

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 III

*Common rules for fishing logbooks, transshipment declarations
and landing declarations in paper or electronic format*

Section 1

Common rules for the determination of live weight

Article 48

Definitions

For the purpose of this Chapter the following definitions shall apply:

- (1) 'presentation' means the form into which the fish is processed while on board of the fishing vessel and prior to landing, as described in Annex I;
- (2) 'collective presentation' means a presentation consisting of two or more parts extracted from the same fish.

Article 49

Conversion factors

1 For the completion and submission of fishing logbooks as referred to in Articles 14 and 15 of the Control Regulation the EU conversion factors set out in Annexes XIII, XIV and XV shall apply to convert stored or processed fish weight into live fish weight. They shall apply to fisheries products on board or transhipped or landed by [^{F1}Union fishing vessels].

2 By way of derogation from paragraph 1, where Regional Fisheries Management Organisations, of which the European Union is a contracting party or cooperating non-contracting party, for its regulatory area or a third country with whom the European Union has an agreement to fish, for the waters under its sovereignty or jurisdiction, have established conversion factors, those factors shall apply.

3 Where no conversion factors as referred to in paragraphs 1 and 2 exist for a given species and presentation, the conversion factor adopted by the flag Member State shall apply.

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](#)

4 Without prejudice to paragraph 2 the competent authorities of Member States shall use the EU conversion factors referred to in paragraph 1 when calculating the live weight of transhipments and landings in order to monitor the quota uptake.

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 50

Calculation method

1 The fish live weight shall be obtained by multiplying the fish processed weight by the conversion factors referred to in Article 49 of this Regulation for each species and presentation.

2 In case of collective presentations, only one conversion factor corresponding to one of the parts of the collective presentation of a fish shall be used.

Section 2

Common rules for the completion and submission of the Fishing logbook

Article 51

General rules for fishing logbooks

1 The margin of tolerance referred to in Article 14(3) of the Control Regulation for the estimation of quantities in kilograms live weight of each species retained on board shall be expressed as a percentage of the fishing logbook figures.

2 For catches which are to be landed unsorted the margin of tolerance may be calculated on the basis of one or more representative samples for the total quantities kept on board.

3 For the purpose of the application of Article 14 of the Control Regulation species caught for live bait shall be considered as a species caught and kept on board.

4 The master of a [F1Union fishing vessel] crossing an effort zone where it is authorised to fish shall record and report the information referred to in Article 14(5) of the Control Regulation as applicable even if he does not carry out any fishing activities in that zone.

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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Section 3

Common rules for the completion and submission of transshipment/landing declarations

Article 52

Margin of tolerance in the transshipment declaration

The margin of tolerance referred to in Article 21(3) of the Control Regulation for the estimation of quantities in kilograms live weight of each species transhipped or received shall be expressed as a percentage of the transshipment declaration figures.

Article 53

Difference in transhipped catches

When a difference exists between the quantities of catches transhipped from the transshipping vessel and the quantities taken on board by the receiving vessel the higher quantity shall be considered to have been transhipped. Member States shall ensure that follow up action is taken to determine the actual weight of fishery products transhipped between the transshipping and the receiving vessel.

Article 54

Completion of landing operation

When, in accordance with Article 61 of the Control Regulation, the fisheries products are transported from the place of landing before they have been weighed, the landing operation shall be regarded to have been completed for the purpose of the application of Articles 23(3) and 24(1) of the Control Regulation when the fisheries products have been weighed.

Article 55

Fishing Operations involving two or more [F1Union fishing vessels]

Without prejudice to special rules in the case of fishing operations involving two or more [F1Union fishing vessels]:

- from different Member States, or
- from the same Member State but where the catches are landed in a Member States of which they do not fly the flag,

the landed catch shall be attributed to the [F1Union fishing vessel] landing the fisheries products.

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](#)

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](#)

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

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.

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Changes and effects yet to be applied to :

- 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\(84\)\(b\)](#)