Commission Implementing Regulation (EU) 2020/30 of 14 January 2020 amending Implementing Regulation (EU) No 404/2011 as regards detailed rules for the direct electronic exchange of information enacted under the rules of the Common Fisheries Policy

COMMISSION IMPLEMENTING REGULATION (EU) 2020/30

of 14 January 2020

amending Implementing Regulation (EU) No 404/2011 as regards detailed rules for the direct electronic exchange of information enacted under the rules of the Common Fisheries Policy

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006[(1)], and in particular Articles 71, 76 and 111 thereof,

Whereas:

(1) Rules governing the exchange of data in electronic format between Member States, and between Member States and the Commission or the body designated by it were established in Regulation (EC) No 1224/2009 ('the Control Regulation'). Articles 71, 76 and 83 of that Regulation specifically concern the exchange of inspection and surveillance reports.

(2) The Commission has developed a new format for the transmission of inspection and surveillance report data that should be used for all future electronic data exchanges referred to in Articles 71, 76 and 83 of the Control Regulation.

(3) Chapter Ia of Title IX of Commission Implementing Regulation (EU) No 404/2011[(2)] lays down the rules governing the exchange of data between Member States, and between Member States and the Commission or the body designated by it. These rules need to be modified in order to take account of the new format developed by the Commission for inspection and surveillance data as well as new technologies and international standards.

(4) Since Council Regulation (EC) No 1006/2008[(3)] has been repealed by Regulation (EU) 2017/2403 of the European Parliament and of the Council[(4)], references to this Regulation in Chapter Ia of Title IX of Implementing Regulation (EU) No 404/2011 should be removed.

(5) Implementing Regulation (EU) No 404/2011 should therefore be amended accordingly.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/30. (See end of Document for details)*

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Implementing Regulation (EU) No 404/2011

Implementing Regulation (EU) No 404/2011 is amended as follows:

(a) Article 146a is replaced by the following:

Article 146a

This Chapter lays down detailed rules for the exchange of data as referred to in Articles 111 and 116 of the Control Regulation, the exchange of inspection and surveillance report data as referred to in Articles 71, 76 and 83 of the Control Regulation, as well as for the notification of catch data as referred to in Article 33(2) and (4) of the Control Regulation.

(b) In Article 146i, paragraph 1 is replaced by the following:

1. Flag Member States shall use the XML Schema Definition based on the UN/CEFACT P1000-12 as format to transmit to the Commission the aggregated catch data referred to in Article 33(2) and (4) of the Control Regulation.

(c) In Article 146i, paragraph 3 is replaced by the following:

3. The catch report quantities shall be based on the quantities landed. If catches are not yet landed, an estimate catch report shall be provided, with the indication ‘retained on board’. A correction with the exact weight and landing place shall be transmitted before the 15th of the month following the landing.

(d) In Article 146j, paragraph 1 is replaced by the following:

1. Amendments to XML formats and implementation documents to be used for all electronic data exchanges between Member States, and between Member States, the Commission or the body designated by it, including the amendments resulting from Articles 146f, 146g, 146h and 146k, shall be decided by the Commission in concert with Member States.

(e) The following Article 146k is added:

Article 146k

Exchange of inspection and surveillance related data

1 The format to be used to exchange inspection and surveillance report data, referred to in Articles 71, 76 and 83 of the Control Regulation, between Member States, as well as between Member States and the Commission or the body designated by it, shall be the Inspection and Surveillance Domain XML Schema Definition based on the UN/CEFACT P1000-8.