

Commission Implementing Regulation (EU) No 404/2011 of 8 April
2011 laying down detailed rules for the implementation of Council
Regulation (EC) No 1224/2009 establishing a Community control system
for ensuring compliance with the rules of the Common Fisheries Policy

TITLE II

GENERAL CONDITIONS FOR ACCESS TO WATERS AND RESOURCES

CHAPTER III

Marking and identification of [F1Union fishing vessels] and their gear

Section 1

Marking and identification of fishing vessels

Article 6

Marking of fishing vessels

[F1A][F1Union fishing vessel] shall be marked as follows:

- (a) the letter(s) of the port or district in which the [F1Union fishing vessels] is registered and the number(s) under which it is registered shall be painted or displayed on both sides of the bow, as high above the water as possible so as to be clearly visible from the sea and the air, in a colour contrasting with the background on which they are painted;
- (b) for [F1Union fishing vessels] over 10 metres length overall and less than 17 metres length overall, the height of the letters and numbers shall be at least 25 centimetres with a line thickness of at least 4 centimetres. For Union fishing vessels] of 17 metres length overall or more, the height of the letters and numbers shall be at least 45 centimetres, with a line thickness of at least 6 centimetres;
- (c) the flag Member State may require the international radio call sign (IRCS) or the external registration letters and numbers to be painted on top of the wheelhouse, so as to be clearly visible from the air, in a colour contrasting with the ground on which it is painted;
- (d) the contrasting colours shall be white and black;
- (e) the external registration letters and numbers painted or displayed on the hull of the [F1Union fishing vessel] shall not be removable, effaced, altered, illegible, covered or concealed.

[F2As from 1 January 2016, the International Maritime Organisation ship identification number scheme, as adopted by Resolution A.1078(28) on 4 December 2013 and as referred to in Chapter XI-1, Regulation 3 of the 1974 SOLAS Convention, shall apply to:

Changes to legislation: There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 404/2011. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (a) Union fishing vessels or fishing vessels controlled by Union operators under a chartering arrangement, of 100 tons of Gross Tonnage or 100 tons of Gross Registered Tonnage and above, or 24 metres length overall and above, operating exclusively inside Union waters;
- (b) all Union fishing vessels or fishing vessels controlled by Union operators under a chartering arrangement, of 15 metres length overall and above, operating outside Union waters;
- (c) all third country fishing vessels authorised to carry out fishing activities in Union waters.]

Textual Amendments

- F2** Inserted by [Commission Implementing Regulation \(EU\) 2015/1962 of 28 October 2015 amending Implementing Regulation \(EU\) No 404/2011 laying down detailed rules for the implementation of Council Regulation \(EC\) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy.](#)

Article 7

Documents carried on board [^{F1}a][^{F1}Union fishing vessel]

1 The master of a [^{F1}Union fishing vessel] of 10 metres length overall or more shall carry on board documents, issued by a competent authority of the Member State in which it is registered, showing at least the following elements of the vessel:

- a the name if any;
- b the letters of the port or district in which it is registered, and the number(s) under which it is registered;
- c the international radio call sign, if any;
- d the names and addresses of the owner(s) and, where applicable, the charterer(s);
- e the length overall, propulsion engine power, gross tonnage and, for [^{F1}Union fishing vessels] which entered into service from 1 January 1987 onwards, date of entry into service.

2 On [^{F1}Union fishing vessels] of 17 metres length overall or more with fish rooms the master shall keep on board accurate drawings with description of its fish rooms, including the indication of all access points and of their storage capacity in cubic metres.

3 The master of an [^{F1}Union vessel] with chilled or refrigerated seawater tanks shall keep on board an up-to-date document indicating the calibration of the tanks in cubic metres at 10 centimetre intervals.

4 The documents referred to in paragraphs 2 and 3 shall be certified by the competent authority of the flag Member State. Any modification of the characteristics contained in the documents referred to in paragraphs 1 to 3, shall be certified by a competent authority of the flag Member State.

5 The documents referred to in this Article shall be presented for the purposes of control and inspection at the request of the officials.

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Section 2

Marking and identification of fishing gear and crafts

Article 8

Marking of crafts and fish aggregating devices

Any craft carried on board [F¹Union fishing vessels] and fish aggregating devices shall be marked with external registration letters and numbers of the [F¹Union fishing vessel(s)] which use them.

Article 9

General rules for passive gear and beam trawls

1 The provisions contained in Articles 9 to 12 of this Regulation shall apply to [F¹Union fishing vessels] fishing in all [F¹Union waters and the provisions contained in Articles 13 to 17 of this Regulation to Union waters] outside 12 nautical miles measured from the base lines of the coastal Member States.

