

COMMISSION IMPLEMENTING REGULATION (EU) 2022/1410**of 18 August 2022****providing for a reduced prior notification period before arrival at port for Union fishing vessels of 12 metres' length overall or more engaged in fisheries on stocks subject to Regulation (EU) 2019/472 of the European Parliament and of the Council and Regulation (EU) 2019/1022 of the European Parliament and of the Council landing in Spanish ports**

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 Article 17(6) thereof,

Whereas:

- (1) Pursuant to Article 17(1) of Regulation (EC) No 1224/2009, masters of Union fishing vessels of 12 metres' length overall or more, engaged in fisheries on stocks subject to a multiannual plan, which are under the obligation to record fishing logbook data electronically, are also to notify the competent authorities of their flag Member State of their intention to land, at least 4 hours before the estimated time of arrival at port.
- (2) On 28 May 2021, Spain requested that the reduced notification period established by Commission Implementing Regulation (EU) No 1188/2013 ⁽²⁾ be extended to all Union fishing vessels that are engaged in fisheries on stocks subject to Regulation (EU) 2019/472 of the European Parliament and of the Council ⁽³⁾ and Regulation (EU) 2019/1022 of the European Parliament and of the Council ⁽⁴⁾ in the Cantabrian Sea, the Gulf of Cadiz and the western Mediterranean Sea, and landing in Spanish ports.
- (3) The spatial data provided by Spain to support that request shows that the specific relevant fleets flying the flag of Spain operate, as a general rule, in fishing grounds which are less than 4 hours' distance from their landing ports. Furthermore, those landing ports are always at a distance under 2,5 hours from the Spanish control authorities' offices. Therefore, should the vessels in question be selected for an inspection at landing, a prior notification period of at least 2,5 hours would allow the concerned Spanish control authorities to arrive on time at the landing port to carry out the corresponding inspection.
- (4) For reasons of equal treatment, the same reduced prior notification period should apply to Union fishing vessels landing in any Spanish ports and fulfilling the conditions set out in this Regulation.
- (5) The concerned Union fishing vessels should therefore be granted the right to submit a prior notification notice of 2,5 hours before the estimated arrival to a Spanish port.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 1188/2013 of 21 November 2013 providing for a reduced notification period before arrival at port for Union vessels engaged in fisheries on Southern hake and Norway lobster stocks in the Cantabrian Sea and Western Iberian peninsula which land in Spanish ports (OJ L 313, 22.11.2013, p. 47).

⁽³⁾ Regulation (EU) 2019/472 of the European Parliament and of the Council of 19 March 2019 establishing a multiannual plan for stocks fished in the Western Waters and adjacent waters, and for fisheries exploiting those stocks, amending Regulations (EU) 2016/1139 and (EU) 2018/973, and repealing Council Regulations (EC) No 811/2004, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007 and (EC) No 1300/2008 (OJ L 83, 25.3.2019, p. 1).

⁽⁴⁾ Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea and amending Regulation (EU) No 508/2014 (OJ L 172, 26.6.2019, p. 1).

- (6) Spain should assess the impact of the reduced prior notification period provided for by this Regulation in order to ensure appropriate review thereof and submit a report to the Commission.
- (7) As the scope of Implementing Regulation (EU) No 1188/2013 overlaps with that of this Regulation, that Implementing Regulation should be repealed.
- (8) 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

The minimum prior notification period provided for in Article 17(1) of Regulation (EC) No 1224/2009 shall be reduced to 2,5 hours for masters of the Union fishing vessels of 12 metres' length overall or more and which fulfil all of the following conditions:

- (a) they are engaged in fisheries on stocks subject to the multiannual plans established by Regulations (EU) 2019/472 and (EU) 2019/1022;
- (b) they operate exclusively in fishing grounds from which they can reach in less than 4 hours the port of landing;
- (c) they land in Spanish ports.

Article 2

Spain shall submit a report to the Commission concerning the implementation of this Regulation by 26 August 2024.

That report shall include an analysis of any impact of the reduced prior notification period on the ability of the Spanish fisheries control authorities to effectively monitor the fishing activities of those vessels benefiting from the reduced prior notification period set out in Article 1.

Article 3

Implementing Regulation (EU) No 1188/2013 is repealed.

Article 4

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

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

Done at Brussels, 18 August 2022.

*For the Commission,
On behalf of the President,
Virginijus SINKEVIČIUS
Member of the Commission*
