Sequence 12</a>
Article 1, first paragraph, point (87), amending provision, first paragraph				
1137	" Article 119a		" Article 119a	" Article 119a <a href="#">Sequence 12</a>
Article 1, first paragraph, point (87), amending provision, second paragraph				
1138	Exercise of the delegation		Exercise of the delegation	Exercise of the delegation <a href="#">Sequence 12</a>
Article 1, first paragraph, point (87), amending provision(1)				
1139	1. The power to adopt delegated		1. The power to adopt delegated	1. The power to adopt delegated

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	acts is conferred on the Commission subject to the conditions laid down in this Article.		acts is conferred on the Commission subject to the conditions laid down in this Article.	acts is conferred on the Commission subject to the conditions laid down in this Article. <a href="#">Sequence 12</a>
Article 1, first paragraph, point (87), amending provision(2)				
1140	2. The delegation of powers referred to in Articles 7(6), 9(7), 9a(4), 15a(1), 17(6), 21(6), 22(4), 24(5), 39a(4), 58(9), 59a(4), 60a(1) and (2), 73(9), 74(6), 75(2), 92(10), 93a(3), and 107(4) shall be conferred for an indeterminate period of time.		2. The delegation of powers referred to in Articles <del>7(6), 9(7), 9a(4), 15a(1),</del> 17(6), 21(6), <del>22(4), 24(5), 39a(4), 58(9), 59a(4), 60a(1) and (2), 73(9), 74(6)</del> <a href="#">41(3), 44(4), 46a</a> , 75(2), 92( <del>10</del> <a href="#">13</a> ); <del>93a(3), and 107(4)</del> shall be conferred for an indeterminate period of time.	Defend GA <a href="#">Sequence 12</a>
Article 1, first paragraph, point (87), amending provision(3)				
1141	3. The delegation of powers referred to in Articles 7(6), 9(7), 9a(4), 15a(1), 17(6), 21(6), 22(4), 24(5), 39a(4), 58(9), 59a(4), 60a(1) and (2), 73(9), 74(6), 75(2), 92(10), 93a(3), and 107(4) 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 in that decision. It shall		3. The delegation of powers referred to in Articles <del>7(6), 9(7), 9a(4), 15a(1),</del> 17(6), 21(6), <del>22(4), 24(5), 39a(4), 58(9), 59a(4), 60a(1) and (2), 73(9), 74(6)</del> <a href="#">41(3), 44(4), 46a</a> , 75(2), 92( <del>10</del> <a href="#">13</a> ); <del>93a(3), and 107(4)</del> may be revoked at any time by the European Parliament or by the Council. <del>A decision of revocation shall put an end to the delegation of the power</del>	Defend GA <a href="#">Sequence 12</a>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	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.		<del>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.</del>	
Article 1, first paragraph, point (87), amending provision, numbered paragraph (3a)				
1141a			<u>3a. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</u>	Defend GA Sequence 12
Article 1, first paragraph, point (87), amending provision, numbered paragraph (3b)				
1141b			<u>3b. 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.</u>	Defend GA Sequence 12

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (87), amending provision(4)				
1142	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.	4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.  Sequence 12
Article 1, first paragraph, point (87), amending provision(5)				
1143	5. A delegated act adopted pursuant to Articles 7(6), 9(7), 9a(4), 15a(1), 17(6), 21(6), 22(4), 24(5), 39a(4), 58(9), 59a(4), 60a(1) and (2), 73(9), 74(6), 75(2), 92(10), 93a(3), and 107(4) 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 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		5. A delegated act adopted pursuant to Articles <del>7(6), 9(7), 9a(4), 15a(1)</del> , 17(6), 21(6), <del>22(4), 24(5), 39a(4), 58(9), 59a(4), 60a(1) and (2), 73(9), 74(6)</del> <u>41(3), 44(4), 46a</u> , 75(2), 92( <del>10</del> 13); <del>93a(3), and 107(4)</del> 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 Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the	Defend GA  Sequence 12

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	Parliament or the Council.	"	initiative of the European Parliament or the Council.	"
Article 1, first paragraph, point (88)				
1144	(87) Annex I is deleted.		(8788) Annex I is deleted.	(8788) Annex I is deleted. Sequence 12
Article 1, first paragraph, point (89)				
1145	(88) The texts set out in Annex I to this Regulation are added as Annexes III and IV.		(8889) The texts set out in Annex I to this Regulation are added as Annexes III and IV.	(8889) The <del>text</del> set out in Annex I to this Regulation <del>are</del> added as Annexes III and IV. Sequence 12
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 <del>shall</del> may 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.	Defend GA Sequence 12 Sequence 1

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
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 <del>5</del> <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 <del>which may be retained</del> <u>for until the completion of the procedure concerned and for no longer than</u> 10 years.	GA accepted.  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 <del>5</del> <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 <del>which may be retained</del> <u>for until the completion of the procedure concerned and for no longer than</u> 10 years.  Sequence 12 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 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</u>	Defend GA  Sequence 12 Sequence 1

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u><i>proceedings, until the completion of the procedure concerned and for no longer than 10 years.</i></u>	

## Sequence 13 (Traceability)

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (1)(f)				
143	(f) point 20 is replaced by the following:		(f) point 20 is replaced by the following:	(f) point 20 is replaced by the following: <a href="#">Sequence 13</a>
Article 1, first paragraph, point (1)(f), amending provision(20)				
144	" 20. 'lot' means a batch of units of fishery or aquaculture products; "	" 20. 'lot' means a <i>batch of <del>units</del> specific quantity</i> of fishery or aquaculture products <i>of a given species which have a common origin</i> ; "  <a href="#">EP AM 43, EX CA 2A</a>	" 20. 'lot' means a batch of units of fishery or aquaculture products; "	<a href="#">Sequence 13</a>
Article 1, first paragraph, point (1)(fa)				
144a		<a href="#">(fa) the following point is inserted:</a> <a href="#">20a. 'batch' means a specific quantity of fishery or aquaculture</a>		<a href="#">Sequence 13</a>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<u>products;</u> EP AM 44, EX CA 2A		
Article 1, first paragraph, point (1)(fb)				
144b		<u>(fb) point 21 is replaced by the following:</u> <u>21. ‘processing’ means the process by which the fishery or aquaculture products are prepared. It includes any kind of cutting, filleting, packing, canning, freezing, smoking, salting, cooking, pickling, drying or preparing fisheries or aquaculture products for market in any other manner;</u> EP AM 45, EX CA 1B		Sequence 13
Article 1, first paragraph, point (1)(h)				
147	(h) point 23 is deleted.	(h) <del>point 23 is deleted.</del> EP AM 47, EX AM 12 (Rapporteur) and 200 (The Left)	(h) point 23 is deleted.	Sequence 13
Article 1, first paragraph, point (1)(k), amending provision(36)				
153b				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>36. 'unique fishing trip identification number' means the specific number generated by the electronic fishing logbook for each fishing trip;</u>	Sequence 13 Sequence 4 Sequence 7  Commission drafting suggestion on 2/3/22:  36. 'unique fishing trip identification number' means the specific number generated by the electronic fishing logbook for each fishing trip or by the electronic catch declaration in the case of fishing without a vessel;
Article 1, first paragraph, point (1)(ka)				
153d		<u>(ka) the following point is added: 34a. 'direct sale' means the sale of fishery and aquaculture products, whether fresh or processed, by the producer or its delegated natural person, to the final consumer at any location, including in an itinerant manner, without intermediaries.</u>  EP AM 50, EX AM 209 (GREENS/EFA) and 213 (S&D)	<u>(ka)</u>	Sequence 13
Article 1, first paragraph, point (1)(kc)				
153f		<u>(kc) the following point is added:</u>		Sequence 13

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u>34c. 'traceability' means the ability to systematically trace and follow all or part of the information concerning a food through all stages of its production, processing and distribution, in terms of registered identifications;</u></p> <p>EP AM 52, EX AM 14 (Rapporteur)</p>		
Article 1, first paragraph, point (45)				
528	(45) the heading of Title V is replaced by the following:		(45) the heading of Title V is replaced by the following:	(45) the heading of Title V is replaced by the following:  Sequence 13
Article 1, first paragraph, point (45), amending provision, first paragraph				
529	“ TITLE V		“ TITLE V	“ TITLE V  Sequence 13
Article 1, first paragraph, point (45), amending provision, second paragraph				
530	CONTROLS IN THE SUPPLY CHAIN. ”		CONTROLS IN THE SUPPLY CHAIN. ”	CONTROLS IN THE SUPPLY CHAIN. ”

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				<a href="#">Sequence 13</a>
Article 1, first paragraph, point (46)				
531	(46) in Title V, Chapter I is replaced by the following:		(46) in Title V, Chapter I is replaced by the following:	(46) in Title V, Chapter I is replaced by the following: <a href="#">Sequence 13</a>
Article 1, first paragraph, point (46), amending provision, first paragraph				
532	“ Chapter I		“ Chapter I	“ Chapter I <a href="#">Sequence 13</a>
Article 1, first paragraph, point (46), amending provision, second paragraph				
533	GENERAL PROVISIONS		GENERAL PROVISIONS	GENERAL PROVISIONS <a href="#">Sequence 13</a>
Article 1, first paragraph, point (46), amending provision, third paragraph				
534	Article 56		Article 56	Article 56 <a href="#">Sequence 13</a>
Article 1, first paragraph, point (46), amending provision, fourth paragraph				
535	Principles for the control of marketing		Principles for the control of marketing	Principles for the control of marketing

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 13
Article 1, first paragraph, point (46), amending provision(1)				
536	<p>1. Each Member State shall be responsible for controlling on its territory the application of the rules of the common fisheries policy at all stages of marketing of fishery and aquaculture products, from their placing on the market to the retail sale, including transport. Member States shall in particular take measures to ensure that the use of fishery products below the applicable minimum conservation reference size that are subject to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 is restricted to purposes other than direct human consumption.</p>	<p>“</p> <p>1. Each Member State shall be responsible for controlling on its territory the application of the rules of the common fisheries policy at all stages of marketing of fishery and aquaculture products, from their placing on the market to the retail sale, including <u>the HORECA sector and</u> transport. Member States shall in particular take measures to ensure that the use of fishery products below the applicable minimum conservation reference size that are subject to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 is restricted to purposes other than direct human consumption. <u>By way of derogation from Article 15(11) of Regulation (EU) No 1380/2013, in the interests of social solidarity and in order to reduce wastage, products from fish under the relevant minimum conservation reference sizes that are subject to</u></p>	<p>1. Each Member State shall be responsible for controlling on its territory the application of the rules of the common fisheries policy at all stages of marketing of fishery and aquaculture products, from their placing on the market to the retail sale, including transport. Member States shall, in particular, take measures to ensure that the use of fishery products below the applicable minimum conservation reference size that are subject to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 is restricted to purposes other than direct human consumption, <u>except where other rules of the common fisheries policy provide otherwise.</u></p>	Sequence 13

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u><i>a landing obligation may be donated for charitable and/or social purposes. That derogation shall not result in the creation of a market for catches below the minimum conservation reference size.</i></u></p> <p>Plenary AM 332 (Greens/EFA)</p>		
Article 1, first paragraph, point (46), amending provision(2)				
537	2. Where a minimum size has been fixed for a given species in Union legislation, operators responsible for purchasing, selling, stocking or transporting shall be able to prove the relevant geographical area of origin of the products.		2. Where a minimum size has been fixed for a given species in Union legislation, operators responsible for purchasing, selling, stocking or transporting shall be able to prove the relevant geographical area of origin of the products.	2. Where a minimum size has been fixed for a given species in Union legislation, operators responsible for purchasing, selling, stocking or transporting shall be able to prove the relevant geographical area of origin of the products.  Sequence 13
Article 1, first paragraph, point (46), amending provision, seventh paragraph				
538	Article 56a		Article 56a	Article 56a  Sequence 13
Article 1, first paragraph, point (46), amending provision, eighth paragraph				
539	Lots		<u><i>Composition of lots of certain</i></u>	Defend GA.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>fishery and aquaculture products</u> <del>Lots</del>	Sequence 13
Article 1, first paragraph, point (46), amending provision(1)				
540	1. Fishery and aquaculture products from catching or harvesting shall be put into lots prior to placing on the market.	1. Fishery and aquaculture products <del>from catching or harvesting</del> shall be put into lots prior to placing on the market.  EP AM 163, EX CA 2B	1. Fishery and aquaculture products <del>from catching or harvesting</del> <u>falling under Chapter 3 of the Combined nomenclature established by Council Regulation (EEC) No 2658/87*</u> shall be put into lots <u>by the operator</u> prior to <u>their</u> placing on the market.	Flexibility to withdraw GA and revert to the original COM proposal.  Sequence 13
Article 1, first paragraph, point (46), amending provision(2)				
541	2. A lot shall only contain fishery or aquaculture products of a single species, of the same presentation and coming from the same relevant geographical area and from the same fishing vessel, or group of fishing vessels, or coming from the same aquaculture production unit.	2. <del>A lot shall only contain</del> <u>For the purpose of placing</u> fishery or aquaculture products <u>on the market, for products falling under Chapter 3 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87, each lot shall consist</u> of a single species, of the same presentation and coming from the same relevant geographical area and from the same fishing vessel, or group of fishing vessels, or coming from the same aquaculture production unit.	2. A lot <del>shall only contain fishery or aquaculture products of a single species, of the same presentation and coming from the same relevant geographical area and from the same fishing vessel, or group of fishing vessels, or coming from the same aquaculture production</del> <u>unit as referred to in paragraph 1 shall only contain:</u>	Flexibility to accept the following COM proposal:  COM proposal 20.10.2022  2. A lot of fishery and aquaculture products falling under Chapter 3 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87* shall only contain:  Sequence 13

