

ANNEX 1: Advertisement for the performance of physical engine power verification on fishing vessels in the area of Limfjorden, Denmark, in 2021

English

This annex describes in detail the task in the advertisement for the performance of physical engine power verification on fishing vessels.

As part of the Common Fisheries Policy (CFP), engine power of fishing vessels is one of the measures used to control fishing effort and to determine the fleet size of European fishing fleets, in order to ensure sustainable management of marine resources. Therefore, Member States register and control engine power, and are required to carry out physical engine power verifications where there are indications that the engine power of a fishing vessel is greater than the power stated on its fishing license.

The physical engine power verification must be carried out in accordance with Article 38-41 in Council Regulation (EC) No. 1224/2009) and Article 61-63 in Commission Implementing Regulation (EU) No 404/2011, which inter alia describes conditions for member state's control of fishing capacity.

Furthermore, if the power of the propulsion engine is measured after the reduction gear, the contractor must apply an appropriate correction to the measurement in order to calculate the propulsion engine power at the engine output flange according to the following definition in Article 5(1) of Regulation (EEC) No 2930/86:

- "The engine power shall be the total of the maximum continuous power which can be obtained at the flywheel of each engine and which can, by mechanical, electrical, hydraulic or other means, be applied to vessel propulsion. However, where a gearbox is incorporated into the engine, the power shall be measured at the gearbox output flange. No deduction shall be made in respect of auxiliary machines driven by the engine. The unit in which engine power is expressed shall be the kilowatt (KW)"

Both national and European legislation restrict engine size greater than 221 kW on fishing vessels in certain areas. The Danish Fjord, Limfjorden, is one of those areas with national restrictions on the engine size. Among others, mussel vessels e.g. are here only allowed to fish with an engine size of no more than 130 kW, in accordance with the Danish regulation, and trawlers only 130.5 kW¹.

The contracting authority is requesting an offer to assist the Danish fisheries control in performing engine power verification on a number of Danish fishing vessels that are allowed to fish in the area of Limfjorden.

The task includes the undertaking of minimum 15 physical verifications of engine power of vessels in Limfjorden. In addition, the advertisement includes the option of adding up to 10 physical verifications during the contract period. Whether this option is used depends on the results of the first 15 verifications, particularly if it turns out that a majority of the examined engines exceeds the authorized engine power.

The verifications is set to be performed at an ongoing basis in the months May and June 2021. It is possible and desirable that multiple verifications are completed at once.

¹ Executive Order No. 1083 30/10/2019, §27 (1), litra d and Executive Order No. 366 02/04/2019, § 4 (2).

The contracting authority is in charge of determining which vessels that are to be subjected to testing in advance. Furthermore, the detailed planning of the verifications must be carried out in corporation with the contracting authority, and must be taken into account at all time.

The method required for carrying out the physical verifications is either the Strain Gauge method, which is the method used in the Study published by the Commission in 2019², or other possible methods, with similar accuracy and efficiency. It applies to all methods that they should be compliant with Article 63 of the Commission implementing regulation No 404/2011.

For each verification, the contractor shall draw up a final report in either Danish or English that concludes the result and the measured engine power in kW. The final report shall be admissible as evidence in connection with suspected violations of the regulation.

The undertaking of the physical engine power verification will take place in close cooperation with inspectors from the Danish fishery control, which accompanies the contractor at all time when performing the verifications.

² The European Commission: Study on engine power verification by Member States (2019): <https://op.europa.eu/en/publication-detail/-/publication/a867cbac-8e90-11e9-9369-01aa75ed71a1>