

Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008

TITLE II

FISHING OPERATIONS BY UNION FISHING VESSELS OUTSIDE UNION WATERS

CHAPTER II

Fishing operations by Union fishing vessels in third-country waters

Section 3

Fishing operations under direct authorisations

Article 18

Procedure for obtaining fishing authorisations of the third country

1 A flag Member State that has verified that the conditions set out in points (a) to (e) of Article 17(1) are complied with shall send the Commission the relevant information listed in the Annex, and information related to the fulfilment of the conditions set out in point (c) of Article 17(1).

2 If the Commission considers that the information referred to in paragraph 1 of this Article is insufficient to assess the fulfilment of the conditions set out in Article 17, it shall request further information or justification within 10 working days of the receipt of that information.

3 If, following the request for further information or justification referred to in paragraph 2 of this Article and after discussions with the Member State concerned, the Commission finds that the conditions set out in Article 17 are not met, it may object to the granting of the fishing authorisation within 30 calendar days of receipt of all the required information or justification. If the Commission finds that those conditions are met, it shall inform the Member State concerned without delay of its intention not to object.

4 The flag Member State may issue the fishing authorisation upon expiry of the period referred to in paragraph 2. Where the Commission has requested further information in accordance with that paragraph, the flag Member State may issue the fishing authorisation if no objection has been raised by the Commission within the deadline referred to in paragraph 3 or prior to that deadline, provided that the Commission has informed the Member State of its intention not to raise objections.

5 By way of derogation from paragraphs 1 to 4, in the event of renewal of a fishing authorisation with the same terms and conditions and within 2 years from the granting of the initial fishing authorisation, the flag Member State may issue the fishing authorisation upon

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2017/2403 of the European Parliament and of the Council. 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](#)

verification of the information received in relation to the conditions set out in points (a), (b), (d) and (e) of Article 17(1) and shall inform the Commission thereof without delay.

6 If a third country informs the Commission that it has decided to issue, refuse, suspend or withdraw a direct authorisation to a Union fishing vessel, the Commission shall immediately inform the flag Member State accordingly.

7 If a third country informs the flag Member State that it has decided to issue, refuse, suspend or withdraw a direct authorisation to a Union fishing vessel, the flag Member State shall immediately inform the Commission accordingly.

8 An operator shall provide the flag Member State with a copy of the agreed final conditions between him and the third country, including a copy of the direct authorisation.

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Changes and effects yet to be applied to :

- Regulation revoked by [2020 c. 22 Sch. 11 para. 8](#)
- Art. 18 omitted by [S.I. 2019/739 reg. 8\(19\)](#)

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

- Title IIIa addition by [EUR 2019/498 Regulation](#)
- Title 2Ch. 2s. 4 addition by [EUR 2019/498 Regulation](#)
- Ch. 2 heading words substituted by [S.I. 2019/739 reg. 8\(10\)](#)
- Ch. 3 heading words substituted by [S.I. 2019/739 reg. 8\(20\)](#)
- Ch. 4 heading words substituted by [S.I. 2019/739 reg. 8\(25\)](#)
- Ch. 5 heading words substituted by [S.I. 2019/739 reg. 8\(29\)](#)
- Art. 2(a) words substituted by [S.I. 2019/739 reg. 8\(3\)\(b\)](#)
- Art. 2(b) words substituted by [S.I. 2019/739 reg. 8\(3\)\(b\)](#)
- Art. 2(c) words substituted by [S.I. 2019/739 reg. 8\(3\)\(c\)](#)
- Art. 3(2)(b) substituted by [S.I. 2019/739 reg. 8\(4\)\(a\)](#)
- Art. 3(2)(b) words inserted in earlier amending provision [S.I. 2019/739, reg. 8\(4\)\(a\)](#) by [S.I. 2019/1312 reg. 8\(2\)\(b\)\(i\)](#)
- Art. 3(2)(c) words substituted by [S.I. 2019/739 reg. 8\(4\)\(b\)](#)
- Art. 3(2)(d) words omitted by [S.I. 2019/739 reg. 8\(4\)\(c\)](#)
- Art. 3(2)(e) words substituted by [S.I. 2019/739 reg. 8\(4\)\(d\)](#)
- Art. 3(2)(f) words inserted by [S.I. 2019/739 reg. 8\(4\)\(e\)\(i\)](#)
- Art. 3(2)(f) words omitted by [S.I. 2019/739 reg. 8\(4\)\(e\)\(ii\)](#)
- Art. 3(2)(f) words omitted by [S.I. 2019/739 reg. 8\(4\)\(e\)\(iii\)](#)
- Art. 5(1)(a) words substituted by [S.I. 2019/739 reg. 8\(7\)\(a\)\(iii\)](#)
- Art. 5(1)(c) words substituted by [S.I. 2019/739 reg. 8\(7\)\(a\)\(iv\)](#)
- Art. 5(1)(d) words substituted by [S.I. 2019/739 reg. 8\(7\)\(a\)\(v\)](#)
- Art. 5(1)(e) words substituted by [S.I. 2019/739 reg. 8\(7\)\(a\)\(vi\)](#)
- Art. 6(2)(d) omitted by [S.I. 2019/739 reg. 8\(8\)\(b\)\(ii\)](#)
- Art. 6(3)(d) words substituted by [S.I. 2019/739 reg. 8\(8\)\(c\)\(ii\)](#)
- Art. 6(4)(b) omitted by [S.I. 2019/739 reg. 8\(8\)\(d\)\(ii\)](#)
- Art. 18a Text replacement by [EUR 2019/1797 Regulation](#)
- Art. 20(1)(a) words substituted by [S.I. 2019/739 reg. 8\(22\)\(a\)\(ii\)](#)
- Art. 20(1)(b) words substituted by [S.I. 2019/739 reg. 8\(22\)\(a\)\(iii\)](#)
- Art. 21(b) words substituted by [S.I. 2019/739 reg. 8\(23\)\(c\)](#)
- Art. 24(b) words substituted by [S.I. 2019/739 reg. 8\(27\)\(c\)](#)
- Art. 33(1)(c) words substituted by [S.I. 2019/739 reg. 8\(38\)\(c\)](#)
- Art. 33(1)(d) words substituted by [S.I. 2019/739 reg. 8\(38\)\(d\)](#)
- Art. 38a Text replacement by [EUR 2019/1797 Regulation](#)
- Art. 38b replacement by [EUR 2019/1797 Regulation](#)
- Art. 38c para. 2 Point (f) replacement by [EUR 2019/1797 Regulation](#)