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		EP AM 164, EX CA 2C		
Article 1, first paragraph, point (46), amending provision(2), point (a)				
541a			<u>(a) fishery products of a single species, of the same product presentation and coming from the same relevant geographical area and from the same fishing vessel, or group of fishing vessels, or</u>	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(2), point (b)				
541b			<u>(b) aquaculture products of a single species, of the same product presentation and coming from the same aquaculture production unit.</u>	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(3)				
542	3. By way of derogation from paragraph 2, quantities of fishery products totalling less than 30kg of fishery products of several species and coming from the same relevant geographical area and of the same presentation, per vessel and per day, may be put into the same lot by the operator of the fishing	3. <del>By way of derogation from</del> <u>Notwithstanding</u> paragraph 2, quantities of fishery products totalling less than 30kg of fishery products of several species and coming from the same relevant geographical area and of the same presentation, per vessel and per day, may be put into the same	3. By way of derogation from paragraph 2, <u>Member States may lay down that</u> quantities of fishery products, <u>other than fishery products below the applicable minimum conservation reference size</u> , totalling less than 30kg of fishery products of several species and coming from the same relevant	Flexibility to accept the following COM proposal:  COM proposal 20.10.2022  3. By way of derogation from paragraph 2, prior to the placing on the market, quantities of fishery products falling under Chapter 3 of the Combined Nomenclature

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	vessel, the producer organisation of which the operator of the fishing vessel is a member or by a registered buyer, prior to the placing on the market.	<del>lot</del> <u>batch</u> by the operator of the fishing vessel, the producer organisation of which the operator of the fishing vessel is a member, <u>by the fisheries auction</u> or by <del>at</del> <u>the</u> registered buyer, prior to the placing on the market.  EP AM 165, EX CA 2D	geographical area and of the same <u>product</u> presentation, per <u>catching</u> vessel and per day, may be put into the same lot <del>by the operator of the fishing vessel, the producer organisation of which the operator of the fishing vessel is a member or by a registered buyer,</del> prior to <del>the</del> <u>their</u> placing on the market.	totalling less than 30 kg of fishery products of several species and coming from the same relevant geographical area and of the same product presentation, per catching vessel and per day, may be put into the same lot.  <u>Sequence 13</u>
Article 1, first paragraph, point (46), amending provision(4)				
543	4. By way of derogation from paragraph 2, quantities of fishery products of several species, consisting of individuals below the applicable minimum conservation reference size and coming from the same relevant geographical area and the same fishing vessel, or group of fishing vessels, may be put into lots prior to the placing on the market for purposes other than direct human consumption.		4. By way of derogation from paragraph 2, quantities of fishery products of several species, consisting of individuals below the applicable minimum conservation reference size and coming from the same relevant geographical area <del>and the same fishing vessel, or group of fishing vessels,</del> may be put into <del>lots</del> <u>the same lot</u> prior to <del>the</del> <u>their</u> placing on the market for purposes other than direct human consumption.	Flexibility to accept the following COM proposal:  COM proposal 20.10.2022  4. By way of derogation from paragraph 2, prior to the placing on the market, quantities of fishery products falling under Chapter 3 of the Combined Nomenclature of several species, consisting of individuals below the applicable minimum conservation reference size and coming from the same relevant geographical area and the same catching vessel, or group of catching vessels, may be put into lots for purposes other than direct human consumption.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 13
Article 1, first paragraph, point (46), amending provision, numbered paragraph (4a)				
543a		<p><u>4a. By way of derogation from Article 15(11) of Regulation (EU) No 1380/2013, in the interests of social solidarity and in order to reduce wastage, fish under the relevant minimum conservation reference sizes may be used for charitable and/or social purposes.</u></p> <p>EP AM 166, EX AM 691 (S&amp;D)</p>		<p>Reject EP amendment.</p> <p>Sequence 13</p>
Article 1, first paragraph, point (46), amending provision(5)				
544	<p>5. After the placing on the market, a lot of fishery or aquaculture products may only be merged with another lot or split, if the lot created by merging or the lots created by splitting meet the following conditions:</p>	<p>5. After the placing on the market, a lot of fishery or aquaculture products may only be merged with another lot or split, if the <del>lot</del><u>batch</u> created by merging or the lots created by splitting meet the following conditions:</p> <p>EP AM 167, EX CA 2E</p>	<p>5. After the <del>placing on the market</del><u>first sale</u>, a lot of fishery or aquaculture products <u>as referred to in paragraph 1</u> may only be merged with, <u>or split from</u>, another lot <u>of fishery or aquaculture products respectively</u><del>or split</del>, if the lot created by merging or the lots created by splitting meet the following conditions:</p>	<p>Flexibility to accept the following COM proposal:</p> <p>COM proposal 20.10.2022</p> <p>5. After the placing on the market, a lot of fishery or aquaculture products falling under Chapter 3 of the Combined Nomenclature may only be merged with another lot or split, if the lot created by merging or the lots created by splitting meet the following conditions:</p> <p>Sequence 13</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (46), amending provision(5), point (a)				
545	(a) they contain fishery or aquaculture products of a single species and of the same presentation;	(a) <del>they contain fishery or aquaculture products of a single species and of the same presentation;</del> EP AM 168, EX CA 2E	(a) they contain <u>either</u> fishery <u>products</u> or aquaculture products of a single species and of the same <u>product</u> presentation;	Flexibility to accept the deletion of this provision.  Note: This deletion leads to removal of certain limitations on the composition of a lot after placing on the market.  COM proposal 24.1.2023 Accept EP amendment  Sequence 13
Article 1, first paragraph, point (46), amending provision(5), point (b)				
546	(b) the traceability information listed in Article 58 paragraphs 5 and 6 is provided for the newly created lot(s);	(b) the traceability information listed in Article 58 paragraphs 5 and 6 is provided for the newly created <u>batch or</u> lot <del>(s)</del> ; EP AM 169, EX CA 2E	(b) the traceability information listed in Article <del>58 paragraphs 5 and 6</del> <u>58(5)</u> is provided for the newly created lot(s);	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(5), point (c)				
547	(c) the operator responsible for placing the newly created lot on the market is able to provide the information concerning the	(c) the operator responsible for <del>placing</del> <u>making the fishery or aquaculture products of</u> the newly created <u>batch or lot available</u> <del>lot</del>	(c) the operator responsible for <del>placing the newly created lot on the market</del> <u>creating the new lot</u> is able to provide the information	Flexibility to accept the following COM proposal:  COM proposal 20.10.2022

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	composition of the newly created lot, in particular the information relating to each of the lots of fishery or aquaculture products which it contains and the quantities of fishery or aquaculture products coming from each of the lots forming the new lot.	on the market is able to provide the information concerning the composition of the newly created <u>batch or</u> lot, in particular the information relating to each of the lots of fishery or aquaculture products which it contains, <u>including the species and their origin</u> <del>and the quantities of fishery or aquaculture products coming from each of the lots forming the new lot.</del>  EP AM 170, EX CA 2E	concerning the composition of the newly created lot(s), in particular the <del>information relating to each of the lots of fishery or aquaculture products which it contains and the</del> quantities of fishery or aquaculture products coming from each of the lots forming the new lot, <u>where possible.</u>	(c) the operator responsible for placing the newly created lot(s) on the market retains and is able to provide the information concerning the composition of the newly created lot(s), in particular the information relating to each of the lots of fishery or aquaculture products which it contains and the quantities of fishery or aquaculture products coming from each of the lots forming the new lot(s).  Sequence 13
Article 1, first paragraph, point (46), amending provision(6)				
548	6. This Article shall only apply to fishery and aquaculture products falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.	6. <u>Without prejudice to paragraph 2,</u> this Article shall <del>only</del> apply to fishery and aquaculture products falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.  EP AM 171, EX CA 2F	6. <del>This Article shall only apply to fishery and aquaculture products falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.</del>	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(7)				
548a			<u>7. This Article shall not apply to</u>	Defend GA.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u><i>ornamental fish, ornamental crustaceans and ornamental molluscs.</i></u>	Sequence 13
Article 1, first paragraph, point (46), amending provision, fifteenth paragraph				
549	Article 57		Article 57	Article 57 Sequence 13
Article 1, first paragraph, point (46), amending provision, sixteenth paragraph				
550	Common marketing standards		Common marketing standards	Common marketing standards Sequence 13
Article 1, first paragraph, point (46), amending provision(1)				
551	1. Member States shall check that the products to which common marketing standards apply are made available on the market in compliance with these standards.		1. Member States shall <del>check</del> <u>ensure</u> that the products to which common marketing standards apply are made available on the market in compliance with <del>these</del> <u>those</u> standards. <u>Member States shall undertake checks to ensure such compliance.</u>	GA accepted 1. Member States shall <del>check</del> <u>ensure</u> that the products to which common marketing standards apply are made available on the market in compliance with <del>these</del> <u>those</u> standards. <u>Member States shall undertake checks to ensure such compliance.</u> Sequence 13

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (46), amending provision, first subparagraph				
552	<p>2. Checks may take place at all stages in the supply chain including transport. In the case of products to which common marketing standards apply only at the placing on the market, checks carried out at further stages in the supply chain can be of a documentary nature.</p>	<p>2. Checks may take place at all stages in the supply chain, including transport <u>and catering</u>. In the case of products to which common marketing standards apply only at the placing on the market, checks carried out at further stages in the supply chain can be of a documentary nature.</p> <p>EP AM 172, EX AM 69 (Rapporteur)</p>	<p>2. <u>The</u> checks may take place at all stages in the supply chain, including transport. <del>In the case of products to which common marketing standards apply only at the placing on the market, checks carried out at further stages in the supply chain can be of a documentary nature.</del></p>	<p>Agreed in line with revised mandate.</p> <p>2. <u>The</u> checks may take place at all stages in the supply chain, including transport. <del>In the case of products to which common marketing standards apply only at the placing on the market, checks carried out at further stages in the supply chain can be of a documentary nature</del> <u>and catering</u>.</p> <p>Sequence 13</p>
Article 1, first paragraph, point (46), amending provision(3)				
553	<p>3. Operators at all stages of the supply chain responsible for purchasing, selling, stocking or transporting lots of fishery and aquaculture products shall be able to prove that the products comply with the minimum marketing standards.</p>		<p>3. Operators <del>at all stages of the supply chain</del> responsible for purchasing, selling, stocking or transporting lots of fishery and aquaculture products shall <u>at all stages of the supply chain</u> be able to prove that the products comply, <u>where applicable</u>, with the <del>minimum</del> <u>common</u> marketing standards.</p>	<p>3. Operators at all stages of the supply chain responsible for purchasing, selling, stocking or transporting lots of fishery and aquaculture products shall be able to prove that the products comply, <u>where applicable</u>, with the <del>minimum</del> <u>common</u> marketing standards.</p> <p>Sequence 13</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (46), amending provision, twentieth paragraph				
554	Article 58		Article 58	Article 58 Sequence 13
Article 1, first paragraph, point (46), amending provision, twenty-first paragraph				
555	Traceability		Traceability	Traceability Sequence 13
Article 1, first paragraph, point (46), amending provision(1)				
556	1. Without prejudice to traceability requirements set out in Regulation (EC) No 178/2002, lots of fishery or aquaculture products shall be traceable at all stages of production, processing and distribution, from catching or harvesting to retail stage, including fisheries and aquaculture products which are destined for export.	1. Without prejudice to traceability requirements set out in Regulation (EC) No 178/2002, lots <u>and batches</u> of fishery or aquaculture products shall be traceable at all stages of production, processing and distribution, from catching or harvesting to retail stage, including fisheries and aquaculture products which are destined for export.  EP AM 173, EX CA 16	1. Without prejudice to traceability requirements set out in Regulation (EC) No 178/2002, <u>fishery and aquaculture products shall be put into lots by operators and</u> <del>lots of fishery or aquaculture products</del> shall be traceable at all stages of production, processing and distribution, from catching or harvesting to retail stage, <del>including fisheries and aquaculture products which are destined for export.</del>	Defend GA Sequence 13
Article 1, first paragraph, point (46), amending provision(2)				
557	2. Operators at all stages of	2. Operators at all stages of	2. <del>Operators at all stages of</del>	Defend GA.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	production, processing and distribution, from catching or harvesting to retail stage, shall ensure that for each lot of fishery or aquaculture products, the information listed in paragraphs 5 and 6:	production, processing and distribution, from catching or harvesting to retail stage, shall ensure that for each lot <u>or batch</u> of fishery or aquaculture products, the information listed in paragraphs 5 and 6:  EP AM 174, EX CA 16	<del>production, processing and distribution, from catching or harvesting to retail stage, shall ensure that for each lot of fishery or aquaculture products, the information listed in paragraphs 5 and 6:</del>	Sequence 13
Article 1, first paragraph, point (46), amending provision(2), point (a)				
558	(a) is kept on record in a digitalised way;		(a) <del>is kept on record in a digitalised way;</del>	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(2), point (b)				
559	(b) is made available upon request to competent authorities;		(b) <del>is made available upon request to competent authorities;</del>	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(2), point (c)				
560	(c) is transmitted or made available, electronically, to the business operator to whom the fishery product or aquaculture		(c) <del>is transmitted or made available, electronically, to the business operator to whom the fishery product or aquaculture</del>	Defend GA.  Sequence 13