2 It shall be prohibited in [F¹Union waters] as set down in paragraph 1 to carry out fishing activities with passive gear, buoys, and beam trawls, which are not marked and identifiable in accordance with the provisions of Articles 10 to 17 of this Regulation.

3 It shall be prohibited in [F¹Union waters] as set down in paragraph 1 to carry on board:

- a beams of a beam trawl which do not display the external registration letters and numbers in accordance with Article 10 of this Regulation;
- b passive gear which is not labelled in accordance with Article 11(2) of this Regulation;
- c buoys which are not marked in accordance with Article 13(2) of this Regulation.

Article 10

Rules for beam trawls

The master of [F¹a][F¹Union fishing vessel] or his representative shall ensure that each assembled beam trawl carried on board or used for fishing clearly displays the external registration letters and numbers of that fishing vessel on the beam of each beam trawl assembly.

Article 11

Rules for passive gear

1 The master of [F¹a][F¹Union fishing vessel] or his representative shall ensure that each passive gear carried on board or used for fishing is clearly marked and identifiable in accordance with the provisions of this Article.

2 Each passive gear used for fishing shall permanently display the external registration letters and numbers displayed on the hull of the fishing vessel to which it belongs:

- a for nets, on a label attached to the upper first row;

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- b for lines and long lines, on a label at the point of contact with the mooring buoy;
- c for pots and traps, on a label attached to the ground rope;
- d for passive gear extending more than 1 nautical mile, on labels attached in accordance with (a), (b) and (c) at regular intervals not exceeding 1 nautical mile so that no part of the passive gear extending more than 1 nautical mile shall be left unmarked.

Article 12

Rules for labels

- 1 Each label shall be:
 - a made of durable material;
 - b securely fitted to the gear;
 - c at least 65 millimetres broad;
 - d at least 75 millimetres long.
- 2 The label shall not be removable, effaced, altered, illegible, covered or concealed.

Article 13

Rules for buoys

- 1 The master of a [F¹Union fishing vessel] or his representative shall ensure that two end marker buoys and intermediary marker buoys, rigged in accordance with Annex IV, are fixed to each passive gear used for fishing and are deployed in accordance with the provisions of this Section.
- 2 Each end marker buoy and intermediary buoy shall display the external registration letters and numbers displayed on the hull of the [F¹Union fishing vessel] to which they belong and which has deployed such buoys as follows:
 - a letters and numbers shall be displayed as high above the water as possible so as to be clearly visible;
 - b in a colour contrasting with the surface on which they are displayed.
- 3 The letters and numbers displayed on the marker buoy shall not be effaced, altered or allowed to become illegible.

Article 14

Rules for cords

- 1 The cords linking the buoys to the passive gear shall be of submersible material, or shall be weighted down.
- 2 The cords linking the end marker buoys to each gear shall be fixed at the ends of that gear.

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Article 15

Rules for end marker buoys

- 1 End marker buoys shall be deployed so that each end of the gear may be determined at any time.
- 2 The mast of each end marker buoy shall have a height of at least 1 metre above the sea level measured from the top of the float to the lower edge of the bottom most flag.
- 3 End marker buoys shall be coloured, but may not be red or green.
- 4 Each end marker buoy shall include:
 - a one or two rectangular flag(s); where two flags are required on the same buoy, the distance between them shall be at least 20 centimetres flags indicating the extremities of the same gear shall be of the same colour and may not be white and shall be of the same size;
 - b one or two light(s), which shall be yellow and give one flash each 5 seconds (F1 Y 5s), and be visible from a minimum distance of 2 nautical miles.
- 5 Each end marker buoy may include a top sign on the top of the buoy with one or two striped luminous bands which shall be neither red nor green and shall be at least 6 centimetres broad.

Article 16

Rules for fixing of end marker buoys

- 1 End marker buoys shall be fixed to passive gear in the following way:
 - a the buoy in the western sector (meaning the half compass circle from south through west to and including north) shall be rigged with two flags, two striped luminous bands, two lights and a label in accordance with Article 12 of this Regulation;
 - b the buoy in the eastern sector (meaning the half compass circle from north through east to and including the south) shall be rigged with one flag one striped luminous band, one light and a label in accordance with Article 12 of this Regulation.
- 2 The label shall contain the information contained in Article 13(2) of this Regulation.

