

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 IX

DATA AND INFORMATION

[^{F1}CHAPTER Ia

Rules for the exchange of data

[^{F2}Article 146a

This Chapter lays down detailed rules for the exchange of data as referred to in Articles 111 and 116 of the Control Regulation, the exchange of inspection and surveillance report data as referred to in Articles 71, 76 and 83 of the Control Regulation, as well as for the notification of catch data as referred to in Article 33(2) and (4) of the Control Regulation.]

Textual Amendments

- F2** Substituted by [Commission Implementing Regulation \(EU\) 2020/30 of 14 January 2020 amending Implementing Regulation \(EU\) No 404/2011 as regards detailed rules for the direct electronic exchange of information enacted under the rules of the Common Fisheries Policy.](#)

Article 146b

Definitions

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

- (a) ‘Transportation layer’ means the electronic network for fisheries data exchanges as made available by the Commission to all Member States and the body designated by it to exchange data in a standardised way;
- (b) ‘Report’ means the information recorded by electronic means;
- (c) ‘Message’ means the report in its format for transmission;
- (d) ‘Request’ means an electronic message containing a query for a set of reports.

Article 146c

General principles

1 All messages shall be exchanged based on the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT) P1000 standard. Only data fields, core

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](#)

components, objects and well formatted Extensible Markup Language (XML) messages according to the XML Schema Definition (XSD) based on the UN/CEFACT standardisation libraries shall be used.

2 The report formats shall be based on the UN/CEFACT standards as referred to in Annex XII and shall be made available on the Master Data Register page of the European Commission Fisheries website.

3 The XSD and codes on the Master Data Register page of the European Commission Fisheries website shall be used for all messages.

4 Date and time shall be transmitted in Coordinated Universal Time (UTC).

5 All reports shall have a unique report identifier.

6 A unique human readable fishing trip identifier shall be used to link the fishing log-book data with landing declaration data, transshipment declaration data, sales note data, take-over declaration data and transport document data.

7 Reports related to Union fishing vessels shall include the identification number of the vessel as referred to in Article 10 of Commission Regulation (EC) No 26/2004⁽¹⁾.

8 Member States shall use the implementation documents available on the European Commission fisheries website to ensure exchange of messages.

Article 146d

Transmission of messages

[
layer.] All transmissions shall be fully automated and immediate, using the transportation

2 Before transmitting a message, the sender shall perform an automatic check to verify that the message is correct according to the minimum set of validation and verification rules available on the Master Data Register on the European Commission Fisheries website.

3 The receiver shall inform the sender on the reception of the message by transmitting a return message based on UN/CEFACT P1000-1: General Principles. Vessel monitoring system messages and replies to a request shall not receive a return message.

4 When a technical failure occurs on the sender side and the sender can no more exchange messages, the sender shall notify all receivers of the problem. The sender shall immediately take appropriate actions to correct the problem. All messages that have to be delivered to a receiver shall be stored until the problem is solved.

5 When a technical failure occurs on the receiver side and the receiver can no more receive messages, the receiver shall notify the all senders of the problem. The receiver shall immediately take appropriate actions to correct the problem.

6 After repair of a system failure related to a sender, the sender shall transmit unsent messages as soon as possible. A manual follow-up procedure may be applied.

7 After repair of a system failure related to the receiver, missing messages shall be accessible on request. A manual follow-up procedure may be applied.

8 All senders and receivers of messages and the Commission shall establish failover procedures for business continuity.

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Article 146e

Corrections

Corrections to reports shall be recorded in the same format as the original report, indicating that the report is a correction based on the UN/CEFACT P1000-1: General Principles.

Article 146f

Exchange of vessel monitoring system data

- 1 The format to be used to report vessel monitoring system data between Member States, as well as between Member States and the Commission or the body designated by it, shall be the Vessel Position Domain XML Schema Definition based on the UN/CEFACT P1000-7.
- 2 Flag Member State systems shall be capable of sending vessel monitoring system messages.
- 3 Flag Member State systems shall also be capable of replying to requests for vessel monitoring system data for fishing trips that started during the previous 36 months.