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	product is supplied.		<del>product is supplied.</del>	
Article 1, first paragraph, point (46), amending provision(3)				
561	3. Lots of fishery and aquaculture products placed on the market or likely to be placed on the market in the Union, or exported or likely to be exported, shall be adequately marked or labelled to ensure the traceability of each lot.	3. Lots <u>and batches</u> of fishery and aquaculture products placed <u>or made available</u> on the market or likely to be placed <u>or made available</u> on the market in the Union, or exported or likely to be exported, shall be adequately marked or labelled to ensure the traceability of each lot.  EP AM 175, EX CA 16	3. <del>Lots of fishery and aquaculture products placed on the market or likely to be placed on the market in the Union, or exported or likely to be exported, shall be adequately marked or labelled to ensure the traceability of each lot.</del>	Linked to row 572a.  Flexibility to accept the following COM proposal:  COM proposal 24.1.2023 3. Lots of fishery and aquaculture products made available on the market or likely to be made available on the market shall be adequately marked to ensure the traceability of each lot.  Sequence 13
Article 1, first paragraph, point (46), amending provision(4)				
562	4. Member States shall check that operators have in place digitalised systems and procedures to identify any operator from whom they have been supplied with lots of fishery and aquaculture products and to whom these products have been supplied. This information shall be made available to the competent authorities on demand.	4. Member States shall check that operators have in place digitalised systems and procedures to identify any operator from whom they have been supplied with lots <u>or batches</u> of fishery and aquaculture products and to whom these products have been supplied. This information shall be made available to the competent authorities on demand.	4. <del>Member States shall check that operators have in place digitalised systems and procedures to identify any operator from whom they have been supplied with lots of fishery and aquaculture products and to whom these products have been supplied. This information shall be made available to the competent authorities on demand.</del>	Linked to rows 581c, and 581e.  Flexibility to accept the following COM proposal:  COM proposal 24.1.2023  4. Member States shall check that operators have in place digitalised systems and procedures to identify any operator from whom they have been supplied with lots of fishery

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		EP AM 176, EX CA 16		and aquaculture products and to whom these products are supplied. This information shall be made available to the competent authorities on demand.  Sequence 13
Article 1, first paragraph, point (46), amending provision(5)				
563	5. Information on lots of fishery and aquaculture products, except products imported into the Union, the information referred to in paragraph 2 shall include:	5. Information on lots <u>or batches</u> of fishery and aquaculture products, except products imported into the Union, the information referred to in paragraph 2 shall include:  EP AM 177, EX CA 16	5. <del>Information on</del> <u>For</u> lots of fishery and aquaculture products; <del>except products imported into the Union, the information referred to in paragraph 2</del> <u>falling under Chapter 3 of the Combined nomenclature established by Regulation (EEC) No 2658/87, at least the following information</u> shall <del>include</del> <u>be made available</u> :	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(5), point (a)				
564	(a) the identification number of the lot;		(a) the identification number of the lot;	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(5), point (b)				
565	(b) the unique fishing trip identification number(s) referred to		(b) <u>in the case of products not imported into the Union,</u> the	Flexibility to accept the following COM proposal:

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	in Article 14(2)(a) of all fishery products included in the lot, or the name and registration number of the aquaculture production unit;		unique fishing trip identification number(s) <u>or the unique identifier(s) in the system</u> referred to in <u>point (a) of Article <del>14(2)(a)</del> of 54d(2) for</u> all fishery products included in the lot, or the name and, <u>where available, the registration number of the aquaculture production unit;</u>	COM proposal 20.10.2022  (b) in the case of fishery products not imported into the Union the unique fishing trip identification number(s) or the unique fishing day identification number(s) referred to in Article 54d for all fishery products included in the lot and the name and registration number of the producer or aquaculture production unit;  Sequence 13 Sequence 4
Article 1, first paragraph, point (46), amending provision(5)(b1)				
565a			<u>(b1) in the case of imported products, the reference of the catch certificate(s) submitted in accordance with Regulation (EC) No 1005/2008 for all fishery products included in the lot, where applicable, or the name and, where available, the registration number of the aquaculture production unit;</u>	Flexibility to accept the following COM proposal:  COM proposal 20.10.2022  (b1) in the case of imported products, the IMO number or if not applicable, other unique vessel identifier of the catching vessel(s), if applicable, the reference of the catch certificate(s) number submitted in accordance with Regulation (EC) No 1005/2008 for all fishery products included in the lot, where applicable, or the name and, where available, the

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				registration number of the aquaculture production unit; <a href="#">Sequence 13</a>
Article 1, first paragraph, point (46), amending provision(5), point (c)				
566	(c) the FAO alpha-3 code of the species and the scientific name;	(c) the FAO alpha-3 code of the species, <u>the scientific name</u> and the <del>scientific</del> <u>commercial common</u> name; <a href="#">EP AM 178, EX CA 16</a>	(c) the FAO alpha-3 code of the species and the scientific name;	Defend GA.  (c) the FAO alpha-3 code of the species and the scientific name;  <a href="#">Sequence 13</a>
Article 1, first paragraph, point (46), amending provision(5), point (d)				
567	(d) the relevant geographical area(s) for fishery products caught at sea, or the catch or production area as defined in Article 38(1) of Regulation (EU) No 1379/2013 for fishery products caught in freshwater and aquaculture products;		(d) the relevant geographical area(s) for fishery products caught at sea, or the catch or production area <u>for fishery products caught in freshwater and aquaculture products, as referred to as defined</u> in Article 38(1) of Regulation (EU) No 1379/2013 <del>for fishery products caught in freshwater and aquaculture products;</del>	Flexibility to accept the following COM proposal with deletion of the second sub-paragraph:  COM proposal 20.10.2022  (d) the relevant geographical area(s) for fishery products caught at sea, or the catch or production area for fishery products caught in freshwater and for aquaculture products, as referred to in Article 38(1) of Regulation (EU) No 1379/2013;  <del>In addition, for fishery products caught at sea the indication of whether the catch was taken on the</del>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				high seas and/or within an Exclusive Economic Zone(s), and whether the catch was taken in the convention area of a regional fisheries management organisation.  Sequence 13
Article 1, first paragraph, point (46), amending provision(5), point (e)				
568	(e) for fishery products, the category of fishing gear as laid down in the first column of Annex III to Regulation (EU) No 1379/2013;		(e) for fishery products, the category of fishing gear as laid down in the first column of Annex III to Regulation (EU) No 1379/2013;	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(5), point (f)				
569	(f) the date of catches for fishery products or date of harvest for aquaculture products, and the date of production where applicable;	(f) the date of catches <u>or unloading of catches</u> for fishery products or date of harvest for aquaculture products, <u>and/or</u> the date of production where applicable;  EP AM 179, EX CA 16	(f) the date(s) of catches for fishery products or date(s) of harvest for aquaculture products; <del>and the date of production where applicable;</del>	Flexibility to accept the following COM proposal, as amended by the Presidency:  COM proposal 20.10.2022  (f) the date(s) of catches for fishery products or date(s) of harvest for aquaculture products, <del>and the date of production where applicable;</del>  Sequence 13
Article 1, first paragraph, point (46), amending provision(5), point (g)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
570	(g) the quantities in kilograms expressed in net weight or, where appropriate, the number of individuals;		(g) the quantities in kilograms expressed in net weight or, where appropriate, the number of individuals;	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(5), point (h)				
571	(h) if fishery products below the minimum conservation reference size are present in the quantities referred to in point (g), separate information on the quantities in kilograms expressed in net weight, or the number of individuals below the minimum conservation reference size;		(h) <i>ifwhere</i> fishery products below the minimum conservation reference size are present in the <i>quantities referred to in point (g)lot</i> , separate information on the quantities in kilograms expressed in net weight, <i>or the number of individuals below the minimum conservation reference size</i> ;	Flexibility to accept the following COM proposal:  COM proposal 20.10.2022  (h) Where fishery products below the minimum conservation reference size are present in the lot, separate information on the quantities in kilograms expressed in net weight, or the number of individuals below the minimum conservation reference size;  Sequence 13
Article 1, first paragraph, point (46), amending provision(5), point (i)				
572	(i) for lots of products subject to common marketing standards, the individual size or weight, size category, presentation and freshness.		(i) for lots of products subject to common marketing standards, <i>as appropriate</i> , the individual size or weight, size category, <i>product</i> presentation and freshness.	Flexibility to accept the following COM proposal:  COM proposal 20.10.2022  (i) for fishery and aquaculture products subject to common marketing standards, the

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				information required in order to comply with these standards. <a href="#">Sequence 13</a>
Article 1, first paragraph, point (46), amending provision, numbered paragraph (5a)				
572a			<a href="#">5a. Lots of fishery and aquaculture products made available on the market or likely to be made available on the market shall be adequately marked to ensure the traceability of each lot.</a>	Linked to row 561. Flexibility to withdraw GA. <a href="#">Sequence 13</a>
Article 1, first paragraph, point (46), amending provision, twenty-second paragraph				
572b			<a href="#">5b. For the purpose of adequate marking of lots of fishery and aquaculture products falling under Chapter 3 of the Combined nomenclature established by Regulation (EEC) No 2658/87, the information referred to paragraph 5 shall be provided by means of the labelling of the lot, or by means of a commercial document physically accompanying the lot. Operators shall affix that information by way of an identification tool such as a code, barcode, electronic chip or a similar device or marking system.</a>	Linked to row 585. Flexibility to withdraw GA. COM proposal 20.10.2022 Delete (to be set in delegated or implementing acts) <a href="#">Sequence 13</a>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u><i>or, in case that information is provided by means of a commercial document physically accompanying the lot, at least the identification number shall be affixed to the corresponding lot.</i></u>	
Article 1, first paragraph, point (46), amending provision(6)				
573	6. Information on lots of fishery and aquaculture products imported into the Union, the information referred to in paragraph 2 shall include:	6. Information on lots <u><i>or batches</i></u> of fishery and aquaculture products imported into the Union, the information referred to in paragraph 2 shall include:  EP AM 180, EX CA 16	6. <del><i>Information on lots of fishery and aquaculture products imported into the Union, the information referred to in paragraph 2 shall include:</i></del>	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(6), point (a)				
574	(a) the identification number of the lot;		(a) <del><i>the identification number of the lot;</i></del>	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(6), point (b)				
575	(b) the reference of the catch certificate(s) submitted in accordance with Regulation (EC) No 1005/2008 for all fishery products included in the lot, where applicable, or the name and registration number of the		(b) <del><i>the reference of the catch certificate(s) submitted in accordance with Regulation (EC) No 1005/2008 for all fishery products included in the lot, where applicable, or the name and registration number of the</i></del>	Defend GA.  Sequence 13