Article 17

Intermediary marker buoys

- 1 Intermediary marker buoys shall be fixed to passive gear extending more than 5 nautical miles as follows:
 - a intermediary marker buoys shall be deployed at distances of not more than 5 nautical miles so that no part of the gear extending 5 nautical miles or more shall be left unmarked;
 - b intermediary marker buoys shall be fitted with a flashing light which shall be yellow and give one flash every 5 seconds (F1 Y 5s) and be visible from a minimum distance of 2 nautical miles. They shall have the same characteristics as those of the end marker buoy in the eastern sector, except that the flag shall be white.

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2 By derogation from paragraph 1, in the Baltic Sea intermediary marker buoys shall be fixed to passive gear extending more than 1 nautical mile. Intermediary marker buoys shall be deployed at distances of not more than 1 nautical mile so that no part of the gear extending 1 nautical mile or more shall be left unmarked.

Intermediary marker buoys shall have the same characteristics as those of the end marker buoy in the eastern sector except for the following:

- a the flags shall be white;
- b every fifth intermediary marker buoys shall be fitted with a radar reflector giving an echo of at least 2 nautical miles.

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2015/1962 of 28 October 2015 amending Implementing Regulation \(EU\) No 404/2011 laying down detailed rules for the implementation of Council Regulation \(EC\) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy.](#)

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Changes and effects yet to be applied to :

- Title 2 Ch. 3 heading words substituted by [S.I. 2019/739 reg. 5\(7\)](#)
- Regulation continued by [S.I. 2019/739 reg. 5\(1\)](#)

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

- Title 10 s. 3 omitted by [S.I. 2019/739 reg. 5\(102\)](#)
- Title 10 s. 4 omitted by [S.I. 2019/739 reg. 5\(102\)](#)
- Title 10 s. 5 omitted by [S.I. 2019/739 reg. 5\(102\)](#)
- Art. 2(1) omitted by [S.I. 2019/739 reg. 5\(3\)\(a\)](#)
- Art. 2(2) omitted by [S.I. 2019/739 reg. 5\(3\)\(a\)](#)
- Art. 2(4) omitted by [S.I. 2019/739 reg. 5\(3\)\(b\)](#)
- Art. 2(12) words substituted by [S.I. 2019/739 reg. 5\(3\)\(c\)](#)
- Art. 2(14) omitted by [S.I. 2019/739 reg. 5\(3\)\(d\)](#)
- Art. 2(15) words substituted by [S.I. 2019/739 reg. 5\(3\)\(e\)](#)
- Art. 2(17) words omitted by [S.I. 2019/739 reg. 5\(3\)\(f\)](#)
- Art. 2(19) inserted by [S.I. 2019/739 reg. 5\(3\)\(g\)](#)
- Art. 7(1)(e) words substituted by [S.I. 2019/739 reg. 5\(9\)\(b\)\(iii\)](#)
- Art. 18(2)(a) words substituted by [S.I. 2019/739 reg. 5\(15\)\(c\)\(ii\)](#)
- Art. 23(c) words substituted by [S.I. 2019/739 reg. 5\(20\)\(c\)](#)
- Art. 33(1)(c) words substituted by [S.I. 2019/739 reg. 5\(30\)](#)
- Art. 39(2)(a) words substituted by [S.I. 2019/739 reg. 5\(35\)\(b\)\(i\)](#)
- Art. 39(2)(e) words substituted by [S.I. 2019/739 reg. 5\(35\)\(b\)\(ii\)](#)
- Art. 42(1)(a) words substituted by [S.I. 2019/739 reg. 5\(38\)\(a\)\(ii\)](#)
- Art. 42(1)(b) word substituted by [S.I. 2019/739 reg. 5\(38\)\(a\)\(iii\)](#)
- Art. 42(1)(c) word substituted by [S.I. 2019/739 reg. 5\(38\)\(a\)\(iii\)](#)
- Art. 47(1)(e) words substituted by [S.I. 2019/739 reg. 5\(43\)\(a\)\(iii\)](#)
- Art. 62(1)(b) words omitted by [S.I. 2019/739 reg. 5\(52\)\(a\)\(iv\)](#)
- Art. 62(1)(c) words substituted by [S.I. 2019/739 reg. 5\(52\)\(a\)\(v\)](#)
- Art. 67(13)(a) words omitted by [S.I. 2019/739 reg. 5\(54\)\(c\)](#)
- Art. 80(1)(d) words substituted by [S.I. 2019/739 reg. 5\(63\)\(b\)\(iv\)](#)
- Art. 99(d) omitted by [S.I. 2019/739 reg. 5\(76\)](#)
- Art. 105(1)(b) words substituted by [S.I. 2019/739 reg. 5\(78\)\(a\)](#)
- Art. 113(2)(a) words substituted by [S.I. 2019/739 reg. 5\(84\)\(b\)](#)