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COM(2012) 608 final

2012/0292 (NLE)

Proposal for a

**COUNCIL REGULATION**

**fixing for 2013 the fishing opportunities available to EU vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements**

## EXPLANATORY MEMORANDUM

### **1. CONTEXT OF THE PROPOSAL**

#### **Grounds and objectives**

All fishing opportunities regulations must limit the harvesting of the fish stocks to levels which must be consistent with the overall objectives of the Common Fisheries Policy (CFP). In this respect, Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy sets out the objectives for the annual proposals for catch and fishing effort limitations to ensure that Union fisheries are ecologically, economically and socially sustainable.

The fishing opportunities exercise represents an annual management cycle (biennial in the case of deep sea stocks). However, this does not stand in the way of the introduction of long-term management approaches. The Union has made good progress in this regard and key stocks of commercial interest are now subject to multi-annual management plans. Yearly TACs and effort ceilings must comply with them.

#### **Scope**

This proposal covers the stocks in the Atlantic and the North Sea for which the Union decides autonomously what exploitation level must be set. Fishing opportunities resulting from Regional Fisheries Management Organisations (RFMOs) or negotiated in consultations with Norway and other third countries (shared stocks) are to be dealt with later in the year, when the results of the relevant international negotiations become available.

#### **Situation of the stocks**

The Commission has, for seven years now, published a Communication that reviews the state of the situation to which the fishing opportunities proposals must respond. This year, the Communication from the Commission concerning a Consultation on Fishing Opportunities for 2013 (COM(2012)278 final, hereinafter "Commission Consultation on Fishing Opportunities") provides an overview of the state of the stocks based on the findings of the scientific advice issued in 2011. The Communication thus reports that 65% of fish stocks in EU waters are not fully assessed. It also signals some trends that are of concern, notably a decrease in the proportion of stocks within safe biological limits, but also some positive ones: where the state of stocks has been assessed, they seem to be improving slowly. In the Atlantic and nearby areas, the proportion of overfished stocks has fallen almost by half, down to around 47% from 94% in 2004.

Scientific advice is essentially dependent on data: only stocks for which there is sufficient and reliable data can be fully assessed, so that size estimates are produced, as well as a forecast of how they will react to the various exploitation scenarios (this is referred to as "catch options tables"). In these cases, the advice is able to provide estimates of adjustments to the fishing opportunities that will bring the stock to produce its maximum sustainable yield (MSY). The advice is then referred to as "MSY advice".

In early July 2012, and in response to the Commission's request, the International Council for the Exploration of the Seas (ICES) provided its annual advice on most fish stocks covered by this proposal. This advice was reviewed by the Scientific, Technical and Economic Committee for Fisheries (STECF) at its summer plenary, 9 to 13 July. The outlook that arises from this latest

advice is noteworthy, as it suggests there have been significant steps forward in terms of the knowledge of the stocks and of the scientific's bodies ability to assess them. Just for the 83 stocks covered by this proposal, the improvement of the knowledge base for management can be summarised by noting that of the 55 stocks for which only qualitative advice due to data limitations was issued last year, 8 have moved to MSY advice. A further 24 of those stocks are now covered by quantitative advice that makes use of the data available and of indicators and trends. So the influence of data-poor situations has been much reduced this year. This is partly due to the efforts made to overcome data deficiencies, including by the stakeholders, and partly due to the efforts of the scientists themselves to develop methods that make the best use of the data available.

The increase in stocks covered by MSY advice in this proposal is also very important. They are now 20, representing a quarter of all the stocks covered by this proposal. These figures almost double last year statistics (12 stocks). This is a marked step forward in the availability of scientific advice to support the objective of ensuring optimal utilisation of the fisheries resources in EU waters this year, as this group of stocks includes those with the greatest economic value, such as hake, cod, anglerfish, sole, megrims, haddock and Norway Lobster.

The proposed fishing opportunities respond to the scientific advice received by the Commission as to the state of the stocks, which has been used in the manner outlined in the Communication from the Commission concerning a Consultation on Fishing Opportunities for 2013 (COM(2012)278 final).

### **Consistency with other policies and objectives of the Union**

The measures proposed are designed in accordance with the objectives and the rules of the Common Fisheries Policy and are consistent with the Union's policy on sustainable development.

## **2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS**

### **Consultation of interested parties**

#### **(a) Consultation methods, main sectors targeted and general profile of respondents**

The Commission has consulted stakeholders, in particular through the Regional Advisory Councils (RACs), and Member States on its proposed approach to its various fishing opportunities proposals on the basis of its Consultation on Fishing Opportunities for 2013.

In addition, the Commission has followed the orientations outlined in its Communication to the Council and European Parliament on improving consultation on Community fisheries management (COM(2006)246 final), which sets out the principles for the so called front-loading process.

In the framework of the frontloading process, the Commission developed two consultation papers on specific topics relevant for this proposal, namely:

- Seabass: the possibility of creating a new TAC for seabass (*Dicentrarchus labrax*), given the increase since the early 1990s in the exploitation of this species and uncertainties regarding its abundance in certain areas.
- Flatfish reporting: scientific advice suggests that it may be appropriate to adopt separate management measures for the 3 combined flatfish TACs in the North Sea (dab and flounder, lemon sole and witch, and turbot and brill).

These frontloading documents were submitted to Member States to provide them with an opportunity for feedback. Furthermore, the Commission organised an event for stakeholders in September 2012, at which the outcomes of the scientific advice and its key implications were presented and discussed.

(b) Summary of responses and how they were taken into account

Whereas the frontloading process is focused on technical aspects, the response to the Commission Consultation on Fishing Opportunities mentioned above reflects the views of Member States and stakeholders on the evaluation made by the Commission of the state of the resources and how to ensure the appropriate management response.

*Member States*

While welcoming some positive aspects in the Commission Consultation, Member States highlighted that the MSY target should be reached in a gradual way (the target date of 2015 where possible, not for all stocks), that multiannual management plans must indeed be followed when they regulate any given stock. As regards stock where there is little or no advice, Member States favoured a case-by-case approach or a rollover of the TAC levels from year to year.

*South Western Waters RAC (SWWRAC)*

The SWWRAC welcomed the scientific work leading to quantitative advice for stocks without population estimates – the so-called data-limited stocks. It also continued to support the development of multiannual management plans and asked for the participation of stakeholders in all stages of the process. The SWWRAC regretted the lack of precision underlying the methodology to be used for fixing fishing opportunities for data-limited stocks or for stocks where no scientific advice is available. Finally, the SWWRAC stressed the importance of taking into account socioeconomic considerations when fixing fishing opportunities for 2013 and stated that, although MSY by 2015 is an objective supported by the SWWRAC, its achievement should be delayed, when possible, so as to minimise negative socioeconomic impacts.

*North Western Waters RAC (NWWRAC)*

The NWWRAC welcomes the fact that the Commission Consultation recognises a general improvement in the stocks for which there is sound scientific advice. It deplores, however, the fact that a more solid socio-economic analysis has not been carried out. As regards scientific advice, the NWWRAC requests clarifications regarding the application of ICES precautionary margins for data-limited stocks or for stocks where no scientific advice is available; the NWWRAC is concerned about how this methodology will impact on TAC levels proposed by the Commission for 2013. NWWRAC expresses concerns regarding the transition to fishing mortality at MSY levels and how this will be implemented in practice. The NWWRAC considers technical measures and selectivity to be the right tools for this, as opposed to effort and quota reductions. As regards multiannual management plans, the NWWRAC recalls that it has assisted ICES with the development of plans for the West of Scotland haddock and is now working on developing the concept of mixed-fisheries for demersal species in both the West of Scotland and part of the Celtic and the Irish seas.

*Pelagic RAC (PELRAC)*

The PELRAC did not react directly to the Commission Consultation, but instead has been producing, during 2012, specific inputs on how the RAC would wish to deal with the various stocks

within its remit, e.g. boarfish, herring and southern horse mackerel, blue whiting. A central point is the PELRAC's willingness to propose management plans for those stocks, in close collaboration with ICES and STECF.

#### *North Sea RAC (NSRAC)*

The NSRAC generally welcomed the Commission Consultation paper as an improvement on previous years, and specially the Commission's effort to establish a new approach for setting TACs where full quantitative advice is not available and where data is limited. Notwithstanding these positive features, the NSRAC also believed the tone and wording of some parts of the text were too pessimistic. The Commission has considered all submissions mentioned above and, within the limits of what is compatible with the nature of a Council regulation on fishing opportunities, has tried to integrate them.

### **Collection and use of expertise**

As for the methodology used, the Commission consulted two main expert organisations: ICES, an international independent scientific body, and STECF. Advice from ICES is based on an advice framework developed by its scientists and used in accordance with the Memorandum of Understanding agreed with the Commission. The STECF gives its advice following terms of reference that it receives from the Commission.

#### (a) Summary of advice received and used

The ultimate objective of the Union is to bring the stocks to levels that can deliver Maximum Sustainable Yield (MSY). The question lies on how to ensure that this is achieved in 2015 at the latest, as the Union committed to do when it subscribed to the conclusions of the 2002 World Summit on Sustainable Development in Johannesburg and its related Plan of Implementation. The first consideration is whether this is actually feasible. If the required information on the stocks is available from scientific advice, the answer to that question is positive. As already noted, the number of stocks for which this information is indeed available has doubled compared to last year, so the grounds for making the Johannesburg commitment effective are laid for a full quarter of stocks covered by this proposal. Among these figure the most important stocks in terms of volume of catches and commercial value such as hake, cod, anglerfish, sole, megrims, haddock and Norway lobster.

Reaching the MSY objective may, in certain cases, need a reduction in fishing mortality rates and/or a reduction in catches. However, it remains within the remit of managers to decide how fast or how gradually these reductions must take place. The two basic options identified in this context are a) achieving fishing mortality rates below MSY level as soon as possible (i.e. in 2013) or b) achieving these rates in 2015 (i.e. a gradual reduction over the next 3 years). ICES refers to these two scenarios as, respectively, "MSY framework" advice and "MSY transition" advice. Relevant catch options are provided in the advice for each scenario, and also for intermediate values. For each stock, however, ICES marks a preference for one scenario or the other.

Against this background, this proposal makes use of the MSY advice, where available, by proposing TACs consistent with reductions in fishing mortality that achieve the MSY objective in 2013. This approach is consistent with the Commission Consultation on Fishing Opportunities.

For stocks subject to qualitative advice, recommendations are given as to whether to reduce, stabilise or allow catches to increase. ICES advice has in many cases provided quantitative guidance about such variations, based on their methodology of a 20% maximum change in catches

either up or down, on precautionary grounds. This guidance has been used to set the TACs proposed.

Where there is no scientific advice at all, the precautionary approach has been followed, meaning precautionary TAC reductions by 20%.

For 12 stocks (mainly widely distributed stocks, sharks and rays) the advice will be issued in the autumn. This proposal will need to be updated as appropriate once that advice is received. For 9 stocks, the advice is used for the purpose of implementing applicable management plans or agreed harvest control rules.