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	aquaculture production unit;		<del>aquaculture production unit;</del>	
Article 1, first paragraph, point (46), amending provision(6), point (c)				
576	(c) the FAO alpha-3 code of the species and the scientific name;		(c) <del>the FAO alpha-3 code of the species and the scientific name;</del>	Defend GA. Sequence 13
Article 1, first paragraph, point (46), amending provision(6), point (d)				
577	(d) the relevant geographical area(s) for fishery products caught at sea, or the catch or production area as defined in Article 38(1) of Regulation (EU) No 1379/2013 for fishery products caught in freshwater and aquaculture products;	(d) the relevant geographical area(s) for fishery products caught at sea <u>reported according to the FAO statistical area/sub area/division where the catch was taken and indication of whether the catch was taken on the high seas, in the regulatory area of a regional fisheries management organisation (RFMO) or within an EEZ</u> , or the catch or production area as defined in Article 38(1) of Regulation (EU) No 1379/2013 for fishery products caught in freshwater and aquaculture products;  EP AM 181, EX CA 16	(d) <del>the relevant geographical area(s) for fishery products caught at sea, or the catch or production area as defined in Article 38(1) of Regulation (EU) No 1379/2013 for fishery products caught in freshwater and aquaculture products;</del>	Defend GA. Sequence 13
Article 1, first paragraph, point (46), amending provision(6), point (e)				
578	(e) the category of fishing gear as		(e) <del>the category of fishing gear as</del>	Defend GA.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	laid down in the first column of Annex III to Regulation (EU) No 1379/2013 for fishery products;		<i>laid down in the first column of Annex III to Regulation (EU) No 1379/2013 for fishery products;</i>	Sequence 13
Article 1, first paragraph, point (46), amending provision(6), point (f)				
579	(f) the date of catches for fishery products or date of harvest for aquaculture products, and the date of production where applicable;		(f) <i>the date of catches for fishery products or date of harvest for aquaculture products, and the date of production where applicable;</i>	Defend GA. Sequence 13
Article 1, first paragraph, point (46), amending provision(6), point (g)				
580	(g) the quantities in kilograms expressed in net weight or, where appropriate, the number of individuals;		(g) <i>the quantities in kilograms expressed in net weight or, where appropriate, the number of individuals;</i>	Defend GA. Sequence 13
Article 1, first paragraph, point (46), amending provision(6), point (h)				
581	(h) for lots of products subject to common marketing standards, as appropriate, the individual size or weight, size category, presentation and freshness;		(h) <i>for lots of products subject to common marketing standards, as appropriate, the individual size or weight, size category, presentation and freshness;</i>	Defend GA. Sequence 13
Article 1, first paragraph, point (46), amending provision(6), point (ha)				
581a		<u><a href="#">(ha) for fishery products caught</a></u>		Reject EP amendment.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<u>at sea, the IMO number or other unique vessel identification (if an IMO number is not applicable) of the catching vessel.</u>  EP AM 182, EX CA 16		Sequence 13
Article 1, first paragraph, point (46), amending provision(6a), introductory part				
581b			<u>6a. Operators who are supplied with or who supply fishery and aquaculture products falling under Chapter 3 of the Combined nomenclature established by Regulation (EEC) No 2658/87 shall be able to identify to competent authorities any operator from whom they have been supplied with such products and any operator to whom they supply such products and shall ensure that in respect of each lot, the information listed in paragraph 5:</u>	Flexibility to accept the following text, which is close to the GA (text partially from row 557):  6a. Operators at all stages of production, processing and distribution, from catching or harvesting to retail stage, shall ensure that in respect of each lot of fishery or aquaculture products falling under Chapter 3 of the Combined Nomenclature, the information listed in paragraph 5:  Sequence 13
Article 1, first paragraph, point (46), amending provision(6a)(a)				
581c			<u>(a) is kept on record, and</u>	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(6a)(b)				
581d				Flexibility to accept the following

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u><i>(b) is made available to the operator to whom the fishery or aquaculture product is supplied, and, upon request, to competent authorities.</i></u>	text:  Note: The digital transmission of information is only required between operators and not between operators and consumers, i.e. the last link in the chain.  (b) is made available in a digital way to the operator to whom the fishery or aquaculture product is supplied, and, upon request, to competent authorities.  Sequence 13
Article 1, first paragraph, point (46), amending provision(6b)				
581e			<u><i>6b. For the purpose of paragraph 6a, Member States may require operators to use a digital system.</i></u>	Linked to rows 562 and 581c.  Flexibility to withdraw GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision (6c), first subparagraph				
581f			<u><i>6c. Member States shall cooperate with each other to ensure that the information referred to in paragraph 5 can be accessed by the competent authorities of a Member State other than the one where the fisheries or aquaculture products have been put into lots or</i></u>	Defend GA.  Sequence 13

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>imported into, in particular when the information is provided by way of an identification tool such as a code, barcode, electronic chip or a similar device.</u>	
Article 1, first paragraph, point (46), amending provision (6c), second subparagraph				
581g			<u>6d. Operators using the tools referred to in the first subparagraph shall ensure that they are developed in accordance with internationally recognised standards and specifications.</u>	Flexibility to withdraw GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(7)				
582	7. Member States may exempt from the requirements set out in this Article small quantities of products sold directly from fishing vessels to consumers, provided that these do not exceed 5kg of fishery product per consumer per day.	7. Member States may exempt from the requirements set out in this Article small quantities of products sold <del>directly</del> from fishing vessels <u>by the master or a representative of the master directly</u> to consumers <u>and which are not subsequently marketed but used only for private consumption</u> , provided that <del>these</del> <u>those</u> quantities do not exceed <del>5kg</del> <u>5 kg</u> of fishery product per consumer per day.	7. Member States may exempt from the requirements set out in this Article small quantities of <u>fishery</u> products sold directly from <del>fishing</del> <u>catching</u> vessels to consumers, provided that <del>these</del> <u>those</u> quantities do not exceed <del>5kg</del> <u>15kg</u> of fishery <del>product</del> <u>products</u> per consumer per day.	Flexibility to accept the following text, with a small correction:  7. Member States may exempt from the requirements set out in this Article:  - small quantities of fishery products, which are sold directly to consumers from catching vessels, from operators fishing without a vessel, or fresh water fisheries operators, or  - small quantities of aquaculture

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		EP AM 183, EX CA 16		<p>products that are sold directly to consumers from an aquaculture production unit,</p> <p>that are used only for private consumption, provided that those quantities do not exceed 10kg of fishery or aquaculture products per consumer per day.</p> <p>For <b>salmon (<i>Salmo salar</i>)</b> caught in the Baltic Sea, the threshold referred to in paragraph 1 shall be two individuals per consumer per day.</p> <p>Sequence 13</p>
Article 1, first paragraph, point (46), amending provision(7)				
582a				<p>Flexibility to accept the following Presidency proposal:</p> <p>7a. The Commission shall conduct a study on feasible traceability systems and procedures including minimum traceability information for fishery and aquaculture products falling under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature, in view of defining detailed rules for such products. The study should include an analysis of available digital</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				<p>solutions or methods which meet the requirements on traceability set out in this regulation, <b>including solutions or methods suitable for small operators.</b></p> <p>7b. The Commission may, by means of implementing acts, lay down detailed rules on the traceability requirements for lots of fishery and aquaculture products falling under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature on the basis of the results of the study conducted in accordance with paragraph 7a. These detailed rules shall not apply before <i>5 years after the date of entry into force</i>. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</p> <p><a href="#">Sequence 13</a></p>
Article 1, first paragraph, point (46), amending provision(8)				
583	8. The Commission is empowered to adopt delegated acts in accordance with the Article 119a concerning:		8. The Commission <i>is empowered to adopt delegated acts in accordance with the Article 119a concerning</i> <u>may, by means of</u>	Note that the choice between IAs/DAs will be addressed at a later stage.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>implementing acts, lay down detailed rules on:</u>	Sequence 13
Article 1, first paragraph, point (46), amending provision(8), point (a)				
584	(a) digitalisation of the traceability information and its electronic transmission;		(a) <del>digitalisation</del> <u>the transmission</u> of the <del>traceability</del> information <del>and its electronic transmission</del> <u>referred to in paragraph 5;</u>	Flexibility to accept the following COM proposal: COM proposal of 27.1.2023  (a) minimum technical requirements for the recording and transmission of the information referred to in paragraph 5, pursuant to paragraph 6a;  Sequence 13
Article 1, first paragraph, point (46), amending provision(8), point (b)				
585	(b) the physical affixing of traceability information on lots of fishery and aquaculture products;		(b) <u>alternative methods of marking lots and</u> the physical affixing of <del>traceability</del> information on lots of fishery and aquaculture products;	Flexibility to accept the following COM proposal, with the possibility to add elements from row 572b if necessary: COM proposal of 24.1.2023  (b) methods of marking lots and the physical affixing of traceability information on lots of fishery and aquaculture products;  Sequence 13
Article 1, first paragraph, point (46), amending provision(8), point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
586	(c) the cooperation between Member States on the access to information accompanying a lot and the methods of marking or labelling lots;		(c) <del>the</del> <u>further</u> cooperation between Member States on the access to information accompanying a lot <del>and the methods of marking or labelling lots;</del>	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(8), point (d)				
587	(d) the traceability requirements for lots resulting from the merging or splitting of different lots referred to in Article 56(5) and lots containing several species referred to in Article 56(3);		(d) the traceability requirements for lots <del>resulting from the merging or splitting of different lots</del> <u>containing several species as referred to in Article 56(5) and lots containing several species</u> <u>56a(3) and for lots resulting from the merging or splitting of different lots as referred to in Article 56(3)</u> <u>56a(5);</u>	Flexibility to accept the following COM proposal:  COM proposal 24.1.2023  (d) the traceability requirements for lots of fishery and aquaculture products falling under Chapter 3 containing several species as referred to in Article 56a(3) and (4), and for lots of fishery and aquaculture products falling under Chapter 3 resulting from the merging or splitting of different lots as referred to in Article 56a(5);  Sequence 13
Article 1, first paragraph, point (46), amending provision(8), point (e)				
588	(e) the information on the relevant geographical area.		(e) the information on the relevant geographical area.	Defend GA.  Sequence 13

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (46), amending provision(8)(f)				
588a			<u>(f) the traceability requirements for lots and composition of lots of fishery and aquaculture products falling under heading 1212 21 of Chapter 12 of the Combined nomenclature established by Regulation (EEC) No 2658/87.</u>	Defend GA.  Sequence 13
Article 1, first paragraph, point (46), amending provision(8), point (eb)				
588b				Flexibility to accept the following COM proposal:  COM proposal 20.10.2022  g) the information required in order to comply with the common marketing standards.  Sequence 13
Article 1, first paragraph, point (46), amending provision(8a), twenty-third paragraph				
588c			<u>8a. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</u>	The choice between IAs/DAs will be addressed at a later stage.  Sequence 13
Article 1, first paragraph, point (46), amending provision(9)				
589				Flexibility to withdraw GA, while

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	9. This Article shall only apply to fishery and aquaculture products falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.	9. This Article shall <del>only</del> apply to fishery and aquaculture products falling under Chapter 3 and under headings 1604 and 1605 of Chapter 16 of the Combined Nomenclature established by Council Regulation (EEC) No 2658/87*.  EP AM 184, EX CA 16	9. This Article shall only apply to fishery and aquaculture products falling under Chapter 3 and under <del>headings 1604 and 1605</del> <u>heading 1212 21</u> of Chapter <del>16</del> <u>12</u> of the Combined Nomenclature established by <del>Council</del> Regulation (EEC) No 2658/87*.	adding that products under heading 1212 21 of Chapter 12 are also covered and that the rules for Chapter 16 products will only apply as of the adoption of detailed rules in accordance with paragraph 7b (see row 582a).  Sequence 13
Article 1, first paragraph, point (46), amending provision(10)				
590	10. This article shall not apply to ornamental fish, crustaceans and molluscs.	10. This Article shall not apply to ornamental fish, crustaceans, <u>molluscs and algae</u> <del>and molluscs</del> .  EP AM 185, EX CA 16	10. This Article shall not apply to ornamental fish, <u>ornamental</u> crustaceans and <u>ornamental</u> molluscs.	Flexibility to accept the following COM proposal:  COM proposal 20.10.2022  10. This article shall not apply to ornamental fish, ornamental crustaceans, ornamental molluscs and ornamental algae.  Sequence 13
Article 1, first paragraph, point (46), amending provision(11)				
590a			<u>11. By [24 months after the date of application of this act], the Commission shall submit to the Parliament and the Council a report evaluating the feasibility to develop a harmonised digital system to enhance the control of</u>	Flexibility to withdraw GA:  Note: This row is linked to row 589 where a [5 years] implementation date for products falling under Chapter 16 is proposed.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u><i>traceability, accompanied, if appropriate, by a legislative proposal.</i></u>	Sequence 13
			"	

## Sequence 14 (Control of fishing capacity including engine power)

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (32), introductory part				
457	(32) in Title IV, the heading of Chapter II is replaced by the following:		(32) in Title IV, the heading of Chapter II is replaced by the following:	Sequence 14
Article 1, first paragraph, point (32), amending provision, first paragraph				
458	“ CHAPTER II		“ CHAPTER II	Sequence 14
Article 1, first paragraph, point (32), amending provision, second paragraph				
459	Control of fishing capacity ”		Control of fishing capacity ”	Sequence 14
Article 1, first paragraph, point (33), introductory part				
460	(33) Article 38 is replaced by the following:		(33) Article 38 is replaced by the following:	Sequence 14
Article 1, first paragraph, point (33), amending provision, first paragraph				
461				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	" Article 38		" Article 38	Sequence 14
Article 1, first paragraph, point (33), amending provision, second paragraph				
462	Fishing capacity		Fishing capacity	Sequence 14
Article 1, first paragraph, point (33), amending provision(1)				
463	1. Member States shall be responsible for carrying out the necessary checks in order to ensure that the total capacity corresponding to the fishing licences issued by a Member State, in GT and in kW, shall at any moment not be higher than the maximum capacity levels for that Member State established in accordance with Article 22 of Regulation (EU) No 1380/2013.		1. Member States shall be responsible for carrying out the necessary checks in order to ensure that the total capacity corresponding to the fishing licences issued by a Member State <b>concerned</b> , in GT and in kW, shall at any moment not be higher than the maximum capacity levels for that Member State established in accordance with Article 22 of Regulation (EU) No 1380/2013.	Defend GA Sequence 14
Article 1, first paragraph, point (33), amending provision(2), first subparagraph, introductory part				
464	2. The Commission may adopt, by means of implementing acts, detailed rules for the application of this article regarding:		2. The Commission may <del>adopt</del> , by means of implementing acts, <b>lay down</b> detailed rules for the application of this Article	Defend GA Sequence 14

