

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 IV

MUTUAL ASSISTANCE

CHAPTER I

General provisions

Article 35

Scope

1 This Title lays down the conditions under which the Member States shall administratively cooperate with each other, third countries, the Commission and the body designated by it in order to ensure the effective application of Regulation (EC) No 1005/2008 and this Regulation.

2 This Title shall not bind Member States to grant each other assistance where that would be likely to be injurious to their national legal system, public policy, security or other fundamental interests. Before denying a request for assistance, the requested Member State shall consult the applicant Member State to determine whether assistance may be given in part, subject to specific terms and conditions. Where a request for assistance cannot be complied with the applicant Member State and the Commission shall promptly be notified of that fact and reasons shall be stated.

3 This Title shall not affect the application in the Member States of rules on criminal procedure and mutual assistance in criminal matters, including those on secrecy of judicial inquiries.

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 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\(25\)\(c\)](#)