In terms of the actual trends seen in the evolution of the stocks, the following cases may be highlighted:

- **Norway Lobster in the West of Scotland** has several of its functional units at MSY levels and the overall TAC can support an increase by 18%.
- **Plaice in the Channel:** the stock in the eastern area is at MSY and the TAC, combined with the western channel stock can be raised by 18%.
- **Cod in the Celtic Sea:** this stock is at MSY levels and the fishing opportunities can remain stable at the current high levels, following a substantial increase last year.
- **Sole in the Celtic Sea** is at MSY levels and can sustain an increase of the fishing opportunities by 4%
- **Sole in the Western Channel** is at MSY level and under its management plan can support an increase in fishing opportunities by 15%

As to less positive trends, the following should be highlighted:

- **Cod and Whiting in the West of Scotland:** these stocks are subject to extremely high rates of discarding of their by-catch in other fisheries and have clearly failed to recover. Efforts are being made this year by the industry and the Member States concerned to ensure use of selective gears in these fisheries, and it is important that these efforts are sustained and intensified if these stocks are to be saved from total commercial collapse.
- **Cod in the Irish Sea and in the Kattegat** continue to be in a data-poor situation and subject to the mandatory TAC reductions by 25% imposed by their plan. None of the possible indicators looked at by the scientific bodies suggest there is any substantial improvement in their state despite successive reductions over the last 4 years.
- **Haddock in the Celtic Sea** is now subject to MSY advice and this is positive. However, in order to achieve MSY for this stock, it is necessary to bring down the catch limit, which was set too high last year. A reduction by 55% is required to this end. In parallel, selectivity measures are being put in place by the Commission with stakeholder input.
- **Sole in the Bay of Biscay** is a similar case to haddock in the Celtic Sea: a cut in fishing opportunities is needed this year in order to take the stock to MSY. The proposal is for a 29% TAC reduction.
- **Sole in the Irish Sea** is deemed to be extremely low and the advice now recommends that there should be no directed fisheries for this stock and that by-catches should be minimised. The MSY advice for this resource implies a reduction in the TAC – which should indeed only cover by-catches) by 80% to a mere 60 tonnes.

STECF confirms, and has in some cases developed on, the advice provided by ICES.

(b) Means used to make the expert advice publicly available

All STECF reports are available, after formal adoption by the Commission, on the DG MARE website. All ICES reports are available on ICES' website.

### **Impact assessment**

The fishing opportunities regulation is not an instrument that allows the Council to adopt complex packages of measures, and must limit itself to the scope set by Article 43(3) of the Treaty. It is therefore well adapted to a management by results approach. If the policy, as a whole, works better, then the annual fishing opportunities will improve. This includes, in particular, technical measures, fleet management, structural support, control and enforcement, markets regulation and integration of management tools into a comprehensive maritime policy. It remains, however, necessary to use this instrument to make adjustments necessary to conserve the resource base for the European harvesting and processing industry, and prevent or correct negative impacts of a too high fishing mortality on the marine environment.

The Union has adopted a number of multi-annual management plans for stocks of key economic importance, including hake, cod, flatfish and others. Before their adoption, such plans are subject to the requirement of an Impact Assessment. Once in force, they determine the TAC levels that must be fixed for the given year in order to attain their long-term objectives. The Commission is bound to make its proposal for TACs in accordance with these plans. As a result, many crucial TACs included in the proposal are the result of the specific Impact assessment carried out for the plan they are based upon.

For the remainder, and despite the fact that multi-annual plans are not in force for the relevant stocks, the proposal seeks to avoid short-term approaches in favour of longer-term sustainability decisions. In many cases, this entails a more gradual reduction in fishing opportunities.

The policy towards MSY that underlies the Commission's long-term management approach has been the subject of a detailed analysis and impact assessment in the framework of the reform of the CFP, a process which materialised in the tabling of a package of proposals on 13 July 2011. The desirability to reach management of stocks consistent with MSY in the mid term has been specific subject of analysis in this context: the Impact Assessment report (SEC(2011) 891) identifies this objective as a necessary condition to achieve environmental, economic and social sustainability.

The analysis shows that achieving MSY by the target date implies short term economic and social costs. However, such costs pay off clearly in the medium term. The analysis, however, also shows clearly the crucial and urgent need to improve the knowledge base if the CFP is to be successful. This need affects both the data required for scientific advice on the state of the stocks and the data required to assess and influence the economy and social aspects of the activity. It is in light of this analysis that the current proposal seeks already to move in the right direction with complementary and coherent approaches. First, the proposal pursues the MSY objective decisively when the science basis to do so is available, making thus the best use possible of the scientific advice. Second, for stocks for which management by MSY cannot be implemented for lack of full assessment, the proposal takes an approach based on precautionary considerations and the guidance provided in the advice. Reducing the need for precautionary measures means, in essence, reducing the uncertainty in the advice. Much progress in this regard has been achieved over the last 12 months, but more still needs to be done. The national administrations concerned and the stakeholders must renew their efforts to collect and provide to the scientists the necessary data.

### **3. LEGAL ELEMENTS OF THE PROPOSAL**

#### **Legal basis**

The legal basis of this proposal is Article 43(3) of the Treaty on the Functioning of the European Union.

The Union's obligations for sustainable exploitation of living aquatic resources arise from obligations set out in Article 2 of Regulation (EC) No 2371/2002.

#### **Summary of the proposal**

The proposal establishes the catch and effort limitations applicable to Union fisheries in order to achieve the CFP's objective of ensuring fisheries at levels that are environmentally, economically and socially sustainable.

#### **Application**

The provisions in the area of the proposal are applicable until 31 December 2013, with the exception of certain provisions on effort limitations which are applicable until 31 January 2014.

#### **Subsidiarity principle**

The proposal falls under the Union exclusive competence as referred to in Article 3(1)(d) of the Treaty. The subsidiarity principle therefore does not apply.

#### **Proportionality principle**

The proposal complies with the proportionality principle for the following reason: the CFP is a common policy. According to Article 43(3) of the Treaty it is incumbent upon the Council to adopt the measures on the fixing and allocation of fishing opportunities.

The proposed Council Regulation allocates fishing opportunities to Member States. Having regard to Article 20(3) of Regulation 2371/2002, Member States are free to allocate in turn such opportunities among regions or operators as they see fit. Therefore, Member States have ample room for manoeuvre on decisions related to the social/economic model of their choice to exploit their allocated fishing opportunities.

The proposal has no new financial implications for Member States. This Regulation is adopted by Council every year, and the public and private means to implement it are already in place.

#### **Choice of instruments**

Proposed instrument: Regulation.

### **4. BUDGETARY IMPLICATION**

The proposal has no implication for the Union budget.

### **5. ADDITIONAL INFORMATION**

#### **Simplification**

The proposal provides for simplification of administrative procedures for public authorities (Union or national), in particular as regards requirements regarding the effort management.



## **Review/revision/sunset clause**

The proposal concerns an annual Regulation for the year 2013 and therefore does not include a revision clause.

## **Detailed explanation of the proposal**

This proposal is limited to the fixing and allocation of fishing opportunities and conditions functionally linked to the use of those opportunities.

For a number of stocks, such as for example hake, sole, plaice and Norway lobster, the fishing opportunities have been established on the basis of the rules laid down in the relevant multi-annual plans. For those stocks for which new multi-annual plans have been proposed (the western stock of horse mackerel), as well as for those stocks for which the industry has proposed a long-term management strategy which has been assessed as effective and precautionary by scientific advisory bodies (herring in the Celtic Sea), the proposal follows the rules laid down therein.

As regards cod stocks in the Kattegat, the advice notes the uncertainty regarding mortality, but the stock size is significantly low. The applicable management plan for the cod stocks<sup>1</sup> caters for these cases with a TAC reduction of 25%. The same provisions are applicable to cod in the Irish Sea, so here a 25% reduction is also proposed. As regards cod in the West of Scotland, efforts have been made by the scientific bodies to process the data made available to estimate the fishing mortality currently inflicted on this stock. The advice suggests extremely high discarding of cod is taking place in the West of Scotland, even if quantifying discards remains challenging. While redoubling efforts to verify the data in question, it is clearly necessary to maintain the measures currently in force, namely a zero TAC, accompanied by a limited allowance to land unavoidable by-catches. In parallel, the Commission continues working with the Member States concerned to introduce more selective gears in this fishery.

As for fishing opportunities set in this regulation in terms of fishing effort, these concern cod stocks, sole in the Western Channel and southern hake and Norway lobster and are regulated by the respective management plan for each stock. In the case of southern hake and Norway lobster and of Western Channel sole, the system of management of days at sea per type of vessel having a track record in the fishery will continue to apply during 2013, but the proposed regulation will continue to allow Member States to apply a system by kilowatt days in order to make a more efficient use of fishing opportunities and to stimulate conservation practices in agreement with the fishing sector.

Finally, this regulation provides, for the third time in the annual fishing opportunities regulatory exercise, for the adoption of certain TACs by Member States themselves, albeit under an obligation to act in conformity with the objectives of the CFP.

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<sup>1</sup> Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks (the "cod plan").

Proposal for a

## **COUNCIL REGULATION**

**fixing for 2013 the fishing opportunities available to EU vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Article 43(3) of the Treaty provides that the Council, on a proposal from the Commission, is to adopt measures on the fixing and allocation of fishing opportunities.
- (2) Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy<sup>1</sup> requires that measures governing access to waters and resources and the sustainable pursuit of fishing activities be established taking into account available scientific, technical and economic advice and, in particular, reports drawn up by the Scientific, Technical and Economic Committee for Fisheries (STECF), as well as in the light of any advice received from Regional Advisory Councils.
- (3) It is incumbent upon the Council to adopt measures on the fixing and allocation of fishing opportunities by fish stock or group of fish stocks, including certain conditions functionally linked thereto, as appropriate. Fishing opportunities should be distributed among Member States in such a way as to assure each Member State relative stability of fishing activities for each stock or group of fish stocks and having due regard to the objectives of the Common Fisheries Policy established in Regulation (EC) No 2371/2002.
- (4) The TACs should be established on the basis of available scientific advice, taking into account biological and socio-economic aspects whilst ensuring fair treatment between fishing sectors, as well as in the light of the opinions expressed during the consultation of stakeholders, in particular at the meetings of the Regional Advisory Councils concerned.
- (5) For stocks subject to specific multiannual plans, the TACs should be established in accordance with the rules laid down in those plans. Consequently, the TACs for stocks of Southern hake, of Norway lobster, of sole in the Western Channel, of herring to the west of Scotland and of cod in the Kattegat, to the west of Scotland and in the Irish Sea should be

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<sup>1</sup> OJ L 358, 31.12.2002, p. 59.

established in accordance with the rules laid down in: Council Regulation (EC) No 2166/2005 of 20 December 2005 establishing measures for the recovery of the Southern hake and Norway lobster stocks in the Cantabrian Sea and Western Iberian peninsula<sup>1</sup>; Council Regulation (EC) No 509/2007 of 7 May 2007 establishing a multi-annual plan for the sustainable exploitation of the stock of sole in the Western Channel<sup>2</sup>; Council Regulation (EC) No 1300/2008 of 18 December 2008 establishing a multi-annual plan for the stock of herring distributed to the west of Scotland and the fisheries exploiting that stock<sup>3</sup>; and Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks<sup>4</sup> (the "Cod Plan"). With regard, however, to the stocks of northern hake (Council Regulation (EC) No 811/2004 of 21 April 2004<sup>5</sup>) and sole in the Bay of Biscay (Council Regulation (EC) No 388/2006 of 23 February 2006<sup>6</sup>), the minimum targets of the relevant recovery and management plans have been reached and, therefore, it is appropriate to follow scientific advice provided in order to achieve or maintain the TACs at maximum sustainable yield levels, as the case may be.