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<del>regarding</del> <u>concerning</u> :	
Article 1, first paragraph, point (33), amending provision(2), first subparagraph(a)				
465	(a) the verification of the engine power of fishing vessels;		(a) the verification of the engine power of <del>fishing</del> <u>catching</u> vessels;	Defend GA Sequence 14
Article 1, first paragraph, point (33), amending provision(2), first subparagraph(b)				
466	(b) the verification of the tonnage of fishing vessels;		(b) the verification of the tonnage of <del>fishing</del> <u>catching</u> vessels;	Defend GA Sequence 14
Article 1, first paragraph, point (33), amending provision(2), first subparagraph(c)				
467	(c) the verification of the type, number and characteristics of the fishing gear.		(c) the verification of the type, number and characteristics of the fishing gear.	Sequence 14
Article 1, first paragraph, point (33), amending provision(2), second subparagraph				
468	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "		<del>Those</del> Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "	Sequence 14
Article 1, first paragraph, point (34), introductory part				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
469	(34) in Chapter II of Title IV the heading of Section 2 is replaced by the following:		(34) in Chapter II of Title IV the heading of Section 2 is replaced by the following:	Sequence 14
Article 1, first paragraph, point (34), amending provision, first paragraph				
470	“ Section 2		“ Section 2	Sequence 14
Article 1, first paragraph, point (34), amending provision, second paragraph				
471	Engine power and tonnage ”		Engine power and tonnage ”	Sequence 14
Article 1, first paragraph, point (34a), introductory part				
471a			<u><a href="#">(34a) Article 39 is amended as follows:</a></u>	Defend GA Sequence 14
Article 1, first paragraph, point (34a)(a), introductory part				
471b			<u><a href="#">(a) in paragraph 1, "fishing vessel" is replaced by "catching vessel".</a></u>	Defend GA Sequence 14
Article 1, second paragraph, point (34a)(b), introductory part				
471c				Defend GA.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>(b) the following paragraph is inserted:</u>	Sequence 14
Article 1, first paragraph, point (34a), amending provision (2a), first paragraph				
471d			<p>"</p> <p><u>2a. When a catching vessel exceeds the authorised engine power set out in the fishing licence, it may carry out a regularisation of the engine power, in accordance with a maximum period and the criteria established by the flag Member State concerned. When a catching vessel exceeds by 20% or more the engine power authorised in the licence, including the margin of error of the measuring equipment, the competent authorities of the flag Member State shall take the necessary measures to ensure that the vessel ceases all fishing activities and operations.</u></p> <p>"</p>	<p>Flexibility to agree to the following text:</p> <p><b>2a. When a catching vessel exceeds the authorised engine power set out in the fishing licence, it may carry out a regularisation of the engine power, in accordance with a maximum period and the criteria established by the flag Member State concerned.</b></p> <p>Linked to row 865b.</p> <p>Sequence 14</p>
Article 1, first paragraph, point (34a)(c), introductory part				
471e			<u>(c) paragraph 3 is replaced by the following:</u>	<p>Defend GA</p> <p>Sequence 14</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (34a), amending provision (3), second paragraph				
471f			<p>"</p> <p><u>3. Member States may charge parts or all costs arising from the certification and verification of engine power to the operators of the catching vessels.</u></p> <p>"</p>	<p>Flexibility to agree to the following text (aligned to row 714d which has been provisionally agreed):</p> <p><b>All costs arising from the certification and verification of engine power under this Article shall be borne by the flag Member States. In accordance with Article 39 of Regulation (EU) No 1380/2013, Member States may require the operators of the fishing vessels flying their flag to contribute to those costs.</b></p> <p>Sequence 14</p>
Article 1, first paragraph, point (35), introductory part				
472	(35) the following Article 39a is inserted:		(35) the following Article 39a is inserted:	Sequence 14
Article 1, first paragraph, point (35), amending provision, first paragraph				
473	“ Article 39a		“ Article 39a	Sequence 14
Article 1, first paragraph, point (35), amending provision, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
474	Continuous monitoring of engine power		Continuous monitoring of engine power	Sequence 14
Article 1, first paragraph, point (35), amending provision(1), introductory part				
475	<p>1. Member States shall ensure that vessels using the following active fishing gears: trawls, seines and surrounding nets, are equipped with permanently installed devices that measure and record engine power in cases where:</p>		<p>1. Member States shall, <u>based on a risk assessment, determine which <del>ensure that</del> vessels <del>using the following active fishing gears: trawls, seines and surrounding nets,</del> <u>equipped with inboard propulsive engines with certified engine power exceeding 221 kilowatts and using towed gear, as defined in point 12 of Article 6 Regulation (EU) 1241/2019, pose a serious risk of non-compliance with the rules of the common fisheries policy concerning engine power. They shall ensure that those vessels</u> are equipped with permanently installed devices <u>or software</u> that measure and record engine power <del>in cases where:</del></u></p>	<p>Support the following text in line with the revised mandate of 18.11.2022:</p> <p><b>1. Member States shall, based on a risk assessment, determine which vessels equipped with inboard propulsive engines with certified engine power exceeding 221 kilowatts and using towed gear, as defined in point 12 of Article 6 Regulation (EU) 2019/1241, pose a high risk of non-compliance with the rules of the common fisheries policy concerning engine power. They shall ensure that those vessels are equipped with permanently installed systems that measure and record engine power.</b></p> <p><b>1a. Member States shall also ensure that catching vessels are equipped with permanently installed systems that measure and record engine power in cases</b></p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				where the vessels use bottom trawls or Danish seines, are equipped with inboard propulsive engines with a certified engine power between 120 kilowatts and 221 kilowatts, and are operating in the area referred to in point 2.1 of Annex V, part C, of Regulation (EU) 2019/1241.  Sequence 14
Article 1, first paragraph, point (35), amending provision(1)(a)				
476	(a) the vessels are equipped with propulsive engines with certified engine power exceeding 221 kilowatts; or	“ (a) the vessels are equipped with propulsive engines with certified engine power exceeding 221 kilowatts; <del>or</del> <u>and</u>  EP AM 134, EX AMs 570 (EPP), 571 (Renew), 572 (EPP) and 573 (Greens/EFA)	<del>(a) the vessels are equipped with propulsive engines with certified engine power exceeding 221 kilowatts; or</del>	Defend GA  Sequence 14
Article 1, first paragraph, point (35), amending provision(1)(b)				
477	(b) the vessels are equipped with propulsive engines with certified engine power between 120 and 221 kilowatts and operate in areas subject to effort regimes or	(b) the vessels <del>are equipped with propulsive engines with certified engine power between 120 and 221 kilowatts and</del> operate in areas subject to <u>fishing</u> effort regimes or	<del>(b) the vessels are equipped with propulsive engines with certified engine power between 120 and 221 kilowatts and operate in areas subject to effort regimes or</del>	Defend GA  Sequence 14

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	restrictions on engine power.	restrictions on engine power. EP AM 135, EX AM 577 (EPP)	<del>restrictions on engine power.</del>	
Article 1, first paragraph, point (35), amending provision, numbered paragraph (1a)				
477a		<u><i>1a. In addition, Member States shall ensure that vessels having committed an infringement related to the manipulation of an engine in order to increase the power of the vessel above the maximum continuous engine power indicated on the engine certificate are equipped with permanently installed devices that measure and record engine power.</i></u> EP AM 136, EX AM 57 (Rapporteur)		Reject the EP amendment.  Sequence 14
Article 1, first paragraph, point (35), amending provision(2)				
478	2. The devices referred to in paragraph 1, in particular permanently affixed shaft strain gauges and revolution counters, shall ensure the continuous measurement of propulsive engine power in kilowatts.	2. The devices referred to in paragraph 1, in particular permanently affixed shaft strain gauges and revolution counters, shall ensure the continuous measurement <u>and recording</u> of propulsive engine power in	2. The devices referred to in paragraph <del>1</del> , <del>in particular permanently affixed shaft strain gauges and revolution counters,</del> shall <del>shall</del> ensure the continuous measurement of propulsive engine power in kilowatts <u>and the storage</u>	Agreed in line with the revised mandate of 18.11.2022.  2. The systems referred to in paragraph 1, <del>in particular permanently affixed shaft strain gauges and revolution counters,</del> shall <del>shall</del> ensure the continuous

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		kilowatts.  EP AM 137, EX AM 579 (S&D)	<u>on board of that data.</u>	measurement of propulsive engine power in kilowatts <u>and the storage on board of that data.</u>  Sequence 14
Article 1, first paragraph, point (35), amending provision(3)				
479	3. Masters shall ensure that the devices referred to in paragraph 1 function at all times and that the information from the continuous measurement of propulsive engine power is recorded and stored on board and is accessible to officials at all times.		3. Masters <u>and holders of fishing licences</u> shall ensure that the devices referred to in paragraph 1 function at all times and that the information from the continuous measurement of propulsive engine power is recorded and stored on board and is accessible <del>to officials</del> <u>on board the vessels</u> at all times <u>to officials</u> .	Agreed in line with the revised mandate of 18.11.2022.  Sequence 14
Article 1, first paragraph, point (35), amending provision(4)				
480	4. The Commission may, by means of implementing acts, lay down detailed rules concerning the technical requirements and characteristics of the devices referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).		4. The Commission <del>may</del> <u>shall</u> , by means of implementing acts, lay down detailed rules concerning the <u>installation</u> , technical requirements and characteristics of the devices <u>or software</u> referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to	Agreed in line with the revised mandate of 18.11.2022.  Sequence 14

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	"		in Article 119(2). "	
Article 1, first paragraph, point (35), amending provision(4a)				
480a			<u>(4a) The risk assessment referred to in paragraph 1 shall:</u>	In general, defend GA, but flexibility to simplify rules and drafting set out in paragraph 4a.  Sequence 14
Article 1, first paragraph, point (35), amending provision(4a)(a)				
480b			<u>(a) follow a regional approach;</u>	Withdraw GA in order to facilitate agreement with the EP.  Note: The same methodology should be applied across the EU, but the results of the analysis may differ in various regions due to different conditions.  Sequence 14
Article 1, first paragraph, point (35), amending provision(4a)(b)				
480c			<u>(b) establish the level of risk of non-compliance by fleet segment, based on gear, area covered, effort regime, species targeted, power reduction and speed;</u>	Defend GA with flexibility set out in row 480a.  Sequence 14
Article 1, first paragraph, point (35), amending provision(4a)(c)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
480d			<u>(c) include a risk analysis determining the likelihood and impact of non-compliance with the rules of the common fisheries policy concerning engine power, in particular as regards overfishing;</u>	Flexibility to support the following text:  <b>(c) include an analysis determining the likelihood and impact of non-compliance with the rules of the common fisheries policy concerning engine power, in particular as regards overfishing;</b>  Sequence 14
Article 1, first paragraph, point (35), amending provision(4a)(d)				
480e			<u>(d) consider the exhaustion of the capacity ceiling.</u>	Defend GA with flexibility set out in row 480a.  Sequence 14
NEW ROW 480ea				In order to reach a compromise with the Parliament (see row 477a), flexibility to accept the following proposal:  <b>(e) consider confirmed infringements related to the use of an engine with engine power above that indicated on the engine certificate.</b>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 14
Article 1, first paragraph, point (35), amending provision(4b)				
480f			<u><i>(4b) The risk assessment shall be jointly carried out by the Member States, in cooperation with EFCA.</i></u>	Defend GA with flexibility set out in row 480a. Sequence 14
Article 1, first paragraph, point (35), amending provision(4c)				
480g			<u><i>(4c) Member States may provide that Union catching vessels equipped with inboard propulsive engines with certified engine power of no more than 221 kilowatts and using towed gear, as defined in point 12 of Article 6 Regulation (EU) 1241/2019, and flying their flag shall be equipped with permanently installed devices or software that measure and record engine power, based on the risk of non-compliance with the rules of the common fisheries policy concerning engine power.</i></u>	Defend GA, with a small linguistic change:  (4c) Member States may provide that Union catching vessels equipped with inboard propulsive engines with certified engine power of no more than 221 kilowatts and using towed gear, as defined in point 12 of Article 6 Regulation (EU) 1241/2019, and flying their flag shall be equipped with permanently installed <b>systems</b> that measure and record engine power, based on the risk of non-compliance with the rules of the common fisheries policy concerning engine power.  Sequence 14
Article 1, first paragraph, point (35a), introductory part				
480h				EP withdrew their proposed

