

Council Regulation (EC) No 199/2008 of 25 February 2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy (repealed)

CHAPTER II

COLLECTION, MANAGEMENT AND USE OF DATA IN THE FRAMEWORK OF MULTI-ANNUAL PROGRAMMES

SECTION 2

Requirements for the data collection process

Article 9

Sampling programmes

- 1 Member States shall establish multi-annual national sampling programmes.
- 2 Multi-annual national sampling programmes shall include, in particular:
 - a a sampling design for biological data following fleet-fishery based sampling including, where appropriate, recreational fisheries;
 - b a sampling design for ecosystem data that allows the impact of the fisheries sector on the marine ecosystem to be estimated and that contributes to monitoring of the state of the marine ecosystem;
 - c a sampling design for socio-economic data that permits the economic situation of the fisheries sector to be assessed and enables its performance over time to be analysed, and impact assessments of measures undertaken, or proposed to be carried out.
- 3 The protocols and the methods used for the establishment of national sampling programmes shall be given by Member States and shall be, as far as possible:
 - a stable over time;
 - b standardised within regions;
 - c in accordance with the quality standards established by the appropriate regional fisheries management organisations to which the Community is contracting party or observer and relevant international scientific bodies.
- 4 Accuracy and precision for the data collected shall be systematically estimated where required.

Article 10

Access to the sampling sites

Member States shall ensure that, in order to carry out their duties, samplers designated by the body in charge of the implementation of the national programme have access to:

- (a) all landings, including as appropriate, transhipments and transfers to aquaculture;
- (b) vessel and business registers operated by public bodies relevant for the collection of economic data;
- (c) economic data of fisheries related businesses.

Article 11

At-sea monitoring of commercial and recreational fisheries

1 Where necessary for the purposes of the collection of the data under the national programmes, Member States shall design and implement at-sea monitoring of commercial and recreational fisheries.

2 The tasks of the at-sea monitoring shall be determined by the Member States.

3 The masters of Community fishing vessels shall accept on board samplers operating under the at-sea monitoring scheme and designated by the body in charge of the implementation of the national programme and cooperate with them in order to allow them to discharge their duties while on board Community fishing vessels.

4 The masters of Community fishing vessels may refuse to accept on board the samplers operating under the at-sea monitoring scheme only on the basis of an obvious lack of space on the vessel or for safety reasons in accordance with national legislation. In such cases, data shall be collected through a self-sampling programme, carried out by the crew of the Community fishing vessel, and designed and controlled by the body in charge of the implementation of the national programme.

Article 12

Research surveys at sea

1 Member States shall carry out research surveys at sea to evaluate the abundance and distribution of stocks, independently of the data provided by commercial fisheries, and to assess the impact of the fishing activity on the environment.

2 The list of research surveys at sea eligible for the Community financial assistance shall be adopted in accordance with the procedure referred to in Article 27(2).