

Regulation (EU) 2017/1004 of the European Parliament and of the Council of 17 May 2017 on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008 (recast)

CHAPTER II

COLLECTION AND MANAGEMENT OF DATA IN THE FRAMEWORK OF MULTIANNUAL UNION PROGRAMMES

SECTION I

Multiannual Union programmes

Article 5

Content and criteria for the establishment of the multiannual Union programme

- 1 The multiannual Union programme shall establish:
 - a a detailed list of the data requirements to achieve the objectives set out in Articles 2 and 25 of Regulation (EU) No 1380/2013;
 - b a list of mandatory research surveys at sea;
 - c thresholds below which it is not mandatory for Member States to collect data based on their fishing and aquaculture activities or carry out research surveys at sea.
- 2 The data referred to in point (a) of paragraph 1 shall include:
 - a biological data on all stocks caught or by-caught in Union commercial and, where appropriate, recreational fisheries in and outside Union waters, including eels and salmon in relevant inland waters, as well as other diadromous fish species of commercial interest, to enable an ecosystem-based approach to fisheries management and conservation as necessary for the operation of the common fisheries policy;
 - b data to assess the impact of Union fisheries on the marine ecosystem in and outside Union waters, including data on by-catch of non-target species, in particular species protected under Union or international law, data on impacts of fisheries on marine habitats, including vulnerable marine areas, and data on impacts of fisheries on food webs;
 - c data on the activity of Union fishing vessels in and outside Union waters, including levels of fishing, and on effort and capacity of the Union fleet;
 - d socioeconomic data on fisheries to enable the socioeconomic performance of the Union fisheries sector to be assessed;
 - e socioeconomic data and sustainability data on marine aquaculture to enable the socioeconomic performance and the sustainability of the Union aquaculture sector, including its environmental impact, to be assessed;
 - f socioeconomic data on the fish processing sector to enable the socioeconomic performance of that sector to be assessed.

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3 In addition, the data referred to in point (a) of paragraph 1 may include socioeconomic data and sustainability data on freshwater aquaculture to enable the socioeconomic performance and the sustainability of the Union aquaculture sector, including its environmental impact, to be assessed.

4 For the purpose of establishing the multiannual Union programme, the Commission shall take into account:

- a the information needs for the management and efficient implementation of the common fisheries policy, with a view to reaching its objectives as set out in Article 2 of Regulation (EU) No 1380/2013. Such information shall also allow the targets required for the implementation of the multiannual plans referred to in Article 9 of that Regulation to be determined;
- b the need for data that are relevant, comprehensive and reliable for the purpose of decisions on fisheries management and protection of ecosystems including vulnerable species and habitats;
- c the need for and relevance of data for the sustainable development of aquaculture at Union level, taking account of the predominantly local character of its impacts;
- d the need to support impact assessments of policy measures;
- e costs and benefits, taking account of the most cost-effective solutions to achieve the objective of data collection;
- f the need to avoid disruption of existing time-series;
- g the need for simplification and to avoid duplication of data collection, in accordance with Article 1;
- h where relevant, the need for data to cover data-deficient fisheries;
- i regional specificities and regional agreements concluded in regional coordination groups;
- j the international obligations of the Union and its Member States;
- k spatial and temporal coverage of the data collection activities.

5 The list of mandatory research surveys at sea referred to in point (b) of paragraph 1 shall be drawn up taking into account the following requirements:

- a information needs for the management of the common fisheries policy, with a view to reaching its objectives as set out in Article 2 of Regulation (EU) No 1380/2013;
- b information needs arising from internationally agreed coordination and harmonisation;
- c information needs for the evaluation of management plans;
- d information needs for the monitoring of ecosystems variables;
- e information needs for an adequate coverage of stock areas;
- f the need to avoid duplication between research surveys at sea; and
- g the need to avoid disruption of time-series.

6 For stocks that are subject to catch limits, the rules on participation by different Member States in the research surveys at sea referred to in point (b) of paragraph 1 shall be based upon the share of the relevant Member States in the total allowable catches that are available for the Union for the stocks concerned. For stocks that are not subject to catch limits, those rules shall be based upon the relative share of the relevant Member States in the total exploitation of the stock concerned.

7 For stocks that are subject to catch limits, the threshold referred to in point (c) of paragraph 1 shall be set on the basis of the share of the relevant Member State in the total allowable catches that are available for the Union for the stock concerned. For stocks that are not subject to catch limits, that threshold shall be set on the basis of the relative share of the relevant

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Member State in the total exploitation of the stock concerned. Regarding the aquaculture and the processing sector such thresholds shall be proportionate to the size of those sectors of a Member State.