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u><a href="#">(35a) In Article 40, paragraph 3 is replaced by the following:</a></u></p> <p>EP AM 138, EX AM 581 (Greens/EFA)</p>		<p>amendment.</p> <p>Sequence 14</p>
Article 1, first paragraph, point (35a), amending provision, numbered paragraph (1)				
480i		<p>"</p> <p><u><a href="#">1. 3. Member States' competent authorities may assign the certification of engine power to classification societies or to other operators having the necessary expertise for the technical examination of engine power. Those classification societies or other operators shall only certify a propulsion engine as not being capable of exceeding the officially stated power if there is no possibility to increase the performance of the propulsion engine above the certified power. Those certification societies and other operators shall be responsible for the accuracy of the certifications.</a></u></p> <p>"</p> <p>EP AM 138, EX AM 581 (Greens/EFA)</p>		<p>EP withdrew their proposed amendment.</p> <p>Sequence 14</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (36), introductory part				
481	(36) in Article 40, paragraph 6 is replaced by the following:		(36) in Article 40, paragraph 6 is replaced by the following:	Sequence 14
Article 1, first paragraph, point (36), amending provision(6)				
482	" 6. The Commission may, by means of implementing acts, lay down detailed rules concerning the certification of propulsion engine power. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "	" 6. The Commission <del>may, by means of implementing acts, layis</del> <u>empowered to adopt delegated acts in accordance with Article 119a</u> <u>laying</u> down detailed rules concerning the certification of propulsion engine power. <del>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</del> "  EP AM 139, EX AM 584 (S&D)	" 6. The Commission may, by means of implementing acts, lay down detailed rules concerning the certification of propulsion engine power. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). "	Flexibility to explore and agree on a package deal on all provisions in which the institutions disagree on setting out implementing or delegated acts with the aim to find a balanced solution acceptable to all institutions and, in particular, addressing their key concerns on key issues. Before final agreement, PSY will present the proposed package deal to delegations.  Sequence 14
Article 1, first paragraph, point (37), introductory part				
483	(37) Article 41 is replaced by the following:		(37) Article 41 is replaced by the following:	Sequence 14
Article 1, first paragraph, point (37), amending provision, first paragraph				
484				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	" Article 41		" Article 41	Sequence 14
Article 1, first paragraph, point (37), amending provision, second paragraph				
485	Verification of engine power and tonnage		Verification of engine power <i>and tonnage</i>	Defend GA Sequence 14
Article 1, first paragraph, point (37), amending provision(1)				
486	In cases where there are indications from data collected such as vessel position data, fishing logbook data, or continuous measurement of propulsive engine power, that the engine power of a fishing vessel is greater than the power stated established in the fishing licence, or in the Union or national fleet register, Member States shall proceed to a physical verification of the engine power.		<u>I.</u> In cases where there are indications from data collected such as vessel position data, fishing logbook data, or continuous measurement of propulsive engine power, that the engine power of a fishing vessel is greater than the power stated <del>established</del> in the fishing licence, or in the Union or national fleet register, Member States shall <del>proceed to verify the engine power, if necessary,</del> <u>through</u> a physical verification of the engine power.	Defend GA, but clarify that the physical verification of the engine power is only to be carried out if necessary, e.g. as follows:  “...Member States shall verify the engine power, if necessary through a physical verification of the engine power”. (Note: deletion of comma).  Sequence 14
Article 1, first paragraph, point (37), amending provision, fourth paragraph				
487	In cases where there are indications from data collected such as fishing logbooks, landing declarations or		<del>In cases where there are indications from data collected such as fishing logbooks, landing</del>	Defend GA. Sequence 14

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	other relevant information, that the tonnage of fishing vessel is greater than that stated in the licence, or in the Union or national fleet register, Member States shall proceed to a physical verification of the tonnage.	"	<del>declarations or other relevant information, that the tonnage of fishing vessel is greater than that stated in the licence, or in the Union or national fleet register, Member States shall proceed to a physical verification of the tonnage.</del>	
Article 1, first paragraph, point (37), amending provision(2)				
487a			<u>2. For the purpose of verifying the engine power of a vessel, Member States shall apply the requirements adopted by the International Organisation for Standardisation in its recommended International Standard ISO 15016:2015 or equivalent European or national recognised methods.</u>	Defend GA, but flexibility to include a dynamic reference to the most updated relevant ISO standard in order to simplify the provisions and avoid updates via delegated acts.  Sequence 14
Article 1, first paragraph, point (37), amending provision(3)				
487b			<u>3. The Commission is empowered to adopt delegated acts in accordance with Article 119a concerning the amendment of paragraph 2 of this Article in order to adapt the reference to the relevant ISO International</u>	Linked to row 487a. In line with proposal in row 487a, withdraw GA.  Sequence 14

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>Standard to technical progress.</u>	
Article 1, first paragraph, point (37), amending provision(4)				
487c			<u>4. The Commission may, by means of implementing acts, lay down detailed rules concerning the verification of engine power. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</u>	Defend GA.  Sequence 14
Article 1, first paragraph, point (37), amending provision, fourth paragraph a				
487d		" <u>1a. Member States shall verify the accuracy and consistency of the data on engine power and tonnage, using all available information related to the technical characteristics of the vessel concerned.</u>  EP AM 140, EX AM 58 (Rapporteur)		Flexibility to accept the key idea of the EP amendment to introduce a general provision at the beginning of the Article on the verification of engine power and, in row 487h, on the verification of tonnage.  Sequence 14
Article 1, first paragraph, point (37), amending provision, fourth paragraph e				
487e				Reject EP amendment.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u>2a. Member States shall inform the Commission, as part of the report referred to in Article 118, of the results of the checks referred to in this Article and of the measures taken where the engine power or tonnage of the fishing vessel is greater than that declared in the fishing licence or in the Union or national fleet register.</u></p> <p>"</p> <p>EP AM 141, EX AM 587 (Greens/EFA)</p>		Sequence 14
Article 1, first paragraph, point (37a), introductory part				
487f			<u>(37a) The following Article 41a is inserted:</u>	Defend GA. Sequence 14
Article 1, first paragraph, point (37a), amending provision, first paragraph				
487g			" <u>Article 41a</u>	Defend GA. Sequence 14
Article 1, first paragraph, point (37a), amending provision, second paragraph				
487h			<u>Verification of tonnage</u>	Defend GA.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 14
Article 1, first paragraph, point (37a), amending provision, third paragraph				
487i			<u><i>In cases where there is evidence that the tonnage of a fishing vessel differs from the tonnage stated in the fishing licence, Member States shall proceed to a verification of the tonnage. For this purpose, Member States shall consider, in particular, changes to the enclosed volume or dimensions of the vessel.</i></u>	Defend GA.  Sequence 14
Article 1, first paragraph, point (38)				
488	(38) in paragraph 3 of Article 42 the following words "Articles 60 and 61" are replaced by "Article 60".		(38) in paragraph 32 of Article 42 the following words "Articles 60 and 61" are replaced by "Article 60".	Defend GA  Sequence 14

## Sequence 15 (Control of the landing obligation – CCTVs)

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
Article 1, first paragraph, point (10), amending provision, first paragraph				
219a			" <u>"Article 13</u>	Defend GA.  Sequence 15
Article 1, first paragraph, point (10), amending provision, second paragraph				
219b			<u>Remote electronic monitoring</u>	Defend GA.  <u>Remote electronic monitoring</u>  Sequence 15
Article 1, first paragraph, point (10), amending provision(1)				
219c			<u>1. Member States shall ensure monitoring and control of fishing activities through remote electronic monitoring (REM) systems as set out in this Article.</u>	Defend GA.  Sequence 15
Article 1, first paragraph, point (10), amending provision(2)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
219d			<p><u>2. For the purpose of monitoring and control of the landing obligation, Member States shall ensure that fleet segments of Union catching vessels of 24 metres' length overall or more flying their flag which pose a serious risk of non-compliance with the landing obligation have installed on board an operating REM system.</u></p> <p><u>The REM system shall be able to effectively monitor and control the landing obligation and may include ge positioning systems, sensors and CCTV cameras.</u></p> <p><u>The data from the REM system shall be stored on board. The competent authorities of the flag and coastal Member States responsible for fisheries control shall have equal access to those data, without prejudice to the relevant rules on the protection of personal data.</u></p>	<p>Defend revised mandate, but flexibility to accept text along the following lines:</p> <p>2. For the purpose of monitoring and control of the landing obligation, Member States shall ensure that Union catching vessels of <b>18</b> metres' length overall or more flying their flag which pose a <b>high</b> risk of non-compliance with the landing obligation have installed on board an operating REM system. The REM system shall be able to effectively monitor and control the landing obligation, <b>shall include CCTV and may include other instruments and/or equipments.</b> The data from the REM system shall, <b>where applicable</b>, be stored on board. The competent authorities of the flag and coastal Member States responsible for fisheries control shall have equal access to those data, without prejudice to the relevant rules on the protection of personal data.</p> <p>Flexibility to also accept a recital that explains further what REM systems should be comprised of.</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 15
Article 1, first paragraph, point (10), amending provision(3)				
219e			<u>3. For the purpose of implementation of paragraph 2, the Commission shall, by means of implementing acts:</u>	Defend GA. Sequence 15
Article 1, first paragraph, point (10), amending provision(3)(a)				
219f			<u>(a) determine the fleet segments of Union catching vessels to which the obligation to have installed on board the REM system shall apply, based on the assessment of the risk of non-compliance with the landing obligation;</u>	In general, defend GA, but flexibility to adjust the wording in order to simplify rules on the risk assessment in the GA as set out in rows 219j to 219n which is in principle the same as the one used for SCIPs (Article 95).  Linked to rows 219j to 219n which are suggested to be deleted.  <b>Exact drafting to be developed along the following lines:</b>  (a) determine the fleet segments of Union catching vessels to which the obligation to have installed on board the REM system shall apply, based on the assessment of the risk of non-compliance

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				with the landing obligation in accordance with the <b>implementing acts adopted under Article 95.</b> Sequence 15
Article 1, first paragraph, point (10), amending provision(3)(b)				
219g			<u>(b) set out detailed rules on requirements, technical specifications, installation, maintenance and functioning of the REM system and the period for which the REM system must be operated, taking into account the latest technological and scientific developments. Those rules shall also ensure that CCTV footage, if used, should only concern the gear and the parts of the vessel where fishery products are brought on board, handled, stored and discarded;</u>	Defend GA, with a small change:  (b) set out detailed rules on requirements, technical specifications, installation, maintenance and functioning of the REM system and the period for which the REM system must be operated, taking into account the latest technological and scientific developments. Those rules shall also ensure that CCTV footage, <del>if used,</del> should only concern the gear and the parts of the vessel where fishery products are brought on board, handled, stored and discarded;  Sequence 15
Article 1, first paragraph, point (10), amending provision(3)(c)				
219h			<u>(c) set out detailed rules on the storage of, the exchange of and access to the data from the</u>	Defend GA.  Sequence 15

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>REM system, without prejudice to Article 112.</u>	
Article 1, first paragraph, point (10), amending provision, third paragraph				
219i			<u>4. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</u>	Defend GA.  Sequence 15
Article 1, first paragraph, point (10), amending provision(4)				
219j			<u>4. The risk assessment referred to in point (a) of paragraph 3 shall:</u>	Withdraw GA, see row 219f.  Sequence 15
Article 1, first paragraph, point (10), amending provision(4)(a)				
219k			<u>(a) follow a regional approach;</u>	Withdraw GA, see row 219f.  Sequence 15
Article 1, first paragraph, point (10), amending provision(4)(b)				
219l			<u>(b) establish the level of risk by fleet segment, based on gear and mesh size, area covered and species targeted;</u>	Withdraw GA, see row 219f.  Sequence 15
Article 1, first paragraph, point (10), amending provision(4)(c)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
219m			<i><u>(c) include a risk analysis determining the likelihood of non-compliance with the landing obligation at fleet segment level jointly carried out by the Member States concerned, in cooperation with EFCA, using all available and relevant information, in particular scientific estimates of discards and unwanted catches and data from the last haul inspections, and considering any lack of such data.</u></i>	Withdraw GA, see row 219f.  Sequence 15
Article 1, first paragraph, point (10), amending provision, fourth paragraph				
219n			<i><u>5. The risk assessment may also take into account the impact on stocks concerned.</u></i>	Withdraw GA, see row 219f.  Sequence 15
Article 1, first paragraph, point (10), amending provision(5)				
219o			<i><u>5. Member States may provide that certain fleet segments of Union catching vessels below 24 metres' length overall flying their flag shall have on board an operating REM system, based on the risk of non-</u></i>	Flexibility to adjust vessel length in line with decision on row 219d.  5. Member States may provide that certain fleet segments of Union catching vessels below <b>18</b> metres' length overall flying their flag shall have on board an operating REM

