

Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999

CHAPTER VI

NON-COOPERATING THIRD COUNTRIES

Article 32

^{F1}... Countries identified as non-cooperating third countries

1 ^{F2}The Secretary of State must, without delay, notify any country identified in accordance with Article 31(1). The Secretary of State must include in the notification the following information—]

- a the reason or reasons for the identification with all available supporting evidence;
- b the opportunity to respond to the ^{F3}Secretary of State] in writing with regard to the identification decision and other relevant information, for example, evidence refuting the identification or, where appropriate, a plan of action to improve and the measures taken to rectify the situation;
- c the right to ask for, or to provide, additional information;
- d the consequences of its identification as non-cooperating third country, as provided in Article 38.

2 The ^{F4}Secretary of State must] also include in the notification referred to in paragraph 1 a request that the third country concerned take any necessary measures for the cessation of the IUU fishing activities in question and the prevention of any future such activities, and rectify any act or omission referred to in Article 31(6)(c).

3 The ^{F5}Secretary of State must], by more than one means of communication, transmit its notification and request to the third country concerned. The ^{F5}Secretary of State must] seek to obtain confirmation from that country that it has received the notification.

4 The ^{F6}Secretary of State must] give to the third country concerned adequate time to answer the notification and a reasonable time to remedy the situation.

Textual Amendments

- F1** Words in [Art. 32](#) heading omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/739), regs. 1, [9\(30\)\(a\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in [Art. 32\(1\)](#) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/739), regs. 1, [9\(30\)\(b\)\(i\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in [Art. 32\(1\)\(b\)](#) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/739), regs. 1, [9\(30\)\(b\)\(ii\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in [Art. 32\(2\)](#) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/739), regs. 1, [9\(30\)\(c\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1005/2008, Article 32. (See end of Document for details)

- F5** Words in Art. 32(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(30)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 32(4) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(30)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

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There are currently no known outstanding effects for the Council Regulation (EC) No 1005/2008, Article 32.