- (6) For stocks for which there is no sufficient or reliable data in order to provide size estimates, management measures and TAC levels should follow the precautionary approach to fisheries management as defined in point (i) of Article 3 of Council Regulation (EC) No 2371/2002.
- (7) In accordance with Article 2 of Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas<sup>7</sup>, the stocks that are subject to the various measures referred to therein should be identified.
- (8) Where a total allowable catch (TAC) relating to a stock is allocated to one Member State only, it is appropriate to empower that Member State in accordance with Article 2(1) of the Treaty to determine the level of such TAC. Provisions should be made to ensure that, when fixing that TAC level, the Member State concerned acts in a manner fully consistent with the principles and rules of the Common Fisheries Policy.
- (9) For certain TACs Member States should be allowed to grant additional allocations for vessels participating in trials on fully documented fisheries. The aim of those trials is to test a catch-quota system, i.e. a system where all catches should be landed and counted against quotas in order to avoid discards and the waste of otherwise usable fish resources they entail. Uncontrolled discards of fish are a threat to the long term sustainability of fish as a public good and thus to the Common Fisheries Policy objectives. By contrast, catch-quota systems inherently present the fishers with an incentive to optimise the catch selectivity of their operations. In order to achieve a rational management of discards, a fully documented fishery should cover every operation at sea, rather than what is landed at port. The conditions for Member States to grant such additional allocations should therefore include an obligation to ensure the use of close circuit television cameras (CCTV) associated to a system of sensors (hereinafter jointly referred to as "CCTV system"). This should enable to record in detail all retained and discarded parts of catches. A system based on human observers operating in real time on board would be less efficient, more costly, and less

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<sup>1</sup> OJ L 345, 28.12.2005, p. 5.

<sup>2</sup> OJ L 122, 11.5.2007, p. 7.

<sup>3</sup> OJ L 344, 20.12.2008, p. 6.

<sup>4</sup> OJ L 348, 24.12.2008, p. 20.

<sup>5</sup> OJ L 150, 30.4.2004, p. 1.

<sup>6</sup> OJ L 65, 7.3.2006, p. 1.

<sup>7</sup> OJ L 115, 9.5.1996, p. 3.

reliable. Consequently, the use of CCTV systems is at this time a prerequisite for the achievement of discard reduction schemes such as fully documented fisheries. In the use of such system, the requirements of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data<sup>1</sup> should be complied with.

- (10) In order to ensure that trials of fully documented fisheries can effectively evaluate the potential of catch-quota systems to control the absolute fishing mortality of the stocks concerned, it is necessary for all fish caught in those trials, including those under minimum landing size, to be counted against the total allocation assigned to the participating vessel, and for fishing operations to cease when that total allocation has been fully utilised by that vessel. It is also necessary to prevent transfers of allocations between vessels participating in the fully documented fisheries trials and non-participating vessels.
- (11) It is necessary to establish the fishing effort ceilings for 2013 in accordance with Article 8 of Regulation (EC) No 2166/2005, Article 5 of Regulation (EC) No 509/2007, Articles 11 and 12 of Regulation (EC) No 1342/2008, while taking into account Council Regulation (EC) No 754/2009 of 27 July 2009 excluding certain groups of vessels from the fishing effort regime laid down in Chapter III of Regulation (EC) No 1342/2008<sup>2</sup>.
- (12) For certain species, such as certain species of sharks, even a limited fishing activity could result in a serious risk to their conservation. Fishing opportunities for such species should therefore be fully restricted through a general prohibition on fishing those species.
- (13) Fishing opportunities should be used in full compliance with the applicable law of the Union,
- (14) The use of fishing opportunities available to EU vessels set out in this Regulation is subject to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy<sup>3</sup>, and in particular to Articles 33 and 34 thereof concerning the recording of catches and fishing effort and the notification of data on the exhaustion of fishing opportunities. It is therefore necessary to specify the codes to be used by Member States when sending data to the Commission relating to landings of stocks subject to this Regulation.
- (15) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission relating to authorising an individual Member State to benefit from the system of managing its fishing effort allocations in accordance with a kilowatt days system, to granting additional days at sea for permanent cessation of fishing activities or for enhanced scientific observer coverage and to establishing the spreadsheet formats for the collection and transmission of information concerning transfer of days at sea between fishing vessels flying the flag of a Member State. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and

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<sup>1</sup> OJ L 281, 23.11.1995, p. 31.

<sup>2</sup> OJ L 214, 19.8.2009, p. 16.

<sup>3</sup> OJ L 343, 22.12.2009, p. 1.

general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers<sup>1</sup>.

- (16) In order to avoid the interruption of fishing activities and to ensure the livelihood of the fishermen of the Union, this Regulation should apply from 1 January 2013, except for the provisions concerning fishing effort limits, which should apply from 1 February 2013. For reasons of urgency, this Regulation should enter into force immediately after its publication.

HAS ADOPTED THIS REGULATION:

## **TITLE I**

### **SUBJECT MATTER, SCOPE AND DEFINITIONS**

#### *Article 1* *Subject matter*

1. This Regulation fixes the fishing opportunities available to EU vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements.
2. The fishing opportunities referred to in paragraph 1 shall include:
  - (a) catch limits for the year 2013;
  - (b) fishing effort limits for the period from 1 February 2013 to 31 January 2014.

#### *Article 2* *Scope*

This Regulation shall apply to EU vessels.

#### *Article 3* *Definitions*

For the purposes of this Regulation the following definitions shall apply:

- (a) 'EU vessel' means a fishing vessel flying the flag of a Member State and registered in the Union;
- (b) 'EU waters' means waters under the sovereignty or jurisdiction of the Member States with the exception of waters adjacent to the overseas countries and territories listed in Annex II to the Treaty;

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<sup>1</sup> OJ L 55, 28.2.2011, p. 13.

- (c) 'total allowable catch' (TAC) means the quantity that can be taken and landed from each fish stock each year;
- (d) 'quota' means a proportion of the TAC allocated to the Union or a Member State;
- (e) 'international waters' means waters falling outside the sovereignty or jurisdiction of any State;
- (f) 'mesh size' means the mesh size of fishing nets as determined in accordance with Regulation (EC) No 517/2008<sup>1</sup>;
- (g) 'EU fishing fleet register' means the register set up by the Commission in accordance with Article 15(3) of Regulation (EC) No 2371/2002;
- (h) 'fishing logbook' means the logbook referred to in Article 14 of Regulation (EC) No 1224/2009;
- (i) 'analytical assessments' means a quantitative evaluation of trends in a given stock, based on data about the stock's biology and exploitation, which scientific review has indicated to be of sufficient quality to provide scientific advice on options for future catches.

*Article 4*  
*Fishing zones*

For the purposes of this Regulation the following zone definitions shall apply:

- (a) ICES (International Council for the Exploration of the Sea) zones are the geographical areas specified in Annex III to Regulation (EC) No 218/2009<sup>2</sup>;
- (b) 'Skagerrak' means the geographical area bounded on the west by a line drawn from the Hanstholm lighthouse to the Lindesnes lighthouse and on the south by a line drawn from the Skagen lighthouse to the Tistlarna lighthouse and from this point to the nearest point on the Swedish coast;
- (c) 'Kattegat' means the geographical area bounded on the north by a line drawn from the Skagen lighthouse to the Tistlarna lighthouse and from this point to the nearest point on the Swedish coast and on the south by a line drawn from Hasenøre to Gnibens Spids, from Korshage to Spodsbjerg and from Gilbjerg Hoved to Kullen;
- (d) 'Functional Unit 16 of ICES Subarea VII' means the geographical area bounded by rhumb lines sequentially joining the following positions:

53° 30' N 15° 00' W,

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<sup>1</sup> Commission Regulation (EC) No 517/2008 of 10 June 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 850/98 as regards the determination of the mesh size and assessing the thickness of twine of fishing nets (OJ L 151, 11.6.2008, p. 5).

<sup>2</sup> Regulation (EC) No 218/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic (OJ L 87, 31.3.2009, p. 70).

53° 30' N 11° 00' W,

51° 30' N 11° 00' W,

51° 30' N 13° 00' W,

51° 00' N 13° 00' W,

51° 00' N 15° 00' W,

53° 30' N 15° 00' W;

- (e) 'Gulf of Cádiz' means the geographical area of ICES division IXa east of longitude 7° 23' 48" W;
- (f) CECAF (Committee for Eastern Central Atlantic Fisheries) areas are the geographical areas specified in Annex II to Regulation (EC) No 216/2009<sup>1</sup>.

## **TITLE II**

### **FISHING OPPORTUNITIES**

#### *Article 5*

##### *TACs and allocations*

The TACs for EU vessels in EU waters or in certain non-EU waters and the allocation of such TACs among Member States, and the conditions functionally linked thereto, where appropriate, are set out in Annex I.

#### *Article 6*

##### *TACs to be determined by Member States*

1. The TACs for certain fish stocks shall be determined by the Member State concerned. Those stocks are identified in Annex I.
2. The TACs to be determined by a Member State shall:
  - (a) be consistent with the principles and rules of the Common Fisheries Policy, in particular the principle of sustainable exploitation of the stock; and
  - (b) result:
    - (i) if analytical assessments are available, in the exploitation of the stock consistent with maximum sustainable yield from 2015 onwards, with as high a probability as possible;

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<sup>1</sup> Regulation (EC) No 216/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic (OJ L 87, 31.3.2009, p. 1).

- (ii) if analytical assessments are unavailable or incomplete, in the exploitation of the stock consistent with the precautionary approach to fisheries management.
- 3. By 15 March 2013, each Member State concerned shall submit to the Commission the following information:
  - (a) the TACs adopted;
  - (b) the data collected and assessed by the Member State concerned on which the TACs adopted are based;
  - (c) details on how the TACs adopted comply with paragraph 2.