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u><i>compliance with the landing obligation as assessed by the Member State concerned or by the Commission.</i></u>	<p>system, based on the risk of non-compliance with the landing obligation as assessed by the Member State concerned or by the Commission.</p> <p>Flexibility to add the following paragraph in addition to the GA to respond to EP concern in row 414c:</p> <p><b>6. Member States may provide incentives for vessels not required to be equipped with REM under paragraphs 2 and 5, and which use REM for control of the landing obligation on a voluntary basis.</b></p> <p>Sequence 15</p>
NEW ROW 219oa				<p>Flexibility to move the following proposal from row 414 as it belongs to Article 13:</p> <p><b>Without prejudice to paragraph 2, Member states may provide for the use of REM systems for the control of compliance with the rules of the CFP other than the landing obligation.</b></p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 15
Article 1, first paragraph, point (23), introductory part				
409	(23) In Section 1 of Chapter 1 of Title IV, the following Article 25a is inserted:		<i>(23) In Section 1 of Chapter 1 of Title IV, the following Article 25a is inserted:</i>	Defend GA. Sequence 15
Article 1, first paragraph, point (23), amending provision, first paragraph				
410	“ Article 25a		“ <i>Article 25a</i>	Defend GA.  Sequence 15
Article 1, first paragraph, point (23), amending provision, second paragraph				
411	Control of the landing obligation		<i>Control of the landing obligation</i>	Defend GA.  Sequence 15
Article 1, first paragraph, point (23), amending provision(1)				
412	1. Member States shall ensure effective control of the landing obligation. For this purpose a minimum percentage of fishing vessels fishing for species subject to the landing obligation and flying	“ 1. Member States shall ensure effective control of the landing obligation. For this purpose a minimum percentage of fishing vessels <u>of 12 metres length overall</u>	<i>1. Member States shall ensure effective control of the landing obligation. For this purpose a minimum percentage of fishing vessels fishing for species subject to the landing obligation</i>	Defend GA. See proposed flexibilities in row 219d for vessel length, level of risk and REM type of equipment in view of a compromise.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	their flag established in accordance with paragraph 2, shall be equipped with continuously recording Closed-Circuit Television (CCTV) systems incorporating data storage.	<p><u>or more, flying their flag and fishing for species subject to the landing obligation, identified as posing a high risk of non-compliance with the landing obligation in the specific control and inspection programmes adopted under Article 95</u> <del>and flying their flag established in accordance with paragraph 2,</del> shall be equipped with continuously recording Closed-Circuit Television (CCTV) systems incorporating data storage, <u>in compliance with all applicable rules on the protection of privacy and processing of personal data.</u> <u>In accordance with specific control and inspection programmes adopted pursuant to Article 95, the Member State may allow the fishing vessel to carry control observers on board in accordance with Article 73a.</u></p> <p>Plenary AM 340 (S&amp;D and Greens/EFA)</p>	<del>and flying their flag established in accordance with paragraph 2, shall be equipped with continuously recording Closed-Circuit Television (CCTV) systems incorporating data storage.</del>	Sequence 15
Article 1, first paragraph, point (23), amending provision(2)				
413	2. The percentage of fishing vessels referred to in paragraph 1 shall be established for different	2. <del>The percentage of fishing vessels referred to in paragraph 1 shall be established for different risk</del>	<del>2. The percentage of fishing vessels referred to in paragraph 1 shall be established for</del>	Defend GA.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
	risk categories in specific control and inspection programmes adopted pursuant to Article 95. Those programmes shall also determine the risk categories and the types of fishing vessels included in such categories.	<i>categories in specific control and inspection programmes adopted pursuant to Article 95. Those programmes shall also determine the risk categories and the types of fishing vessels included in such categories.</i>  EP AM 121, EX AMs 502 (Renew), 503 (EPP), 504 (ECR), 505 (ID)	<i>different risk categories in specific control and inspection programmes adopted pursuant to Article 95. Those programmes shall also determine the risk categories and the types of fishing vessels included in such categories.</i>	Sequence 15
Article 1, first paragraph, point (23), amending provision(3)				
414	3. In addition to the CCTV systems referred to in paragraph 1, Member States may require the use of other electronic monitoring systems for the purpose of controlling the landing obligation.		<i>3. In addition to the CCTV systems referred to in paragraph 1, Member States may require the use of other electronic monitoring systems for the purpose of controlling the landing obligation.</i>	Defend GA. Sequence 15
Article 1, first paragraph, point (23), amending provision, numbered paragraph (3a)				
414a		<u>3a. The Commission shall review the effectiveness of the electronic monitoring systems in checking compliance with the landing obligation and their contribution to achieving the sustainable maximum yield for the relevant</u>		EP withdrew their amendment. Sequence 15

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u>stocks and submit a report to the European Parliament and the Council by ... [five years after the date of entry into force of this Regulation].</u></p> <p>EP AM 122, EX AM 521 (Renew)</p>		
Article 1, first paragraph, point (23), amending provision, numbered paragraph (3b)				
414b		<p><u>3b. In addition to electronic monitoring systems used to check compliance with the landing obligation, Member States may also support the use of systems which make for closer monitoring of the selectivity of fishing operations directly on gear.</u></p> <p>EP AM 123, EX AM 522 (Renew)</p>		<p>EP withdrew their amendment.</p> <p>Sequence 15</p>
Article 1, first paragraph, point (23), amending provision, numbered paragraph (3c)				
414c		<p><u>3c. Operators may equip their fishing vessels with CCTV systems on a voluntary basis. For that purpose, the competent authority shall provide incentives such as additional allocation of quota or deletion of points, in accordance with paragraph 4.</u></p>		<p>EP withdrew their amendment (see row 219o).</p> <p>Sequence 15</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		Plenary AM 341 (S&D and Greens/EFA)		
Article 1, first paragraph, point (23), amending provision, numbered paragraph (3d)				
414d		<p><u><i>3d. Fishing vessels shall be equipped with CCTV technology on a mandatory basis if they have committed two or more serious infringements of the rules laid down in Article 15 of Regulation (EU) No 1380/2013 when decided by the competent authority as an accompanying sanction.</i></u></p> <p>EP AM 125, EX AM 526 (EPP)</p>		<p>EP withdrew their amendment.</p> <p>Sequence 15</p>
Article 1, first paragraph, point (23), amending provision, numbered paragraph (3e)				
414e		<p><u><i>3e. CCTV footage shall remain the property of the owner of the fishing vessel at all times. Business confidentiality and privacy rights shall be protected and guaranteed by the competent authorities throughout the whole process.</i></u></p> <p>EP AM 126, EX AM 527 (EPP)</p>		<p>EP withdrew their amendment.</p> <p>Sequence 15</p>
Article 1, first paragraph, point (23), amending provision(4), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
415	4. The Commission may, by means of implementing acts, lay down detailed rules on the requirements, technical specifications, installation and functioning of the electronic monitoring systems for the control of the landing obligation, including continuously recording CCTV systems.	4. The Commission <del>may, by means of implementing acts, lay</del> <u>is empowered to adopt delegated acts in accordance with Article 119a, supplementing this Regulation by laying</u> down detailed rules on the requirements, technical specifications, installation and functioning of, <u>as well as incentives concerning,</u> the electronic monitoring systems for the control of the landing obligation, including continuously recording CCTV systems.  EP AM 127, EX CA 12G	<del>4. The Commission may, by means of implementing acts, lay down detailed rules on the requirements, technical specifications, installation and functioning of the electronic monitoring systems for the control of the landing obligation, including continuously recording CCTV systems.</del>	GA accepted.  Sequence 15
Article 1, first paragraph, point (23), amending provision(4), second subparagraph				
416	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2). ”	”	<del>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 119(2).</del> ”	GA accepted.  Sequence 15
Article 1, first paragraph, point (23), amending provision, numbered paragraph (1)				
416b	”	” <u>1. (23a) In Section 1 of Chapter 1</u>	”	EP withdrew their amendment.

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u>of Title IV, the following Article is inserted:</u>  <u>"Article 25b</u>  <u>Assessment of Remote electronic monitoring</u>  <u>The Commission shall, by ... [6 months after date of entry into force of this Regulation] submit a report to the European Parliament and the Council to assess the effectiveness of remote electronic monitoring and its contribution to the control of the rules of the common fisheries policy including the control of incidental catches and the reliability of catch data."</u></p> <p>Plenary Am 327 (Renew)</p>		
Article 1, first paragraph, point (60), amending provision(3)(f)				
736	(f) the use of CCTVs and other electronic monitoring devices;	<p>(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>;</p> <p>EP AM 222, EX AM 825 (EPP)</p>	<p>(f) <u>if applicable</u>, the use <del>of CCTVs and other electronic monitoring devices</del> <u>and functioning of REM systems</u>;</p>	<p>GA accepted, with linguistic improvement.</p> <p>(f) the use <u>and functioning of REM systems</u> <del>of CCTVs</del> and other electronic monitoring devices, <u>if applicable</u>;</p> <p>Sequence 15 Sequence 6</p>
Article 1, first paragraph, point (60), amending provision(4), first subparagraph(b)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
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, <del>CCTVs data</del> <u>data from electronic monitoring devices</u> , landing declarations, catch certificates, transshipment declarations, sales notes, and other relevant information and documents;  EP AM 237, EX AM 863 (S&D)	(b) all <u>relevant</u> information and documents which are needed to fulfil their tasks, <del>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;</del>	Agree to following text:  (b) <u>(b) all relevant</u> <del>all</del> -information and documents which are needed to fulfil their tasks, in particular fishing logbooks, fishing licence, certification of engine power, <del>CCTVs data</del> <u>data from remote electronic monitoring system (REM)</u> , landing declarations, catch certificates, transshipment declarations, sales notes, <del>and other relevant information and documents;-</del>  Sequence 6 Sequence 15
Article 1, first paragraph, point (69), amending provision(1), point (11a)				
903a		<u>(11a) the use of continuously recording closed-circuit television (CCTV) systems incorporating data storage in the event of serious infringements of common fisheries policy landing obligation rules.</u>  EP AM 260, EX AM 961 (EPP)		EP withdrew their amendment.  Sequence 15 Sequence 10

## Sequence 16 (Margins of tolerance (MOTs))

	<b>Commission Proposal</b>	<b>EP Mandate</b>	<b>Council Mandate</b>	<b>Presidency proposals on the way forward</b>
Article 1, first paragraph, point (11), amending provision(4), first subparagraph				
241	<p>4. When compared with the quantities landed or the result of an inspection, the permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board shall be 10 % per species. For species retained on board that do not exceed 50kg live weight equivalent, the permitted margin of tolerance shall be 20% per species.</p>	<p>4. When compared with the quantities landed or the result of an inspection, the permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board shall be 10 % per species. For <u>mixed fisheries, small pelagic purse-seine vessels or</u> species retained on board that do not exceed <del>50kg</del><u>100kg</u> live weight equivalent, the permitted margin of tolerance shall be <del>20%</del><u>20 %</u> per species. <u>For tuna species, it shall be 25 %.</u></p> <p style="font-size: small;">EP AM 81, EX AM 326 (S&amp;D0)</p>	<p>4. When compared with the quantities landed or <u>with</u> the result of an inspection, the permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board shall be 10 % per <del>species. For species retained on board that do not exceed 50kg live weight equivalent, the permitted margin of tolerance shall be 20%</del> <u>per each</u> species.</p>	<p>Defend GA.</p> <p style="background-color: #e0e0ff;">Sequence 16</p>
Article 1, first paragraph, point (11), amending provision(4), second subparagraph				
241a			<p><u>The tolerance limitation referred to in the first subparagraph shall not apply to any species retained on board, irrespective of whether it is landed sorted or unsorted, the quantity of which does not exceed 50 kg live weight equivalent.</u></p>	<p>In order to reach a compromise with the EP, flexibility to accept the following text:</p> <p><b>For any species retained on board that does not exceed 100kg live weight equivalent, the permitted margin of tolerance shall be 20% per each species.</b></p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 16
Article 1, first paragraph, point (11), amending provision(4), second subparagraph, introductory part				
242	<p>By derogation to the first subparagraph for fisheries referred to in the first and third indents of Article 15(1)(a) of Regulation (EU) No 1380/2013 which are landed unsorted, the tolerance limitations set out in this paragraph shall not apply to catches of species which meet both of the following conditions:</p>	<p>By <u>way of</u> derogation <del>to</del><u>from</u> the first subparagraph for <del>fisheries referred to in the first and third indents of Article 15(1)(a) of Regulation (EU) No 1380/2013 which are landed unsorted, the tolerance limitations set out in this paragraph shall not apply to catches of species</del><u>small pelagic fisheries (mackerel, herring, horse mackerel, blue whiting, boarfish, anchovy, Argentinian silverside, sardine and sprat) and industrial fisheries (inter alia capelin, sand eel and Norway pout) which meet both of</u><u>are landed unsorted, the following exceptions shall be made:</u></p> <p>Plenary AM 328 (RENEW)</p>	<p><u>4a.</u> By <u>way of</u> derogation <del>to</del><u>from</u> the first subparagraph <del>for</del><u>of</u> <u>paragraph 4, in the case of</u> fisheries referred to in the first and third indents of <u>point (a) of</u> Article <del>15(1)(a)</del><u>15(1)</u> of Regulation (EU) No 1380/2013, <u>for species</u> which are landed unsorted, <del>the tolerance limitations set out in this paragraph shall not apply to catches of species which meet both of the following conditions and</del> <u>which are covered by a sampling plan referred to in Article 60(1a), the following margins of tolerance shall apply:</u></p>	<p>Flexibility to support the following text:</p> <p>4a. By way of derogation from the first subparagraph of paragraph 4, in the case of fisheries referred to in the first and third indents of point (a) of Article 15(1) of Regulation (EU) No 1380/2013, for species which are landed unsorted and which are covered by a sampling plan referred to in Article 60(1a), <b>Member States may apply the following margins of tolerance, under the condition that, in the case of landings above 10 tonnes, the landings are inspected by an official or weighed by an accredited operator independent from the buyer and the vessel operator:</b></p> <p>Sequence 16</p>
Article 1, first paragraph, point (11), amending provision(4), second subparagraph(a)				
243	(a) they represent less than 1% in	(a) <del>they represent less than 1% in</del>	(a) <del>they represent less than 1% in</del>	Defend GA, reject EP amendment. Linked to row 242.