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Changes and effects yet to be applied to :

- Art. 5 heading word omitted by S.I. 2019/739 reg. 16(6)(a)
- Art. 5(1) word omitted by S.I. 2019/739 reg. 16(6)(b)(i)
- Art. 5(2) words substituted by S.I. 2019/739 reg. 16(6)(c)(i)(bb)
- Art. 5(2) words substituted by S.I. 2019/739 reg. 16(6)(c)(i)(cc)
- Art. 5(3) words substituted by S.I. 2019/739 reg. 16(6)(d)
- Art. 5(4) word omitted by S.I. 2019/739 reg. 16(6)(e)(i)
- Art. 5(4) words substituted by S.I. 2019/739 reg. 16(6)(e)(ii)
- Art. 5(5) words substituted by S.I.2019/739, reg. 16(6)(f)(zi) (as inserted) by S.I. 2020/1542 reg. 8(2)(a)(ii)
- Art. 5(6) omitted by S.I. 2019/739 reg. 16(6)(g)
- Art. 5(7) omitted by S.I. 2019/739 reg. 16(6)(g)

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

- Art. 3(3) word substituted by S.I. 2019/739 reg. 16(3)(a)
- Art. 3(3) words omitted by S.I. 2019/739 reg. 16(3)(b)
- Art. 5(1)(a) words substituted by 2020 c. 22 Sch. 11 para. 7(3)(a)
- Art. 5(1)(b) words substituted by S.I.2019/739, reg. 16(6)(b)(ii) (as substituted) by S.I. 2020/1542 reg. 8(2)(a)(i)
- Art. 5(1)(c) word substituted by S.I. 2019/739 reg. 16(6)(b)(ii)(bb) (This amendment not applied to legislation.gov.uk. Reg. 16(6)(b)(ii) substituted immediately before IP completion day by S.I. 2020/1542, reg. 8(2)(a)(i))
- Art. 5(1)(c) words substituted by S.I. 2019/739 reg. 16(6)(b)(ii)(aa) (This amendment not applied to legislation.gov.uk. Reg. 16(6)(b)(ii) substituted immediately before IP completion day by S.I. 2020/1542, reg. 8(2)(a)(i))
- Art. 5(1)(c) words substituted by S.I.2019/739, reg. 16(6)(b)(iii) (as substituted) by S.I. 2020/1542 reg. 8(2)(a)(i)
- Art. 5(2)(a) word omitted by S.I. 2019/739 reg. 16(6)(c)(i)(aa)
- Art. 5(2)(b) words substituted by S.I. 2019/739 reg. 16(6)(c)(ii)(aa)
- Art. 5(2)(b) words substituted by S.I. 2019/739 reg. 16(6)(c)(ii)(bb)
- Art. 5(2)(b) words substituted by S.I. 2019/739 reg. 16(6)(c)(ii)(cc)
- Art. 5(2)(c) words substituted by S.I. 2019/739 reg. 16(6)(c)(iii)(aa)
- Art. 5(2)(c) words substituted by S.I. 2019/739 reg. 16(6)(c)(iii)(bb)
- Art. 5(2)(c) words substituted by S.I. 2019/739 reg. 16(6)(c)(iii)(cc)
- Art. 5(2)(d) words substituted by S.I. 2019/739 reg. 16(6)(c)(iv)
- Art. 5(2)(e) words substituted by S.I. 2019/739 reg. 16(6)(c)(v)
- Art. 5(4)(a) words omitted by S.I. 2019/739 reg. 16(6)(e)(iii)(bb)
- Art. 5(4)(a) words substituted by 2020 c. 22 Sch. 11 para. 7(3)(b)
- Art. 5(4)(a) words substituted by S.I. 2019/739 reg. 16(6)(e)(iii)(aa)
- Art. 5(4)(c) words omitted by S.I. 2019/739 reg. 16(6)(e)(iv)
- Art. 5(4)(i) omitted by S.I. 2019/739 reg. 16(6)(e)(v)
- Art. 5(4)(j) words substituted by S.I. 2019/739 reg. 16(6)(e)(vi)
- Art. 5(5)(a) word substituted by S.I. 2019/739 reg. 16(6)(f)(i)(bb)
- Art. 5(5)(a) words substituted by 2020 c. 22 Sch. 11 para. 7(3)(c)
- Art. 5(5)(a) words substituted by S.I. 2019/739 reg. 16(6)(f)(i)(aa)
- Art. 6(3)(a) word omitted by S.I. 2019/739 reg. 16(8)(c)(i)
- Art. 6(3)(g) words substituted by S.I. 2019/739 reg. 16(8)(c)(ii)

- Art. 6(5)-(9) inserted by S.I.2019/739, reg. 16(8)(e) (as inserted) by [S.I. 2020/1542](#) reg. 8(2)(b)(iv)
- Art. 14(2)(c) omitted by [S.I. 2019/739](#) reg. 16(12)(b)(ii)
- Art. 20(1)(d) words substituted by [S.I. 2019/739](#) reg. 16(17)(a)(i)
- Art. 20(1)(e) words substituted by [S.I. 2019/739](#) reg. 16(17)(a)(ii)
- Art. 20(1)(f) words substituted by [S.I. 2019/739](#) reg. 16(17)(a)(iii)