*Article 7*  
*Additional allocations for vessels participating*  
*in trials on fully documented fisheries*

1. For certain stocks, a Member State may grant an additional allocation to vessels flying its flag and participating in trials on fully documented fisheries. Those stocks are identified in Annex I.
2. The additional allocation which a Member State may grant for a given stock to vessels flying its flag shall not exceed the overall limit set out in Annex I as a percentage of the quota allocated to that Member State.
3. The additional allocation granted to a vessel shall comply with the following conditions:
  - (a) the vessel shall make use of close circuit television cameras (CCTV) associated to a system of sensors (hereinafter jointly referred to as "the CCTV system") to record all on board fishing and processing activities;
  - (b) the additional allocation granted to an individual vessel that participates in trials on fully documented fisheries shall not exceed any of the following limits:
    - (1) 75 % of the discards of the stock, as estimated by the relevant Member State, produced by the type of vessel to which the individual vessel that has been granted the additional allocation belongs.
    - (2) 30 % of the vessel's individual allocation prior to participating in the trials.
  - (c) all catches by the vessel from the stock subject to the additional allocation, including fish that are under minimum landing size as defined in Annex XII of Regulation (EC) No 850/98, shall be counted against the individual allocation of the vessel, as resulting from any additional allocation granted under this article.
  - (d) once the individual allocation for any stock has been fully utilised by a vessel, the vessel in question must cease all fishing activity in the relevant TAC area.
  - (e) in the stocks for which this article may be used, no transfers of the individual allocation or any part thereof shall be allowed between vessels participating in the fully-documented fisheries trials and vessels not participating in those trials.



4. Notwithstanding point (1) of paragraph 3(b), a Member State may exceptionally grant to a vessel flying its flag an additional allocation exceeding 75 % of the estimated discards of the stock produced by the type of vessel to which the individual vessel that has been granted the additional allocation belongs, provided that:
  - (a) the rate of stock discards, as estimated for the relevant type of vessel, is less than 10 %;
  - (b) the inclusion of that type of vessel is important to evaluate the potential of the CCTV system for control purposes;
  - (c) an overall limit of 75 % of the estimated stock discards produced by all vessels all vessels participating in the trials is not exceeded.
5. To the extent that the recordings obtained in accordance with point (a) of paragraph 3 involve the processing of personal data within the meaning of Directive 95/46/EC, that Directive shall apply to the processing of such data.
6. Where a Member State detects that a vessel participating in trials on fully documented fisheries fails to comply with the conditions set out in paragraph 3, it shall immediately withdraw the additional allocation granted to that vessel and exclude it from participation in those trials for the remainder of the year 2013.
7. Prior to granting the additional allocation referred to in paragraphs 1 to 6, a Member State shall submit to the Commission the following information:
  - (a) the list of vessels flying its flag and participating in trials on fully documented fisheries;
  - (b) the specifications of the remote electronic monitoring equipment installed on board those vessels;
  - (c) the capacity, type and specification of gears used by those vessels;
  - (d) the estimated discards for each type of vessel participating in the trials;
  - (e) the amount of catches of the stock subject to the relevant TAC made in 2012 by the vessels participating in the trials.
8. The Commission may request any Member State that avails itself of this article to submit its assessment of the discards produced per type of vessel to a scientific advisory body for review, in order to monitor the implementation of the requirement set out in point (1) of paragraph 3(b). In the absence of an assessment confirming such discards, the Member State concerned shall take any appropriate measure to ensure compliance with that requirement and inform the Commission thereof.

*Article 8*  
*Conditions for landing catches and by-catches*

Fish from stocks for which TACs are established shall be retained on board or landed only if:

- (a) the catches have been taken by vessels flying the flag of a Member State having a quota and that quota is not exhausted; or
- (b) the catches consist of a share in a EU quota which has not been allocated by quota among Member States, and that EU quota has not been exhausted.

*Article 9*  
*Fishing effort limits*

From 1 February 2013 to 31 January 2014, the fishing effort measures laid down in:

- (a) Annex IIA, shall apply for the management of cod stocks in the Kattegat, ICES divisions VIIa and VIa, and EU waters of ICES division Vb;
- (b) Annex IIB, shall apply for the recovery of hake and Norway lobster in ICES divisions VIIIc and IXa, with the exception of the Gulf of Cádiz;
- (c) Annex IIC, shall apply for the management of the sole stock in ICES division VIIe.

*Article 10*  
*Special provisions on allocations of fishing opportunities*

1. The allocation of fishing opportunities among Member States as set out in this Regulation shall be without prejudice to:
  - (a) exchanges made pursuant to Article 20(5) of Regulation (EC) No 2371/2002;
  - (b) reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009 or pursuant to Article 10(4) of Regulation (EC) No 1006/2008<sup>1</sup>;
  - (c) additional landings allowed under Article 3 of Regulation (EC) No 847/96;
  - (d) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96;
  - (e) deductions made pursuant to Articles 37, 105, 106 and 107 of Regulation (EC) No 1224/2009.
2. Except where otherwise specified in Annex I to this Regulation, Article 3 of Regulation (EC) No 847/96 shall apply to stocks subject to precautionary TAC and Article 3(2) and (3) and Article 4 of that Regulation shall apply to stocks subject to analytical TAC.

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<sup>1</sup> Council Regulation (EC) No 1006/2008 of 29 September 2008 concerning authorisations for fishing activities of Community fishing vessels outside Community waters and the access of third country vessels to Community waters (OJ L 286, 29.10.2008, p. 33).

*Article 11*  
*Closed fishing season*

1. It shall be prohibited to fish or retain on board any of the following species in the Porcupine Bank during the period from 1 May to 31 July 2013: cod, megrims, anglerfish, haddock, whiting, hake, Norway lobster, plaice, pollack, saithe, skates and rays, common sole and spurdog.
2. For the purposes of this Article, the Porcupine Bank shall comprise the geographical area bounded by rhumb lines sequentially joining the following positions:

Point	Latitude	Longitude
1	52° 27' N	12° 19' W
2	52° 40' N	12° 30' W
3	52° 47' N	12° 39,600' W
4	52° 47' N	12° 56' W
5	52° 13,5' N	13° 53,830' W
6	51° 22' N	14° 24' W
7	51° 22' N	14° 03' W
8	52° 10' N	13° 25' W
9	52° 32' N	13° 07,500' W
10	52° 43' N	12° 55' W
11	52° 43' N	12° 43' W
12	52° 38,800' N	12° 37' W
13	52° 27' N	12° 23' W
14	52° 27' N	12° 19' W

3. By way of derogation from paragraph 1, transit through the Porcupine Bank, carrying on board the species referred to in that paragraph, shall be permitted in accordance with Article 50(3), (4) and (5) of Regulation (EC) No 1224/2009.

*Article 12*  
*Prohibitions*

1. It shall be prohibited for EU vessels to fish for, to retain on board, to tranship or to land the following species:

- (a) basking shark (*Cetorhinus maximus*) and white shark (*Carcharodon carcharias*) in all waters;
  - (b) porbeagle (*Lamna nasus*) in all waters, except where it is provided otherwise in Annex I Part B;
  - (c) angel shark (*Squatina squatina*) in EU waters;
  - (d) common skate (*Dipturus batis*) in EU waters of ICES division IIa and ICES subareas III, IV, VI, VII, VIII, IX and X;
  - (e) undulate ray (*Raja undulata*) and white skate (*Raja alba*) in EU waters of ICES subareas VI, VII, VIII, IX and X;
  - (f) guitarfishes (*Rhinobatidae*) in EU waters of ICES subareas I, II, III, IV, V, VI, VII, VIII, IX, X and XII;
  - (g) giant manta ray (*Manta birostris*) in all waters.
2. When accidentally caught, species referred to in paragraph 1 shall not be harmed. They shall be promptly released.

*Article 13*  
*Data transmission*

When, pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, Member States submit to the Commission data relating to landings of quantities of stocks caught, they shall use the stock codes set out in Annex I to this Regulation.

**TITLE III**  
**FINAL PROVISIONS**

*Article 14*  
*Committee procedure*

1. The Commission shall be assisted by the Committee for Fisheries and Aquaculture established by Regulation (EC) No 2371/2002. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

*Article 15*

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2013.

However, Article 9 shall apply from 1 February 2013.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Council*  
*The President*

## **LIST OF ANNEXES**

ANNEX I: TACs applicable to EU vessels in areas where TACs exist by species and by area:

- Part A: General provisions
- Part B: Kattegat, ICES subareas I, II, III, IV, V, VI, VII, VIII, IX, X, XII and XIV, EU waters of CECAF, French Guiana waters

ANNEX IIA: Fishing effort for vessels in the context of the management of cod stocks in the Kattegat, ICES divisions VIa and VIIa, and EU waters of ICES division Vb

ANNEX IIB: Fishing effort for vessels in the context of the recovery of certain Southern hake and Norway lobster stocks in ICES divisions VIIIc and IXa excluding the Gulf of Cádiz

ANNEX IIC: Fishing effort for vessels in the context of the management of Western Channel sole stocks in ICES division VIIe

## ANNEX I

### TACs APPLICABLE TO EU VESSELS IN AREAS WHERE TACs EXIST BY SPECIES AND BY AREA

#### PART A GENERAL PROVISIONS

The tables in Part B of this Annex set out the TACs and quotas (in tonnes live weight, except where otherwise specified) by stock, and conditions functionally linked thereto, where appropriate.

All fishing opportunities set out in this Annex shall be subject to the rules set out in Regulation (EC) No 1224/2009, and in particular Articles 33 and 34 thereof.