Article 146g

Exchange of fishing activity data

- 1 The format to be used to exchange fishing logbook data, prior notification data, transshipment declaration data, and landing declaration data, as referred to in Articles 15, 17, 22 and 24 of the Control Regulation, between Member States, as well as between Member States and the Commission or the body designated by it, shall be the Fishing Activity Domain XML Schema Definition based on the UN/CEFACT P1000-3.
- 2 Flag Member State systems shall be capable of sending fishing activity messages as well as of replying to requests for fishing activity data for fishing trips that started during the previous 36 months.

Article 146h

Exchange of sales related data

- 1 The format to be used to exchange sales notes data and take-over declarations data, as referred to in Articles 63 and 67 of the Control Regulation, between Member States, as well as between Member States and the Commission or the body designated by it, shall be the Sales Domain XML Schema Definition based on the UN/CEFACT P1000-5.
- 2 When transport document data as referred to in Article 68 of the Control Regulation are exchanged between Member States, as well as between Member States and the Commission or the body designated by it, the format used shall also be based on the UN/CEFACT P1000-5.

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3 Member State systems shall be capable of sending sales notes and take-over declarations messages as well as of replying to requests for sales notes and take-over data for operations taken place in the previous 36 months.

Article 146i

Transmission of aggregated catch data

[^{F21} Flag Member States shall use the XML Schema Definition based on the UN/CEFACT P1000-12 as format to transmit to the Commission the aggregated catch data referred to in Article 33(2) and (4) of the Control Regulation.]

2 The catch report data shall be aggregated per month in which the species were caught.

[^{F23} The catch report quantities shall be based on the quantities landed. If catches are not yet landed, an estimate catch report shall be provided, with the indication 'retained on board'. A correction with the exact weight and landing place shall be transmitted before the 15th of the month following the landing.]

4 When the Union legislation requires the reporting of stocks or species in multiple catch reports at different aggregation levels, these stocks or species shall only be reported in the most detailed report required.

Textual Amendments

- F2** Substituted by [Commission Implementing Regulation \(EU\) 2020/30 of 14 January 2020 amending Implementing Regulation \(EU\) No 404/2011 as regards detailed rules for the direct electronic exchange of information enacted under the rules of the Common Fisheries Policy.](#)

Article 146j

Changes to XML formats and implementation documents

[^{F21} Amendments to XML formats and implementation documents to be used for all electronic data exchanges between Member States, and between Member States, the Commission or the body designated by it, including the amendments resulting from Articles 146f, 146g, 146h and 146k, shall be decided by the Commission in concert with Member States.]

2 The amendments referred to in paragraph 1 shall be clearly identified on the Master Data Register of the European Commission Fisheries website and marked with the date the amendment comes into effect. Such amendments shall not come into effect earlier than 6 months and no later than 18 months after they have been decided. The timing shall be decided by the Commission in concert with Member States.

Textual Amendments

- F2** Substituted by [Commission Implementing Regulation \(EU\) 2020/30 of 14 January 2020 amending Implementing Regulation \(EU\) No 404/2011 as regards detailed rules for the direct electronic exchange of information enacted under the rules of the Common Fisheries Policy.](#)

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^{F3} Article 146k

Exchange of inspection and surveillance related data

1 The format to be used to exchange inspection and surveillance report data, referred to in Articles 71, 76 and 83 of the Control Regulation, between Member States, as well as between Member States and the Commission or the body designated by it, shall be the Inspection and Surveillance Domain XML Schema Definition based on the UN/CEFACT P1000-8.

2 As from a date established in concert with Member States in accordance with Article 146j(2), Member State systems shall be capable of sending inspection and surveillance messages and of replying to requests for inspection and surveillance data in accordance with the Inspection and Surveillance Domain XML Schema Definition based on the UN/CEFACT P1000-8.]]

Textual Amendments

- F3** Inserted by [Commission Implementing Regulation \(EU\) 2020/30 of 14 January 2020 amending Implementing Regulation \(EU\) No 404/2011 as regards detailed rules for the direct electronic exchange of information enacted under the rules of the Common Fisheries Policy.](#)

Textual Amendments

- F1** Inserted 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.](#)

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](#)

- (1) [^{F1}Commission Regulation (EC) No 26/2004 of 30 December 2003 on the Community fishing fleet register (OJ L 5, 9.1.2004, p. 25).]

Textual Amendments

- F1** Inserted 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.](#)

Changes to legislation:

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