

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 III

CONTROL OF FISHERIES

CHAPTER I

Fishing logbook, transshipment declaration and landing declaration in paper format

Section 1

*Completion and submission of a fishing logbook, landing
declaration and transshipment declaration in paper format*

Article 29

**[^{F1}Union fishing vessels] subject to the completion and submission of a
fishing logbook and transshipment/landing declaration in paper format**

1 Without prejudice to specific provisions contained in multi-annual plans, the master of a [^{F1}Union fishing vessel] of 10 metres length overall or more that is not subject to the electronic completion and transmission of fishing logbook data, transshipment declarations and landing declarations, shall complete and submit the fishing logbook data, transshipment declarations and landing declarations referred to in Articles 14, 21 and 23 of the Control Regulation in paper format. These transshipment declarations and landing declarations may also be completed and submitted by the representative of the master on his behalf.

2 The requirement to complete and submit the fishing logbook data, transshipment declarations and landing declarations in paper format shall also apply to [^{F1}Union fishing vessels] whose length overall is less than 10 metres when they are required by their flag Member State to keep a fishing logbook and submit transshipment and/or landing declarations in accordance with Articles 16(3) and 25(3) of the Control Regulation.

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.](#)

Status: Point in time view as at 20/11/2015.

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)

[^{F1}Article 30

Models for fishing log-books, transhipment declarations and landing declarations in paper format

1 In Union waters, the fishing logbook, transhipment declaration and landing declaration in paper format shall be completed and submitted by masters of Union fishing vessels in accordance with the model in Annex VI.

2 By way of the derogation from paragraph 1, for Union fishing vessels carrying out daily fishing trips in Mediterranean Sea, the fishing logbook, transhipment declaration and landing declaration in paper format may be completed and submitted by masters of Union fishing vessels in accordance with the model in Annex VII.

3 When Union fishing vessels are carrying out fishing activities in the waters of a third country, in waters regulated by a Regional Fisheries Management Organisation or in waters outside Union waters not regulated by a Regional Fisheries Management Organisation, the fishing logbook, transhipment declaration and landing declaration in paper format shall be completed and submitted by masters of Union fishing vessels in accordance with Article 31 of this Regulation and the models in Annexes VI and VII, unless the third country or the rules of the Regional Fisheries Management Organisation concerned specifically require the use of a different kind of fishing logbook, transhipment declaration or landing declaration. If the third country does not specify a particular fishing logbook, transhipment declaration or landing declaration, but does require data elements different from those required by the Union rules, such data elements shall be recorded.

4 Masters of Union fishing vessels not subject to Article 15 of the Control Regulation may continue to use until 31 December 2017, paper format for fishing logbook, transhipment declaration and landing declaration printed prior to 1 January 2016.]

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.](#)

Article 31

Instructions for the completion and submission of fishing logbooks, transhipment declarations and landing declarations in paper format

1 The fishing logbook, transhipment declaration and landing declaration in paper format shall be completed and submitted in accordance with the instructions set out in Annex X.

2 Where the instructions set out in Annex X state that the application of a rule is optional, the flag Member State may make it mandatory.

3 All entries in the fishing logbook, transhipment declaration or landing declaration shall be legible and indelible. No entry shall be erased or altered. If a mistake is made the incorrect entry shall be crossed out with a single line and the new correct entry shall be written and initialled by the master. Each line shall be initialled by the master.

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4 The master of the [F1Union fishing vessel] or, for transshipment declarations and landing declarations, his representative shall certify with his initials or signature that the entries in the fishing logbook, transshipment declaration and landing declaration are correct.

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.](#)

Article 32

Deadlines for the submission of a fishing logbook, transshipment declaration and a landing declaration in paper format

1 When a [F1Union fishing vessel] has made a landing in a port or a transshipment in a port or in a place close to the shore of its flag Member State, its master shall submit the original(s) of the fishing logbook, transshipment declaration and landing declaration as soon as possible and not later than 48 hours after completion of transshipment or landing to the competent authorities of the Member State concerned. The original(s) of such a transshipment declaration and landing declaration may also be submitted by the representative of the master on his behalf.

2 When no catches are landed after a fishing trip, the master shall submit the original(s) of the fishing logbook and transshipment declaration as soon as possible and not later than 48 hours after arrival in port. The original(s) of such a transshipment declaration may also be submitted by the representative of the master on his behalf.

3 When a [F1Union fishing vessel] has made a transshipment in a port or in a place close to the shore or a landing in a port of a Member State other than its flag Member State, it shall submit the first copy (copies) of the fishing logbook, transshipment declaration and landing declaration as soon as possible and not later than 48 hours after transshipment or landing to the competent authorities of the Member State in which the transshipment or landing takes place. The original(s) of the fishing logbook, transshipment declaration and landing declaration shall be dispatched as soon as possible and not later than 48 hours after transshipment or landing to the competent authorities of the flag Member State.

4 When a [F1Union fishing vessel] has made a transshipment in a port or in the waters of a third country or on the high seas or a landing in a port of a third country, it shall dispatch the original(s) of the fishing logbook, transshipment declaration and landing declaration as soon as possible and not later than 48 hours after the transshipment or landing to the competent authorities of the flag Member State.

5 When a third country or the rules of a Regional Fisheries Management Organisation require a different kind of fishing logbook, transshipment declaration or landing declaration from the one in Annex VI the master of the [F1Union fishing vessel] shall submit a copy of that document to his competent authorities as soon as possible and not later than 48 hours after transshipment or landing.

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](#)

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of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy.

Section 2

Specific rules for the fishing logbook in paper format

Article 33

Completion of fishing logbook in paper format

- 1 The paper fishing logbook shall be completed with all obligatory information even when there are no catches:
 - a daily by not later than 24.00 and before entering the port;
 - b at the time of any inspection at sea;
 - c at the time of events defined in the Community legislation or by the flag Member State.
- 2 A new line in the paper fishing logbook shall be filled in:
 - a for each day at sea;
 - b when fishing in a new ICES Division or another fishing zone the same day;
 - c when entering fishing effort data.
- 3 A new page in the paper fishing logbook shall be filled in:
 - a when using different gear, or a net of a different mesh size range, to that of the previous gear used;
 - b for any fishing done after a transshipment or an intermediate landing;
 - c if the number of columns is insufficient;
 - d on departure from a port when no landing has taken place.
- 4 On departure from a port, or following completion of a transshipment operation, and when catches remain on board, the quantities of each species shall be indicated on a new fishing logbook page.
- 5 The codes given in Annex XI shall apply to indicate, under the appropriate headings of the paper format fishing logbook, the fishing gear used.

Section 3

Specific rules for the transshipment declaration and landing declaration in paper format

Article 34

Handing over of a transshipment declaration in paper format

- 1 In the case of a transshipment operation between two [^{F1}Union fishing vessels] on completion of a transshipment operation the master of the transshipping fishing vessel or his representative shall hand over a copy of his vessel's paper transshipment declaration to the master of the receiving vessel or his representative. The master of the receiving vessel or his representative on completion of transshipment operation shall also hand over a copy of

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his vessel's paper transshipment declaration to the master of the transshipping vessel or his representative.

2 The copies referred to in paragraph 1 shall be presented for the purposes of control and inspection at the request of an official.

Textual Amendments

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Article 35

Signing of the landing declaration

Each page of the landing declaration shall be signed prior to submission by the master or his representative.

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