Commission Implementing Regulation (EU) 2015/746 of 11 May 2015 amending Implementing Regulation (EU) No 433/2012 laying down detailed rules for the application of Regulation (EU) No 1236/2010 of the European Parliament and of the Council laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries

COMMISSION IMPLEMENTING REGULATION (EU) 2015/746

of 11 May 2015

amending Implementing Regulation (EU) No 433/2012 laying down detailed rules for the application of Regulation (EU) No 1236/2010 of the European Parliament and of the Council laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1236/2010 of the European Parliament and of the Council of 15 December 2010 laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries and repealing Council Regulation (EC) No 2791/1999[(1)], and in particular Articles 12(2), 24(4), 27(1) and 45(2) thereof,

Whereas:

(1) Regulation (EU) No 1236/2010 lays down certain specific control measures to monitor fishing activities of the Union in the Area covered by the North-East Atlantic Fisheries Commission (NEAFC) and supplements control measures provided for in Council Regulation (EC) No 1224/2009[(2)].

(2) Detailed rules for the application of Regulation (EU) No 1236/2010 were adopted through Commission Implementing Regulation (EU) No 433/2012[(3)].

(3) At its Annual Meeting in November 2013, NEAFC adopted Recommendation 9:2014 amending Article 22 and Annexes XV and XVI of the Scheme on port State control and inspection report forms. At the same Annual Meeting, NEAFC adopted Recommendations 12:2014, 13:2014 and 14:2014 amending Annex IX of the Scheme on data exchange formats and protocols, and Recommendation 16:2014 amending Appendix 1 to Annex IX of the Scheme on confidential treatment of electronic data. At its Annual Meeting in November 2014, NEAFC adopted Recommendation 16:2015 amending Appendix 2 to Annex II of the Scheme on codes for main gear types. At the same meeting it adopted Recommendation 12:2015 amending Recommendation 9:2014 with respect to Articles 22 and 23 and Annexes XV and XVI of the Scheme on port state control forms.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2015/746. (See end of Document for details)*

(4) In accordance with Articles 12 and 15 of the Convention on future multilateral cooperation in the North-East Atlantic fisheries approved by Council Decision 81/608/EEC[(4)], Recommendations 12:2014, 13:2014, 14:2014 and 16:2014 came into force on 7 February 2014 and Recommendation 16:2015 came into force on 6 February 2015.

(5) Pursuant to its provisions, Recommendation 9:2014 as amended by Recommendation 12:2015 will enter into force on 1 July 2015.

(6) It is necessary to transpose those Recommendations into Union law. Implementing Regulation (EU) No 433/2012 should therefore be amended accordingly.

(7) 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

Implementing Regulation (EU) No 433/2012 is amended as follows:

(1) in Article 12, points (a) and (b) are replaced by the following:

(a) the form PSC 1 shall be used where the vessel is carrying its own catches;

(b) the form PSC 2 shall be used where the vessel is engaged in transhipment operations, providing the information separately for catches from each donor vessel.;

(2) Article 13 is replaced by the following:

Article 13

1 When completing the prior notification in accordance with Article 25(1) of Regulation (EU) No 1236/2010, the flag Member State shall complete Part B of the PSC form provided for in Annex VIII.

2 When completing the prior notification in accordance with Article 25(2) and (4) of Regulation (EU) No 1236/2010, the port Member State shall complete Part C of the PSC form provided for in Annex VIII.;

(3) In Article 16 the first sentence is replaced by the following:

'The data exchange formats and data communication systems referred to in Article 12(2) of Regulation (EU) No 1236/2010 to be used for transmission of reports and information to the NEAFC Secretary shall comply with the rules set out in Annex X;'

(4) Annex VIII is replaced by the text in Annex 1 to this Regulation;

(5) Annex IX is replaced by the text in Annex 2 to this Regulation;

(6) Annex X is amended as follows:

(a) the title is replaced by the following:
DATA EXCHANGE FORMAT AND DATA COMMUNICATION SYSTEMS;

(b) Section B is replaced by the text in Annex 3 to this Regulation;

(c) in Section D.2, point (b) is replaced by the text in Annex 4 to this Regulation;

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2015/746. (See end of Document for details)*

(d) in Section D.2, a new point (c) is added as set out in Annex 5 to this Regulation;

(7) Annex XI is amended as follows:

(a) Section C is replaced by the text in Annex 6 to this Regulation;

(b) a new Section G is added as set out in Annex 7 to this Regulation;

(8) Annex XII is replaced by the text in Annex 8 to this Regulation.

Article 2

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

However, Article 1(1), (2), (4), (5) and (7)(b) shall apply from 1 July 2015.

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

Done at Brussels, 11 May 2015.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2015/746. (See end of Document for details)*

ANNEX 1

Annex VIII to Implementing Regulation (EU) No 433/2012 is replaced by the following:

ANNEX VIII

PORT STATE CONTROL FORMS

Notifications and the completion of Parts A, B and C pursuant to Articles 22, 23 and 39 of the NEAFC scheme of control and enforcement shall be done through an online application established by the NEAFC Secretary on the NEAFC website. A fax-based system, using the forms set out in this Annex shall be used as a back-up system in the event that the NEAFC website is offline.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2015/746. (See end of Document for details)*

PORT STATE CONTROL FORM — PSC 1			
PART A: To be completed by the Master of the Vessel. Please use black ink (1)			
Name of Vessel:	IMO Number (2):	Radio Call Sign:	Flag State:
E-mail Address:	Telephone Number:	Fax Number:	Inmarsat Number:
Vessel master's name:	Vessel master's nationality:	Vessel owner:	Certificate of Registry ID:
Vessel dimension:	Length (m):	Beam (m):	Draft (m):
Port State:		**Port of Landing or Transhipment:**	
Last port of call:	Date:		
Estimated Time of Arrival:	Date:	Time UTC:	

Total catch on board — all areas								**Catch to be landed (3)**
Species (4)	Product (5)	Type of processing (6)	Area of catch			Conversion factor	Product weight (kg)	Product weight (kg)
			NEAFC CA (ICES subareas and divisions)	NAFO RA (Sub Division)	Other areas			