

Regulation (EU) 2018/975 of the European Parliament and of the Council of 4 July 2018 laying down management, conservation and control measures applicable in the South Pacific Regional Fisheries Management Organisation (SPRFMO) Convention Area

TITLE IV

**COMMON CONTROL MEASURES**

*CHAPTER II*

***Transshipment***

*Article 23*

**General provisions on transshipment**

- 1 This Chapter shall apply to transshipment operations carried out:
  - a within the SPRFMO Convention Area in respect of SPRFMO fishery resources, and other species caught in association with these resources, that were harvested in the SPRFMO Convention Area;
  - b outside the SPRFMO Convention Area in respect of SPRFMO fishery resources, and other species caught in association with these resources, that were harvested in the SPRFMO Convention Area.
- 2 Transshipments at sea and in port shall only be undertaken between fishing vessels included in the SPRFMO record of vessels.
- 3 At sea transfer of fuel, crew, gear or any other supplies in the SPRFMO Convention Area shall only be undertaken between fishing vessels included in the SPRFMO record of vessels.
- 4 Transshipment operations at sea in respect of SPRFMO fishery resources, and other species caught in association with these resources, that were harvested in the SPRFMO Convention Area, shall be prohibited in Union waters.

*Article 24*

**Notification of transshipment of jack mackerel and demersal species**

- 1 Regardless of where the transshipment takes place, in case of transshipment of jack mackerel and demersal species caught in the SPRFMO Convention Area by Union fishing vessels, the authorities of the flag Member State shall simultaneously transmit to the Commission and the SPRFMO Secretariat the following information:
  - a a notification of the intention to tranship, which shall indicate a 14-day period in which the transshipment of jack mackerel and demersal species caught in the SPRFMO Convention Area is scheduled to occur, and which shall be received seven days in advance of the first day of the 14-day period;

- b a notification of the actual transshipment, which shall be received at least 12 hours before the estimated time of such activities.

Member States may authorise the Union fishing vessel operator to transmit that information directly to the SPRFMO Secretariat by electronic means subject to the simultaneous transmission of the information to the Commission.

2 The notifications referred to in paragraph 1 shall include the relevant information available regarding the transshipment operation, including the estimated date and time, anticipated location, fishery, and information about the Union fishing vessels involved, in accordance with Annex VII.

#### *Article 25*

### **Monitoring of transshipment of jack mackerel and demersal species**

1 If an observer is on board the unloading or receiving Union fishing vessel, the observer shall monitor the transshipment activities. The observer shall complete the SPRFMO transshipment logsheet in accordance with Annex VIII to verify the quantity and species of the fishery products being transhipped, and shall provide a copy of the logsheet to the competent authorities of the Member State to which the observed vessel is flagged.

2 The Member State to which the fishing vessel is flagged shall submit the observer data of the SPRFMO transshipment logsheet to the Commission within 10 days of the observer debarking. The Commission shall forward those data to the SPRFMO Secretariat within 15 days of the date of debarkation.

3 For the purpose of verifying the quantity and species of the fishery products being transhipped, and in order to ensure that proper verification can occur, the observer on board shall have full access to the observed Union fishing vessel, including crew, gear, equipment, records (including in electronic format) and fish holds.

#### *Article 26*

### **Information to be reported after the transshipment of jack mackerel and demersal species**

1 Member States whose vessels are involved in the transshipment operation shall notify all the operational details simultaneously to the SPRFMO Secretariat and the Commission in accordance with Annex IX not later than seven days after the transshipment is carried out.

2 Member States may authorise the Union fishing vessel operator to transmit the information referred to in paragraph 1 directly to the SPRFMO Secretariat by electronic means subject to simultaneous transmission of the information to the Commission. Any request for clarification from the SPRFMO Secretariat received by the Union fishing vessel operator shall be forwarded to the Commission.