

Commission Regulation (EC) No 1010/2009 of 22 October 2009 laying down detailed rules for the implementation of Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing

## TITLE II

### CATCH CERTIFICATION SCHEME FOR IMPORTATION AND EXPORTATION OF FISHERY PRODUCTS

#### CHAPTER II

##### *Approved economic operators*

##### *Section 5*

##### *Legal effects of APEO certificates*

##### *Article 22*

#### **Suspension of the status of an approved economic operator**

1 The status of approved economic operator shall be suspended by the issuing authority in the following cases:

- a where non-compliance with the criteria laid down in Articles 9 to 13 has been detected;
- b where the competent Member State authorities have sufficient reason to believe that an act has been perpetrated by the approved economic operator, which gives rise to legal proceedings and is linked to an infringement of the rules of the common fisheries policy or of Regulation (EC) No 1005/2008;
- c where the status of the authorised economic operator has been suspended in accordance with the Implementing Rules of the Community Customs Code;
- d where the suspension is requested by the approved economic operator which is temporarily unable to meet any of the criteria laid down in Articles 9 to 13.

2 Before taking a decision in accordance with paragraph 1(a), (b) and (c), the competent Member State authorities shall communicate their findings to the economic operator concerned. The operators shall be entitled to express its point of view within 30 calendar days starting from the date of receiving the communication.

3 However, where the nature or the level of the threat to the conservation measures for a certain stock or stocks so require, suspension shall take place immediately. The suspending authority shall immediately inform the Commission in order to permit other Member States to take appropriate action.

4 The suspension referred to in paragraph 1 shall take effect from the day following its notification to the approved economic operator. The suspension shall however not affect any import procedure already started before the date of suspension and not yet completed.

**Changes to legislation:**

There are outstanding changes not yet made to Commission Regulation (EC) No 1010/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Art. 22(1) words substituted by [S.I. 2019/739 reg. 12\(16\)\(a\)\(i\)](#)
- Art. 22(2) words substituted by [S.I. 2019/739 reg. 12\(16\)\(b\)](#)
- Art. 22(3) words omitted by [S.I. 2019/739 reg. 12\(16\)\(c\)](#)

**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Annex 2A applied (with modifications) by [S.I. 2020/1599 reg. 6\(2\)\(b\)\(3\)](#)
- Annex 3A applied (with modifications) by [S.I. 2020/1599 reg. 6\(2\)\(b\)\(3\)](#)
- Annex 3B applied (with modifications) by [S.I. 2020/1599 reg. 6\(2\)\(b\)\(3\)](#)
- Art. 4(b) words substituted by [S.I. 2019/739 reg. 12\(4\)\(b\)](#)
- Art. 4(c) words substituted by [S.I. 2019/739 reg. 12\(4\)\(c\)](#)
- Art. 4(d) words substituted by [S.I. 2019/739 reg. 12\(4\)\(d\)](#)
- Art. 21(5)(a) word omitted by [S.I. 2019/739 reg. 12\(15\)\(c\)\(ii\)](#)
- Art. 22(1)(b) words substituted by [S.I. 2019/739 reg. 12\(16\)\(a\)\(ii\)](#)
- Art. 22(1)(b) words substituted by [S.I. 2019/739 reg. 12\(16\)\(a\)\(iii\)](#)
- Art. 27(1)(b) words substituted by [S.I. 2019/739 reg. 12\(21\)\(a\)](#)
- Art. 31(m) omitted by [S.I. 2019/739 reg. 12\(25\)\(c\)](#)