The references to fishing zones are references to ICES zones, unless otherwise specified. Within each area, fish stocks are referred to following the alphabetical order of the Latin names of the species. For the purposes of this Regulation, the following comparative table of Latin names and common names is provided:

<b>Scientific name</b>	<b>Alpha-3 code</b>	<b>Common name</b>
<i>Amblyraja radiata</i>	RJR	Starry ray
<i>Ammodytes</i> spp.	SAN	Sandeels
<i>Argentina silus</i>	ARU	Greater silver smelt
<i>Beryx</i> spp.	ALF	Alfonsinos
<i>Brosme brosme</i>	USK	Tusk
<i>Caproidae</i>	BOR	Boarfish

<b>Scientific name</b>	<b>Alpha-3 code</b>	<b>Common name</b>
<i>Centrophorus squamosus</i>	GUQ	Leafscale gulper shark
<i>Centroscymnus coelolepis</i>	CYO	Portuguese dogfish
<i>Chaceon</i> spp.	CGE	Deep sea red crab
<i>Champscephalus gunnari</i>	ANI	Mackerel icefish
<i>Chionoecetes</i> spp.	PCR	Snow crab
<i>Clupea harengus</i>	HER	Herring
<i>Coryphaenoides rupestris</i>	RNG	Roundnose grenadier
<i>Dalatias licha</i>	SCK	Kitefin shark
<i>Deania calcea</i>	DCA	Birdbeak dogfish
<i>Dipturus batis</i>	RJB	Common skate
<i>Dissostichus eleginoides</i>	TOP	Patagonian toothfish
<i>Dissostichus mawsoni</i>	TOA	Antarctic toothfish
<i>Engraulis encrasicolus</i>	ANE	Anchovy
<i>Etmopterus princeps</i>	ETR	Great lanternshark
<i>Etmopterus pusillus</i>	ETP	Smooth lanternshark
<i>Euphausia superba</i>	KRI	Krill
<i>Gadus morhua</i>	COD	Cod
<i>Galeorhinus galeus</i>	GAG	Tope shark
<i>Glyptocephalus cynoglossus</i>	WIT	Witch flounder



<b>Scientific name</b>	<b>Alpha-3 code</b>	<b>Common name</b>
<i>Hippoglossoides platessoides</i>	PLA	American plaice
<i>Hippoglossus hippoglossus</i>	HAL	Atlantic halibut
<i>Hoplostethus atlanticus</i>	ORY	Orange roughy
<i>Illex illecebrosus</i>	SQI	Shortfin squid
<i>Lamna nasus</i>	POR	Porbeagle
<i>Lepidonotothen squamifrons</i>	NOS	Grey rockcod
<i>Lepidorhombus</i> spp.	LEZ	Megrims
<i>Raja circularis</i>	RJI	Sandy ray
<i>Raja fullonica</i>	RJF	Shagreen ray
<i>Leucoraja naevus</i>	RJN	Cuckoo ray
<i>Limanda ferruginea</i>	YEL	Yellowtail flounder
<i>Limanda limanda</i>	DAB	Common dab
<i>Lophiidae</i>	ANF	Anglerfish
<i>Macrourus</i> spp.	GRV	Grenadiers
<i>Makaira nigricans</i>	BUM	Blue marlin
<i>Mallotus villosus</i>	CAP	Capelin
<i>Manta birostris</i>	RMB	Giant manta ray
<i>Martialia hyadesi</i>	SQS	Squid
<i>Melanogrammus aeglefinus</i>	HAD	Haddock
<i>Merlangius merlangus</i>	WHG	Whiting

<b>Scientific name</b>	<b>Alpha-3 code</b>	<b>Common name</b>
<i>Merluccius merluccius</i>	HKE	Hake
<i>Micromesistius poutassou</i>	WHB	Blue whiting
<i>Microstomus kitt</i>	LEM	Lemon sole
<i>Molva dypterygia</i>	BLI	Blue ling
<i>Molva molva</i>	LIN	Ling
<i>Nephrops norvegicus</i>	NEP	Norway lobster
<i>Pandalus borealis</i>	PRA	Northern prawn
<i>Paralomis</i> spp.	PAI	Crabs
<i>Penaeus</i> spp.	PEN	"Penaeus" shrimps
<i>Platichthys flesus</i>	FLE	European flounder
<i>Pleuronectes platessa</i>	PLE	Plaice
<i>Pleuronectiformes</i>	FLX	Flatfish
<i>Pollachius pollachius</i>	POL	Pollack
<i>Pollachius virens</i>	POK	Saithe
<i>Psetta maxima</i>	TUR	Turbot
<i>Raja brachyura</i>	RJH	Blonde ray
<i>Raja clavata</i>	RJC	Thornback ray
<i>Raja (Dipturus) nidarosiensis</i>	JAD	Norwegian skate
<i>Raja microocellata</i>	RJE	Small-eyed ray

<b>Scientific name</b>	<b>Alpha-3 code</b>	<b>Common name</b>
<i>Raja montagui</i>	RJM	Spotted ray
<i>Raja undulata</i>	RJU	Undulate ray
<i>Rajiformes</i>	SRX	Skates and rays
<i>Reinhardtius hippoglossoides</i>	GHL	Greenland halibut
<i>Raja alba</i>	RJA	White skate
<i>Scomber scombrus</i>	MAC	Mackerel
<i>Scophthalmus rhombus</i>	BLL	Brill
<i>Sebastes spp.</i>	RED	Redfish
<i>Solea solea</i>	SOL	Common sole
<i>Solea spp.</i>	SOO	Sole
<i>Sprattus sprattus</i>	SPR	Sprat
<i>Squalus acanthias</i>	DGS	Spurdog/dogfish
<i>Tetrapturus albidus</i>	WHM	White marlin
<i>Thunnus maccoyii</i>	SBF	Southern bluefin tuna
<i>Thunnus obesus</i>	BET	Bigeye tuna
<i>Thunnus thynnus</i>	BFT	Bluefin tuna
<i>Trachurus murphyi</i>	CJM	Jack mackerel
<i>Trachurus spp.</i>	JAX	Horse mackerel
<i>Trisopterus esmarkii</i>	NOP	Norway pout
<i>Urophycis tenuis</i>	HKW	White hake
<i>Xiphias gladius</i>	SWO	Swordfish

The following comparative table of common names and Latin names is provided exclusively for explanatory purposes:

Alfonsinos	ALF	<i>Beryx</i> spp.
American plaice	PLA	<i>Hippoglossoides platessoides</i>
Anchovy	ANE	<i>Engraulis encrasicolus</i>
Anglerfish	ANF	<i>Lophiidae</i>
Mackerel icefish	ANI	<i>Champscephalus gunnari</i>
Antarctic toothfish	TOA	<i>Dissostichus mawsoni</i>
Atlantic halibut	HAL	<i>Hippoglossus hippoglossus</i>
Bigeye tuna	BET	<i>Thunnus obesus</i>
Birdbeak dogfish	DCA	<i>Deania calcea</i>
Blonde ray	RJH	<i>Raja brachyura</i>
Blue ling	BLI	<i>Molva dypterygia</i>
Blue marlin	BUM	<i>Makaira nigricans</i>
Blue whiting	WHB	<i>Micromesistius poutassou</i>
Bluefin tuna	BFT	<i>Thunnus thynnus</i>
Boarfish	BOR	<i>Caproidae</i>
Brill	BLL	<i>Scophthalmus rhombus</i>
Capelin	CAP	<i>Mallotus villosus</i>
Cod	COD	<i>Gadus morhua</i>
Common dab	DAB	<i>Limanda limanda</i>
Common skate	RJB	<i>Dipturus batis</i>
Common sole	SOL	<i>Solea solea</i>

Crabs	PAI	<i>Paralomis</i> spp.
Cuckoo ray	RJN	<i>Leucoraja naevus</i>
Deep sea red crab	CGE	<i>Chaceon</i> spp.
European flounder	FLE	<i>Platichthys flesus</i>
Flatfish	FLX	<i>Pleuronectiformes</i>
Giant manta ray	RMB	<i>Manta birostris</i>
Great lanternshark	ETR	<i>Etmopterus princeps</i>
Greater silver smelt	ARU	<i>Argentina silus</i>
Greenland halibut	GHL	<i>Reinhardtius hippoglossoides</i>
Grenadiers	GRV	<i>Macrourus</i> spp.
Grey rockcod	NOS	<i>Lepidonotothen squamifrons</i>
Haddock	HAD	<i>Melanogrammus aeglefinus</i>
Hake	HKE	<i>Merluccius merluccius</i>
Herring	HER	<i>Clupea harengus</i>
Horse mackerel	JAX	<i>Trachurus</i> spp.
Jack mackerel	CJM	<i>Trachurus murphyi</i>
Kitefin shark	SCK	<i>Dalatias licha</i>
Krill	KRI	<i>Euphausia superba</i>
Leafscale gulper shark	GUQ	<i>Centrophorus squamosus</i>
Lemon sole	LEM	<i>Microstomus kitt</i>
Ling	LIN	<i>Molva molva</i>
Mackerel	MAC	<i>Scomber scombrus</i>
Megrims	LEZ	<i>Lepidorhombus</i> spp.

Northern prawn	PRA	<i>Pandalus borealis</i>
Norway lobster	NEP	<i>Nephrops norvegicus</i>
Norway pout	NOP	<i>Trisopterus esmarkii</i>
Norwegian skate	JAD	<i>Raja (Dipturus) nidarosiensis</i>
Orange roughy	ORY	<i>Hoplostethus atlanticus</i>
Patagonian toothfish	TOP	<i>Dissostichus eleginoides</i>
"Penaeus" shrimps	PEN	<i>Penaeus</i> spp.
Plaice	PLE	<i>Pleuronectes platessa</i>
Pollack	POL	<i>Pollachius pollachius</i>
Porbeagle	POR	<i>Lamna nasus</i>
Portuguese dogfish	CYO	<i>Centroscymnus coelolepis</i>
Redfish	RED	<i>Sebastes</i> spp.
Roundnose grenadier	RNG	<i>Coryphaenoides rupestris</i>
Saithe	POK	<i>Pollachius virens</i>
Sandeels	SAN	<i>Ammodytes</i> spp.
Sandy ray	RJI	<i>Raja circularis</i>
Shagreen ray	RJF	<i>Raja fullonica</i>
Shortfin squid	SQI	<i>Illex illecebrosus</i>
Skates and rays	SRX	<i>Rajiformes</i>
Small-eyed ray	RJE	<i>Raja microocellata</i>
Smooth lanternshark	ETP	<i>Etmopterus pusillus</i>
Snow crab	PCR	<i>Chionoecetes</i> spp.

Sole	SOO	<i>Solea</i> spp.
Southern bluefin tuna	SBF	<i>Thunnus maccoyii</i>
Spotted ray	RJM	<i>Raja montagui</i>
Sprat	SPR	<i>Sprattus sprattus</i>
Spurdog/dogfish	DGS	<i>Squalus acanthias</i>
Squid	SQS	<i>Martialia hyadesi</i>
Starry ray	RJR	<i>Amblyraja radiata</i>
Swordfish	SWO	<i>Xiphias gladius</i>
Thornback ray	RJC	<i>Raja clavata</i>
Tope shark	GAG	<i>Galeorhinus galeus</i>
Turbot	TUR	<i>Psetta maxima</i>
Tusk	USK	<i>Brosme brosme</i>
Undulate ray	RJU	<i>Raja undulata</i>
White hake	HKW	<i>Urophycis tenuis</i>
White marlin	WHM	<i>Tetrapturus albidus</i>
White skate	RJA	<i>Raja alba</i>
Whiting	WHG	<i>Merlangius merlangus</i>
Witch flounder	WIT	<i>Glyptocephalus cynoglossus</i>
Yellowtail flounder	YEL	<i>Limanda ferruginea</i>

PART B  
KATTEGAT, ICES SUBAREAS I, II, III, IV, V, VI, VII, VIII, IX, X, XII  
AND XIV, EU WATERS OF CECAF, FRENCH GUIANA WATERS

Species:	Greater silver smelt <i>Argentina silus</i>	Zone:	EU and international waters of I and II (ARU/1/2.)
Germany	22	Precautionary TAC	
France	7		
The Netherlands	18		
United Kingdom	37		
Union	84		
TAC	84		