	<b>Commission Proposal</b>	<b>EP Mandate</b>	<b>Council Mandate</b>	<b>Presidency proposals on the way forward</b>
	weight of all species landed; and	<del>weight of all</del> <u>the tolerance limitations set out in this paragraph shall not apply to catches of</u> species <del>landed;</del> <del>and</del> <u>which meet one of the following conditions:</u>  Plenary AM 328 (RENEW)	<del>weight of all species landed; and</del>	Sequence 16
Article 1, first paragraph, point (11), amending provision(4), second subparagraph(a)(1)				
243a		<u>(1) they represent less than 1% in weight of all species landed; or</u>  Plenary AM 328 (RENEW)		Reject EP amendment. Linked to row 242.  Sequence 16
Article 1, first paragraph, point (11), amending provision(4), second subparagraph(a)(2)				
243b		<u>(2) their total weight is less than 100kg;</u>  Plenary AM 328 (RENEW)		Reject EP amendment. Linked to row 242.  Sequence 16
Article 1, first paragraph, point (11), amending provision(4), numbered paragraph (4a) (a)				
243c			<u>(a) for small pelagic species and species for industrial purposes, the permitted margin of tolerance in estimates recorded or not in the fishing logbook of the quantities in kilograms of fish retained on board shall be 10 % of the total quantity of all species recorded in the fishing logbook, per each</u>	Defend GA, while granting flexibility as set out in row 242.  Sequence 16

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<a href="#">species;</a>	
Article 1, first paragraph, point (11), amending provision(4), second subparagraph(b)				
244	(b) their total weight is less than 100 kg.	(b) <del>their total weight is less than 100 kg</del> <u>for Member States which have adopted a risk-based sampling plan, approved by the Commission, for weighing unsorted landings, the following margins of tolerance shall apply:</u>  Plenary AM 328 (RENEW)	<del>(b) their total weight is less than 100 kg.</del>	Defend GA, reject EP amendment. Linked to row 242.  <a href="#">Sequence 16</a>
Article 1, first paragraph, point (11), amending provision(4), second subparagraph(b)(i)				
244a		<u>(i) for small pelagics, and industrial fisheries, the permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board shall be 10 % of the total volume of all species recorded in the logbook for each species;</u>  Plenary AM 328 (RENEW)		Reject EP amendment. Linked to row 242.  <a href="#">Sequence 16</a>
Article 1, first paragraph, point (11), amending provision(4), second subparagraph(b)(ii)				
244b		<u>(ii) for other non-target species, the permitted margin of tolerance</u>		Reject EP amendment. Linked to row 242.  <a href="#">Sequence 16</a>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
		<p><u><i>in estimates, whether recorded in the logbook or not, of the quantities in kilograms of fish retained on board shall be 200 kg or 1 % of the total volume of all species recorded in the logbook for each species; and</i></u></p> <p>Plenary AM 328 (RENEW)</p>		
Article 1, first paragraph, point (11), amending provision(4), second subparagraph(b)(iii)				
244c		<p><u><i>(iii) for the total quantity of all species, the permitted margin of tolerance in estimates recorded in the logbook of the total quantity in kilograms of fish retained on board shall be 10 % of the total volume of all species recorded in the logbook.</i></u></p> <p>Plenary AM 328 (RENEW)</p>		<p>Reject EP amendment. Linked to row 242.</p> <p>Sequence 16</p>
Article 1, first paragraph, point (11), amending provision(4), numbered paragraph (4a)(b)				
244d			<p><u><i>(b) for all other species, the permitted margin of tolerance in estimates recorded or not in the fishing logbook of the quantities in kilograms of fish retained on board shall be 200 kg or 1 %, whichever is greater, of the total quantity of all species recorded in the fishing logbook, per each</i></u></p>	<p>Flexibility to accept the following Presidency proposal:</p> <p>(b) <b>for all other species that represent less than 2% in weight of all species landed</b>, the permitted margin of tolerance in estimates recorded or not in the fishing logbook of the quantities in kilograms of fish retained on board</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<a href="#">species.</a>	shall be 200 kg or 1 %, whichever is greater, of the total quantity of all species recorded in the fishing logbook, per each species.  <a href="#">Sequence 16</a>
Article 1, first paragraph, point (11), amending provision(4), second subparagraph(ba)				
244e		<a href="#">(ba) By way of derogation from the first paragraph, for the tropical tuna purse seine fishery, for species covered by a risk-based sampling plan approved by the Commission, the tolerance allowed in the estimate recorded in the fishing logbook of the total quantities in kilograms of fish kept on board, all species combined, shall be 10% of the total quantities landed of all species combined.</a>  Plenary AM 328 (RENEW)		Linked to row 244g. See proposal in row 244g.  <a href="#">Sequence 16</a>
Article 1, first paragraph, point (11), amending provision, first paragraph				
244f			<a href="#">Notwithstanding the provisions set out in points (a) and (b), for the total quantity of all species, the permitted margin of tolerance in estimates recorded in the fishing</a>	Defend GA, while granting flexibility as set out in row 242.  <a href="#">Sequence 16</a>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
			<u>logbook of the total quantity in kilograms of fish retained on board shall be 10 % of the total quantity of all species recorded in the fishing logbook.</u>	
244fa				<p>Flexibility to accept the following text:</p> <p><b>4aa. By way of derogation from the first subparagraph of paragraph 4, in the case of fisheries referred to in the first and third indents of point (a) of Article 15(1) of Regulation (EU) No 1380/2013, for landings above 10 tonnes of species which are landed unsorted and are covered by a sampling plan referred to in Article 60(1a) and which upon landing are not inspected by an official or weighed by an accredited operator independent from the buyer and the vessel operator, the following margins of tolerance shall apply:</b></p> <p>Note: linked to row 242, clarifies the permitted margin of tolerance when landings above 10 tonnes are not verified.</p>

	<b>Commission Proposal</b>	<b>EP Mandate</b>	<b>Council Mandate</b>	<b>Presidency proposals on the way forward</b>
				Sequence 16
244fb				<p>Flexibility to accept the following text:</p> <p><b>(a) for small pelagic species and species for industrial purposes, the permitted margin of tolerance in estimates recorded or not in the fishing logbook of the quantities in kilograms of fish retained on board shall be 10 % per each species;</b></p> <p>Sequence 16</p>
244fc				<p>Flexibility to accept the following text:</p> <p><b>(b) for all other species that represent less than 2% in weight of all species landed, the permitted margin of tolerance in estimates recorded or not in the fishing logbook of the quantities in kilograms of fish retained on board shall be 200 kg or 1 %, whichever is greater, of the total quantity of all species recorded in the fishing logbook, per each species.</b></p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 16
244fd				Text from the GA (see row 244f):  Notwithstanding the provisions set out in points (a) and (b), for the total quantity of all species, the permitted margin of tolerance in estimates recorded in the fishing logbook of the total quantity in kilograms of fish retained on board shall be 10 % of the total quantity of all species recorded in the fishing logbook.  Sequence 16
Article 1, first paragraph, point (11), amending provision, numbered paragraph (4b)				
244g			<u><i>4b. By way of derogation from the first sub-paragraph of paragraph 4, in the case of fisheries targeting species whose morphological similarity has been certified by a Union or international scientific body and in the case of unsorted mixed fisheries, the permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board of those species</i></u>	Linked to row 244e.  Support the following Presidency proposal, based on EP proposal, in line with the revised mandate of 18.11.2022:  <b>4b. By way of derogation from the first paragraph, until 5 years from the entry into force of this regulation for the tropical tuna purse seine fishery, for species covered by a sampling plan</b>

	<b>Commission Proposal</b>	<b>EP Mandate</b>	<b>Council Mandate</b>	<b>Presidency proposals on the way forward</b>
			<u>shall be 10 % of the total quantity of those species recorded in the fishing logbook, provided that those species are covered by a sampling plan referred to in Article 60(1a).</u>	<p>referred to in Article 60(1a), the permitted margin of tolerance in estimates recorded in the fishing logbook of the quantities in kilograms of fish retained on board shall be 10 % of the total quantities landed of all species recorded in the fishing logbook.</p> <p>For Union catching vessels engaged in tropical tuna purse seine fishery, the Commission may, at the request of one or more Member States, ask EFCA to develop harmonised technical guidelines on best practices for estimation of catches on board.</p> <p>Sequence 16</p>
Article 1, first paragraph, point (11), amending provision(8a)				
258a			<u>8a. Paragraphs 1 to 4 and 5 to 8 of this Article shall apply from ... [24 months after the date of application of this Regulation].</u>	<p>In line with revised mandate of 18.11.2022:</p> <p>Defend GA, but flexibility to shorten the period between entry into force of the regulation and the date of application of the rules on MOT for small pelagics (rows 243c, 244d and 244f) and tropical tuna (rows 244e).</p>

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals on the way forward
				Sequence 7 Sequence 16
Article 1, first paragraph, point (11), amending provision(9), first subparagraph, introductory part				
259	9. The Commission may, by means of implementing acts,		9. The Commission may, by means of implementing acts, <u>establish conversion factors and lay down detailed rules on:</u>	GA accepted. Linked to row 260. 9. The Commission may, by means of implementing acts, <u>establish conversion factors and lay down detailed rules on:</u>  Sequence 7
Article 1, first paragraph, point (11), amending provision(9)(a)				
260	(a) lay down detailed rules on the implementation of the margin of tolerance as defined in paragraph 3;		(a) <del>lay down detailed rules on</del> the implementation of the margins of tolerance referred to in paragraphs <u>34, 4a and 4b;</u>	In line with revised mandate of 18.11.2022:  Flexibility to delete reference to paragraphs 4a and 4b. Linked to proposal set out in row 258a, i.e. that certain provisions on the MOT apply earlier.  Sequence 16 Sequence 7
Article 1, first paragraph, point (11), amending provision(9), second subparagraph				
263	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). <u>Implementing acts referred to in point (a) of this paragraph shall be adopted by ...</u>	Defend GA.  Sequence 7 Sequence 16

	<b>Commission Proposal</b>	<b>EP Mandate</b>	<b>Council Mandate</b>	<b>Presidency proposals on the way forward</b>
			<u>[18 months after the entry into force of this Regulation]."</u>	”
Article 1, first paragraph, point (20), amending provision(3)				
351	3. When compared with the quantities landed or the result of an inspection, the permitted margin of tolerance in estimates recorded in the transhipment declaration of the quantities in kilograms of fish retained on board shall be 10 % per species.	3. When compared with the quantities landed or the result of an inspection, the permitted margin of tolerance in estimates recorded in the transhipment declaration of the quantities in kilograms of fish retained on board shall be <del>10</del> <u>15</u> % per species.  EP AM 107, EX AMs 432 and 433 (S&D)	3. When compared with the quantities landed or <u>with</u> the result of an inspection, the permitted margin of tolerance in estimates recorded in the transhipment declaration of the quantities in kilograms of fish retained on board shall be <del>10 % per species</del> <u>that as set out in Article 14(4).</u>	Defend GA.  Sequence 16
Article 5				
1314	Article 5 Amendments to Regulation (EU) No 2016/1139		Article 5 Amendments to Regulation (EU) No 2016/1139	Defend GA.  Sequence 16
Article 5, first paragraph				
1315	In Regulation (EC) No 2016/1139, Articles 12 and 13 are deleted.		In Regulation (EC) No 2016/1139, Articles 12 and 13 are deleted.	Defend GA.  Sequence 16