Species:	Greater silver smelt <i>Argentina silus</i>	Zone:	EU waters of III and IV (ARU/34-C)
Denmark	843	Precautionary TAC	
Germany	9		
France	6		
Ireland	6		
The Netherlands	40		
Sweden	33		
United Kingdom	15		
Union	952		
TAC	952		



Species:	Greater silver smelt <i>Argentina silus</i>	Zone:	EU and international waters of V, VI and VII (ARU/567.)
Germany	289	Precautionary TAC	
France	6		
Ireland	268		
The Netherlands	3 023		
United Kingdom	212		
Union	3 798		
TAC	3 798		

Species:	Tusk <i>Brosme brosme</i>	Zone:	IIIa; EU waters of Subdivisions 22-32 (USK/3A/BCD)
Denmark	15	Precautionary TAC	
Sweden	7		
Germany	7		
Union	29		
TAC	29		

Species:	Boarfish <i>Caproidae</i>	Zone:	EU and international waters of VI, VII and VIII (BOR/678-)
Denmark	<i>pm</i>	Precautionary TAC	
Ireland	<i>pm</i>		
United Kingdom	<i>pm</i>		
Union	<i>pm</i>		
TAC	<i>pm</i>		

Species:	Herring <i>Clupea harengus</i>	Zone:	VlaS <sup>(1)</sup> , VIIb, VIIc (HER/6AS7BC)
Ireland	<i>pm</i>	Analytical TAC	
The Netherlands	<i>pm</i>	Article 3 of Regulation (EC) No 847/96 does not apply.	
Union	<i>pm</i>	Article 4 of Regulation (EC) No 847/96 does not apply.	
TAC	<i>pm</i>		
(1)	Reference is to the herring stock in VIa south of 56° 00' N and west of 07° 00' W.		

Species:	Herring <i>Clupea harengus</i>	Zone:	VI Clyde <sup>(1)</sup> (HER/06ACL.)
United Kingdom	To be established <sup>(2)</sup>	Precautionary TAC	
Union	To be established <sup>(3)</sup>		
TAC	To be established <sup>(3)</sup>		
<p>(1) Clyde stock: reference is to the herring stock in the maritime area situated to the north-east of a line drawn between the Mull of Kintyre and Corsewall Point.</p> <p>(2) Article 6 of this Regulation applies.</p> <p>(3) Fixed at the same quantity as determined in accordance with footnote 2.</p>			

Species:	Herring <i>Clupea harengus</i>	Zone:	VIIa <sup>(1)</sup> (HER/07A/MM)
Ireland	1 300	Analytical TAC	
United Kingdom	3 693		
Union	4 993		
TAC	4 993		
<p>(1) This zone is reduced by the area bounded :</p> <ul style="list-style-type: none"> <li>– to the north by latitude 52° 30' N,</li> <li>– to the south by latitude 52° 00' N,</li> <li>– to the west by the coast of Ireland,</li> <li>– to the east by the coast of the United Kingdom.</li> </ul>			

Species:	Herring <i>Clupea harengus</i>	Zone:	VIIe and VIIf (HER/7EF.)
France	392	Precautionary TAC	
United Kingdom	392		
Union	784		
TAC	784		

Species:	Herring <i>Clupea harengus</i>	Zone:	VIIg <sup>(1)</sup> , VIIIh <sup>(1)</sup> , VIIj <sup>(1)</sup> and VIIk <sup>(1)</sup> (HER/7G-K.)
Germany	191	Analytical TAC	
France	1 062		
Ireland	14 864		
The Netherlands	1 062		
United Kingdom	21		
Union	17 200		
TAC	17 200		

(1) This zone is increased by the area bounded:

- to the north by latitude 52° 30' N,
- to the south by latitude 52° 00' N,
- to the west by the coast of Ireland,
- to the east by the coast of the United Kingdom.

Species:	Anchovy <i>Engraulis encrasicolus</i>	Zone:	IX and X; EU waters of CECAF 34.1.1 (ANE/9/3411)
Spain	3 998	Precautionary TAC	
Portugal	4 362		
Union	8 360		
TAC	8 360		

Species:	Cod <i>Gadus morhua</i>	Zone:	Kattegat (COD/03AS.)
Denmark	62	(1)	Analytical TAC
Germany	1	(1)	
Sweden	37	(1)	
Union	100	(1)	
TAC	100	(1)	

(1) Exclusively for by-catches. No directed fisheries are permitted under this quota.

Species:	Cod <i>Gadus morhua</i>	Zone:	VIIb; EU and international waters of Vb west of 12° 00' W and of XII and XIV (COD/5W6-14)
Belgium	0	Precautionary TAC	
Germany	2		
France	20		
Ireland	8		
United Kingdom	32		
Union	62		
TAC	62		

Species:	Cod <i>Gadus morhua</i>	Zone:	VIa; EU and international waters of Vb east of 12° 00' W (COD/5BE6A)
Belgium	0	Analytical TAC	
Germany	0		
France	0		
Ireland	0		
United Kingdom	0		
Union	0		
TAC	0	<sup>(1)</sup>	

(1) By-catch of cod in the area covered by this TAC may be landed provided that it does not comprise more than 1,5 % of the live weight of the total catch retained on board per fishing trip.

Species:	Cod <i>Gadus morhua</i>	Zone:	VIIa (COD/07A.)
Belgium	4	Analytical TAC	
France	10		
Ireland	188		
The Netherlands	1		
United Kingdom	82		
Union	285		
TAC	285		

Species:	Cod <i>Gadus morhua</i>	Zone:	VIIb, VIIc, VIIe-k, VIII, IX and X; EU waters of CECAF 34.1.1 (COD/7XAD34)
Belgium	456	Analytical TAC	
France	7 459	Article 11 of this Regulation applies.	
Ireland	1 479		
The Netherlands	2		
United Kingdom	804		
Union	10 200		
TAC	10 200		

Species:	Porbeagle <i>Lamna nasus</i>	Zone:	French Guiana waters, Kattegat; EU waters of Skagerrak, I, II, III, IV, V, VI, VII, VIII, IX, X, XII and XIV; EU waters of CECAF 34.1.1, 34.1.2 and 34.2 (POR/3-1234)
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Denmark	<i>pm</i>	(1)	Precautionary TAC
France	<i>pm</i>	(1)	
Germany	<i>pm</i>	(1)	
Ireland	<i>pm</i>	(1)	
Spain	<i>pm</i>	(1)	
United Kingdom	<i>pm</i>	(1)	
Union	<i>pm</i>	(1)	
TAC	<i>pm</i>	(1)	

(1) When accidentally caught, this species shall not be harmed. Specimens shall be promptly released.

Species:	Megrimms <i>Lepidorhombus</i> spp.	Zone:	EU waters of IIa and IV (LEZ/2AC4-C)
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Belgium	8	Analytical TAC
Denmark	7	
Germany	7	
France	46	
The Netherlands	36	
United Kingdom	2 716	
Union	2 820	
TAC	2 820	



Species:	Megrims <i>Lepidorhombus</i> spp.	Zone:	EU and international waters of Vb; VI; international waters of XII and XIV (LEZ/56-14)
Spain	232	Analytical TAC	
France	904		
Ireland	264		
United Kingdom	640		
Union	2 040		
TAC	2 040		

Species:	Megrims <i>Lepidorhombus</i> spp.	Zone:	VII (LEZ/07.)
Belgium	376 <sup>(1)</sup>	Precautionary TAC	
Spain	4 172 <sup>(1)</sup>	Article 11 of this Regulation applies.	
France	5 064 <sup>(1)</sup>		
Ireland	2 302 <sup>(1)</sup>		
United Kingdom	1 994 <sup>(1)</sup>		
Union	13 908		
TAC	13 908		

(1) In addition to this quota, a Member State may grant to vessels flying its flag and participating in trials on fully documented fisheries an additional allocation within an overall limit of 1 % of the quota allocated to that Member State, pursuant to Article 7 of this Regulation.

Species:	Megrims <i>Lepidorhombus</i> spp.	Zone:	VIIIa, VIIIb, VIIIc and VIIIe (LEZ/8ABDE.)
Spain	760	Analytical TAC	
France	613	Article 3 of Regulation (EC) No 847/96 does not apply.	
Union	1 373	Article 4 of Regulation (EC) No 847/96 does not apply.	
TAC	1 373		

Species:	Megrims <i>Lepidorhombus</i> spp.	Zone:	VIIIc, IX and X; EU waters of CECAF 34.1.1 (LEZ/8C3411)
Spain	822	Analytical TAC	
France	41		
Portugal	27		
Union	890		
TAC	890		

Species:	Anglerfish <i>Lophiidae</i>	Zone:	VI; EU and international waters of Vb; international waters of XII and XIV (ANF/56-14)
Belgium	149	Precautionary TAC	
Germany	170		
Spain	159		
France	1 833		
Ireland	415		
The Netherlands	144		
United Kingdom	1 276		
Union	4 146		
TAC	4 146		

Species:	Anglerfish <i>Lophiidae</i>	Zone:	VII (ANF/07.)
Belgium	2 268 <sup>(1)(2)</sup>	Precautionary TAC	
Germany	253 <sup>(1)(2)</sup>	Article 11 of this Regulation applies.	
Spain	901 <sup>(1)(2)</sup>		
France	14 553 <sup>(1)(2)</sup>		
Ireland	1 860 <sup>(1)(2)</sup>		
The Netherlands	294 <sup>(1)(2)</sup>		
United Kingdom	4 413 <sup>(1)(2)</sup>		
Union	24 542 <sup>(1)</sup>		
TAC	24 542 <sup>(1)</sup>		

(1) Special condition: of which up to 5 % may be fished in VIIIa, VIIIb, VIIIc and VIId (ANF/\*8ABDE).

(2) In addition to this quota, a Member State may grant to vessels flying its flag and participating in trials on fully documented fisheries an additional allocation within an overall limit of 1 % of the quota allocated to that Member State, pursuant to Article 7 of this Regulation.

Species:	Anglerfish <i>Lophiidae</i>	Zone:	VIIIa, VIIIb, VIIIc and VIIf (ANF/8ABDE.)
Spain	1 002	Precautionary TAC	
France	5 574		
Union	6 576		
TAC	6 576		

Species:	Anglerfish <i>Lophiidae</i>	Zone:	VIIIc, IX and X; EU waters of CECAF 34.1.1 (ANF/8C3411)
Spain	1 708	Analytical TAC	
France	2		
Portugal	340		
Union	2 050		
TAC	2 050		

Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	EU and international waters of Vb and VIa (HAD/5BC6A.)
Belgium	7	Analytical TAC	
Germany	8		
France	342		
Ireland	244		
United Kingdom	2 499		
Union	3 100		
TAC	3 100		

Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	VIIb-k, VIII, IX and X; EU waters of CECAF 34.1.1 (HAD/7X7A34)
Belgium	83 <sup>(1)</sup>	Analytical TAC	
France	5 000 <sup>(1)</sup>	Article 11 of this Regulation applies.	
Ireland	1 667 <sup>(1)</sup>		
United Kingdom	750 <sup>(1)</sup>		
Union	7 500 <sup>(1)</sup>		
TAC	7 500		

(1) In addition to this quota, a Member State may grant to vessels flying its flag and participating in trials on fully documented fisheries an additional allocation within an overall limit of 5 % of the quota allocated to that Member State, pursuant to Article 7 of this Regulation.

Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	VIIa (HAD/07A.)
Belgium	16	Precautionary TAC	
France	72		
Ireland	433		
United Kingdom	480		
Union	1 001		
TAC	1 001		
Species:	Whiting <i>Merlangius merlangus</i>	Zone:	VI; EU and international waters of Vb; international waters of XII and XIV (WHG/56-14)
Germany	2	Precautionary TAC	
France	30		
Ireland	73		
United Kingdom	141		
Union	246		
TAC	246		

Species:	Whiting <i>Merlangius merlangus</i>	Zone:	VIIa (WHG/07A.)
Belgium	0	Precautionary TAC	
France	5		
Ireland	28		
The Netherlands	0		
United Kingdom	38		
Union	71		
TAC	71		

Species:	Whiting <i>Merlangius merlangus</i>	Zone:	VIIb, VIIc, VIId, VIIe, VIIf, VIIfg, VIIh, VIIj and VIIk (WHG/7X7A-C)
Belgium	239	Analytical TAC	
France	14 700	Article 11 of this Regulation applies.	
Ireland	6 812		
The Netherlands	120		
United Kingdom	2 629		
Union	24 500		
TAC	24 500		

Species:	Whiting <i>Merlangius merlangus</i>	Zone:	VIII (WHG/08.)
Spain	1 016	Precautionary TAC	
France	1 524		
Union	2 540		
TAC	2 540		

Species:	Whiting <i>Merlangius merlangus</i>	Zone:	IX and X; EU waters of CECAF 34.1.1 (WHG/9/3411)
Portugal	To be established <sup>(1)</sup>	Precautionary TAC	
Union	To be established <sup>(2)</sup>		
TAC	To be established <sup>(2)</sup>		
(1) Article 6 of this Regulation applies.			
(2) Fixed at the same quantity as determined in accordance with footnote 1.			

Species:	Hake <i>Merluccius merluccius</i>	Zone:	IIIa; EU waters of Subdivisions 22-32 (HKE/3A/BCD)
Denmark	1 033	Analytical TAC	
Sweden	88		
Union	1 121		
TAC	1 121 <sup>(1)</sup>		
(1) Within an overall TAC of 37 200 for the northern stock of hake.			



Species:	Hake <i>Merluccius merluccius</i>	Zone:	EU waters of IIa and IV (HKE/2AC4-C)
Belgium	19	Analytical TAC	
Denmark	755		
Germany	87		
France	167		
The Netherlands	43		
United Kingdom	235		
Union	1 306		
TAC	1 306 (1)		
(1) Within an overall TAC of 37 200 for the northern stock of hake.			

Species:	Hake <i>Merluccius merluccius</i>	Zone:	VI and VII; EU and international waters of Vb; international waters of XII and XIV (HKE/571214)
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Belgium	192	<sup>(1)(3)</sup>	Analytical TAC Article 11 of this Regulation applies.
Spain	6 149	<sup>(3)</sup>	
France	9 495	<sup>(1)(3)</sup>	
Ireland	1 151	<sup>(3)</sup>	
The Netherlands	124	<sup>(1)(3)</sup>	
United Kingdom	3 749	<sup>(1)(3)</sup>	
Union	20 860		

TAC 20 860 <sup>(2)</sup>

- (1) Transfers of this quota may be effected to EU waters of IIa and IV. However, such transfers must be notified in advance to the Commission.
- (2) Within an overall TAC of 37 200 for the northern stock of hake.
- (3) In addition to this quota, a Member State may grant to vessels flying its flag and participating in trials on fully documented fisheries an additional allocation within an overall limit of 1 % of the quota allocated to that Member State, pursuant to Article 7 of this Regulation.

Special condition:

Within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:

VIIIa, VIIIb, VIIIc and VIIE  
(HKE/\*8ABDE)

Belgium	25
Spain	992
France	992
Ireland	124
The Netherlands	12
United Kingdom	558
Union	2703

Species:	Hake <i>Merluccius merluccius</i>	Zone:	VIIIa, VIIIb, VIIIc and VIIIe (HKE/8ABDE.)
Belgium	6 <sup>(1)</sup>	Analytical TAC	
Spain	4 281		
France	9 614		
The Netherlands	12 <sup>(1)</sup>		
Union	13 913		
TAC	13 913 <sup>(2)</sup>		
<p>(1) Transfers of this quota may be effected to IV and EU waters of IIa. However, such transfers must be notified in advance to the Commission.</p> <p>(2) Within an overall TAC of 37 200 for the northern stock of hake.</p> <p>Special condition:</p> <p>Within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:</p>			
	VI and VII; EU and international waters of Vb; international waters of XII and XIV (HKE/*57-14)		
Belgium	1		
Spain	1 240		
France	2 232		
The Netherlands	4		
Union	3 477		

Species:	Hake <i>Merluccius merluccius</i>	Zone:	VIIIc, IX and X; EU waters of CECAF 34.1.1 (HKE/8C3411)
Spain	9 051	Analytical TAC	
France	869		
Portugal	4 224		
Union	14 144		
TAC	14 144		

Species:	Blue ling <i>Molva dypterygia</i>	Zone:	International waters of XII (BLI/12INT-)
Estonia	2 <sup>(1)</sup>	Precautionary TAC	
Spain	622 <sup>(1)</sup>		
France	15 <sup>(1)</sup>		
Lithuania	6 <sup>(1)</sup>		
United Kingdom	6 <sup>(1)</sup>		
Others	2 <sup>(1)</sup>		
Union	652 <sup>(1)</sup>		
TAC	652 <sup>(1)</sup>		

(1) Exclusively for by-catches. No directed fisheries are permitted under this quota.

Species:	Ling <i>Molva molva</i>	Zone:	IIIa; EU waters of IIIbcd (LIN/3A/BCD)
Belgium	<i>pm</i> <sup>(1)</sup>	Precautionary TAC	
Denmark	<i>pm</i>		
Germany	<i>pm</i> <sup>(1)</sup>		
Sweden	<i>pm</i>		
United Kingdom	<i>pm</i> <sup>(1)</sup>		
Union	<i>pm</i>		
TAC	<i>pm</i>		
(1) Quota may be fished in EU waters of IIIa and EU waters of IIIbcd only.			

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	EU waters of IIa and IV (NEP/2AC4-C)
Belgium	908	Analytical TAC	
Denmark	908		
Germany	13		
France	27		
The Netherlands	467		
United Kingdom	15 027		
Union	17 350		
TAC	17 350		

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	VI; EU and international waters of Vb (NEP/5BC6.)
Spain	34	Analytical TAC	
France	135		
Ireland	225		
United Kingdom	16 256		
Union	16 650		
TAC	16 650		

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	VII (NEP/07.)
Spain	1 115 <sup>(1)</sup>	Analytical TAC	
France	4 517 <sup>(1)</sup>	Article 11 of this Regulation applies.	
Ireland	6 851 <sup>(1)</sup>		
United Kingdom	6 093 <sup>(1)</sup>		
Union	18 576 <sup>(1)</sup>		
TAC	18 576 <sup>(1)</sup>		

(1) Special condition: of which no more than the following quotas may be taken in Functional Unit 16 of ICES Subarea VII (NEP/\*07U16):

Spain	418
France	262
Ireland	503
United Kingdom	203
Union	1 386

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	VIIIa, VIIIb, VIIIc and VIIIe (NEP/8ABDE.)
Spain	192	Analytical TAC	
France	3 008	Article 3 of Regulation (EC) No 847/96 does not apply.	
Union	3 200	Article 4 of Regulation (EC) No 847/96 does not apply.	
TAC	3 200		

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	VIIIc (NEP/08C.)
Spain	71	Analytical TAC	
France	3		
Union	74		
TAC	74		

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	IX and X; EU waters of CECAF 34.1.1 (NEP/9/3411)
Spain	62	Analytical TAC	
Portugal	184		
Union	246		
TAC	246		

Species:	"Penaeus" shrimps <i>Penaeus</i> spp.	Zone:	French Guiana waters (PEN/FGU.)
France	To be established	(1)(2)	Precautionary TAC
Union	To be established	(2)(3)	
TAC	To be established	(2)(3)	
(1)	Article 6 of this Regulation applies.		
(2)	Fishing for shrimps <i>Penaeus subtilis</i> and <i>Penaeus brasiliensis</i> is prohibited in waters less than 30 metres deep.		
(3)	Fixed at the same quantity as determined in accordance with footnote 1.		

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	VI; EU and international waters of Vb; international waters of XII and XIV (PLE/56-14)
France	15	Precautionary TAC	
Ireland	202		
United Kingdom	337		
Union	554		
TAC	554		



Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	VIIa (PLE/07A.)
Belgium	83	Precautionary TAC	
France	36		
Ireland	651		
The Netherlands	25		
United Kingdom	832		
Union	1 627		
TAC	1 627		

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	VIIb and VIIc (PLE/7BC.)
France	12	Precautionary TAC Article 11 of this Regulation applies.	
Ireland	50		
Union	62		
TAC	62		

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	VIIId and VIIe (PLE/7DE.)
Belgium	874	Analytical TAC	
France	2 914		
United Kingdom	1 554		
Union	5 342		
TAC	5 342		

(1) In addition to this quota, a Member State may grant to vessels flying its flag and participating in trials on fully documented fisheries an additional allocation within an overall limit of 1 % of the quota allocated to that Member State, pursuant to Article 7 of this Regulation.

Species:	Plaice	Zone:	VIIIf and VIIg (PLE/7FG.)
	<i>Pleuronectes platessa</i>		
Belgium	74	Precautionary TAC	
France	135		
Ireland	21		
United Kingdom	70		
Union	300		
TAC	300		

Species:	Plaice	Zone:	VIIIh, VIIj and VIIIk (PLE/7HJK.)
	<i>Pleuronectes platessa</i>		
Belgium	7	Analytical TAC Article 11 of this Regulation applies.	
France	14		
Ireland	50		
The Netherlands	28		
United Kingdom	14		
Union	113		
TAC	113		

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	VIII, IX and X; EU waters of CECAF 34.1.1 (PLE/8/3411)
Spain	53	Precautionary TAC	
France	210		
Portugal	53		
Union	316		
TAC	316		
Species:	Pollack <i>Pollachius pollachius</i>	Zone:	VI; EU and international waters of Vb; international waters of XII and XIV (POL/56-14)
Spain	6	Precautionary TAC	
France	190		
Ireland	56		
United Kingdom	145		
Union	397		
TAC	397		

Species:	Pollack <i>Pollachius pollachius</i>	Zone:	VII (POL/07.)
Belgium	420	Precautionary TAC Article 11 of this Regulation applies.	
Spain	25		
France	9 667		
Ireland	1 030		
United Kingdom	2 353		
Union	13 495		
TAC	13 495		

Species:	Pollack <i>Pollachius pollachius</i>	Zone:	VIIIa, VIIIb, VIIIc and VIId (POL/8ABDE.)
Spain	202	Precautionary TAC	
France	984		
Union	1 186		
TAC	1 186		

Species:	Pollack <i>Pollachius pollachius</i>	Zone:	VIIIc (POL/08C.)
Spain	166	Precautionary TAC	
France	19		
Union	185		
TAC	185		

Species:	Pollack <i>Pollachius pollachius</i>	Zone:	IX and X; EU waters of CECAF 34.1.1 (POL/9/3411)
Spain	218 <sup>(1)</sup>	Precautionary TAC	
Portugal	8 <sup>(1)</sup>		
Union	226 <sup>(1)</sup>		
TAC	226		
(1) Special condition: of which up to 5 % may be fished in EU waters of VIIIc (POL/*08C.).			

Species:	Saithe <i>Pollachius virens</i>	Zone:	VII, VIII, IX and X; EU waters of CECAF 34.1.1 (POK/7/3411)
Belgium	7	Precautionary TAC Article 11 of this Regulation applies.	
France	1 505		
Ireland	752		
United Kingdom	410		
Union	2 674		
TAC	2 674		

Species:	Skates and rays <i>Rajiformes</i>	Zone:	EU waters of IIa and IV (SRX/2AC4-C)
Belgium	<i>pm</i> (1) (2) (3)	Precautionary TAC	
Denmark	<i>pm</i> (1) (2) (3)		
Germany	<i>pm</i> (1) (2) (3)		
France	<i>pm</i> (1) (2) (3)		
The Netherlands	<i>pm</i> (1) (2) (3)		
United Kingdom	<i>pm</i> (1) (2) (3)		
Union	<i>pm</i> (1) (3)		
TAC	<i>pm</i> (3)		
<p>(1) Catches of cuckoo ray (<i>Leucoraja naevus</i>) (RJN/2AC4-C), thornback ray (<i>Raja clavata</i>) (RJC/2AC4-C), blonde ray (<i>Raja brachyura</i>) (RJH/2AC4-C), spotted ray (<i>Raja montagui</i>) (RJM/2AC4-C) and starry ray (<i>Amblyraja radiata</i>) (RJR/2AC4-C) shall be reported separately.</p> <p>(2) By-catch quota. These species shall not comprise more than 25 % by live weight of the catch retained on board per fishing trip. This condition applies only to vessels over 15 metres' length overall.</p> <p>(3) Does not apply to common skate (<i>Dipturus batis</i>). When accidentally caught, these species shall not be harmed. Specimens shall be promptly released. Fishermen shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of the species.</p>			

Species:	Skates and rays <i>Rajiformes</i>	Zone:	EU waters of IIIa (SRX/03A-C.)
Denmark	<i>pm</i> (1)(2)	Precautionary TAC	
Sweden	<i>pm</i> (1)(2)		
Union	<i>pm</i> (1)(2)		
TAC	<i>pm</i> (2)		
(1)	Catches of cuckoo ray ( <i>Leucoraja naevus</i> ) (RJN/03A-C.), thornback ray ( <i>Raja clavata</i> ) (RJC/03A-C.), blonde ray ( <i>Raja brachyura</i> ) (RJH/03A-C.), spotted ray ( <i>Raja montagui</i> ) (RJM/03A-C.) and starry ray ( <i>Amblyraja radiata</i> ) (RJR/03A-C.) shall be reported separately.		
(2)	Does not apply to common skate ( <i>Dipturus batis</i> ). When accidentally caught, this species shall not be harmed. Specimens shall be promptly released. Fishermen shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of the species.		

Species:	Skates and rays <i>Rajiformes</i>	Zone:	EU waters of VIa, VIb, VIIa-c and VIIe-k (SRX/67AKXD)
Belgium	<i>pm</i> (1)(2)(3)	Precautionary TAC	
Estonia	<i>pm</i> (1)(2)(3)	Article 11 of this Regulation applies.	
France	<i>pm</i> (1)(2)(3)		
Germany	<i>pm</i> (1)(2)(3)		
Ireland	<i>pm</i> (1)(2)(3)		
Lithuania	<i>pm</i> (1)(2)(3)		
The Netherlands	<i>pm</i> (1)(2)(3)		
Portugal	<i>pm</i> (1)(2)(3)		
Spain	<i>pm</i> (1)(2)(3)		
United Kingdom	<i>pm</i> (1)(2)(3)		
Union	<i>pm</i> (1)(2)(3)		
TAC	<i>pm</i> (2)		
(1)	Catches of cuckoo ray ( <i>Leucoraja naevus</i> ) (RJN/67AKXD), thornback ray ( <i>Raja clavata</i> ) (RJC/67AKXD), blonde ray ( <i>Raja brachyura</i> ) (RJH/67AKXD), spotted ray ( <i>Raja montagui</i> ) (RJM/67AKXD), small-eyed ray ( <i>Raja microocellata</i> ) (RJE/67AKXD), sandy ray ( <i>Raja circularis</i> ) (RJI/67AKXD) and shagreen ray ( <i>Raja fullonica</i> ) (RJF/67AKXD) shall be reported separately.		
(2)	Does not apply to undulate ray ( <i>Raja undulata</i> ), common skate ( <i>Dipturus batis</i> ), Norwegian skate ( <i>Raja (Dipturus) nidarosiensis</i> ) and white skate ( <i>Raja alba</i> ). When accidentally caught, these species shall not be harmed. Specimens shall be promptly released. Fishermen shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of the species.		
(3)	Special condition: of which up to 5 % may be fished in EU waters of VIId (SRX/*07D.).		



Species:	Skates and rays <i>Rajiformes</i>	Zone:	EU waters of VIIId (SRX/07D.)
Belgium	<i>pm</i> (1)(2)(3)	Precautionary TAC	
France	<i>pm</i> (1)(2)(3)		
The Netherlands	<i>pm</i> (1)(2)(3)		
United Kingdom	<i>pm</i> (1)(2)(3)		
Union	<i>pm</i> (1)(2)(3)		
TAC	<i>pm</i> (2)		
(1)	Catches of Cuckoo ray ( <i>Leucoraja naevus</i> ) (RJN/07D.), thornback ray ( <i>Raja clavata</i> ) (RJC/07D.), blonde ray ( <i>Raja brachyura</i> ) (RJH/07D.), spotted ray ( <i>Raja montagui</i> ) (RJM/07D.) and starry ray ( <i>Amblyraja radiata</i> ) (RJR/07D.) shall be reported separately.		
(2)	Does not apply to common skate ( <i>Dipturus batis</i> ) and undulate ray ( <i>Raja undulata</i> ). When accidentally caught, these species shall not be harmed. Specimens shall be promptly released. Fishermen shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of the species.		
(3)	Special condition: of which up to 5 % may be fished in EU waters of VIa, VIb, VIIa-c and VIIe-k (SRX/*67AKD).		

Species:	Skates and rays <i>Rajiformes</i>	Zone:	EU waters of VIII and IX (SRX/89-C.)
Belgium	<i>pm</i> (1)(2)	Precautionary TAC	
France	<i>pm</i> (1)(2)		
Portugal	<i>pm</i> (1)(2)		
Spain	<i>pm</i> (1)(2)		
United Kingdom	<i>pm</i> (1)(2)		
Union	<i>pm</i> (1)(2)		
TAC	<i>pm</i> (2)		
<p>(1) Catches of cuckoo ray (<i>Leucoraja naevus</i>) (RJN/89-C.), thornback ray (<i>Raja clavata</i>) (RJC/89-C.) shall be reported separately.</p> <p>(2) Does not apply to undulate ray (<i>Raja undulata</i>), common skate (<i>Dipturus batis</i>) and white skate (<i>Raja alba</i>). When accidentally caught, these species shall not be harmed. Specimens shall be promptly released. Fishermen shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of the species.</p>			

Species:	Common sole <i>Solea solea</i>	Zone:	IIIa; EU waters of Subdivisions 22-32 (SOL/3A/BCD)
Denmark	470	Analytical TAC	
Germany	27 (1)		
The Netherlands	45 (1)		
Sweden	18		
Union	560		
TAC	560 (2)		
<p>(1) Quota may be fished in EU waters of IIIa, Subdivisions 22-32 only.</p> <p>(2) Special condition: of which no more than 496 may be fished in IIIa.</p>			

Species:	Common sole <i>Solea solea</i>	Zone:	VI; EU and international waters of Vb; international waters of XII and XIV (SOL/56-14)
Ireland	38	Precautionary TAC	
United Kingdom	10		
Union	48		
TAC	48		

Species:	Common sole <i>Solea solea</i>	Zone:	VIIa (SOL/07A.)
Belgium	31	Analytical TAC	
France	0	Article 3 of Regulation (EC) No 847/96 does not apply.	
Ireland	7	Article 4 of Regulation (EC) No 847/96 does not apply.	
The Netherlands	9		
United Kingdom	13		
Union	60		
TAC	60		

Species:	Common sole <i>Solea solea</i>	Zone:	VIIb and VIIc (SOL/7BC.)
France	6	Precautionary TAC	
Ireland	29	Article 11 of this Regulation applies.	
Union	35		
TAC	35		

Species:	Common sole <i>Solea solea</i>	Zone:	VIIId (SOL/07D.)
Belgium	1 292	Analytical TAC	
France	2 585		
United Kingdom	923		
Union	4 800		
TAC	4 800		

Species:	Common sole <i>Solea solea</i>	Zone:	VIIe (SOL/07E.)
Belgium	32 <sup>(1)</sup>	Analytical TAC	
France	337 <sup>(1)</sup>		
United Kingdom	525 <sup>(1)</sup>		
Union	894		
TAC	894		

(1) In addition to this quota, a Member State may grant to vessels flying its flag and participating in trials on fully documented fisheries an additional allocation within an overall limit of 5 % of the quota allocated to that Member State, pursuant to Article 7 of this Regulation.

Species:	Common sole <i>Solea solea</i>	Zone:	VIIIf and VIIg (SOL/7FG.)
Belgium	688	Analytical TAC	
France	69		
Ireland	34		
United Kingdom	309		
Union	1 100		
TAC	1 100		

Species:	Common sole <i>Solea solea</i>	Zone:	VIIh, VIIj and VIIk (SOL/7HJK.)
Belgium	28	Analytical TAC	
France	56	Article 11 of this Regulation applies.	
Ireland	153		
The Netherlands	45		
United Kingdom	56		
Union	338		
TAC	338		

Species:	Common sole <i>Solea solea</i>	Zone:	VIIIa and VIIIb (SOL/8AB.)
Belgium	37	Analytical TAC	
Spain	7		
France	2 750		
The Netherlands	206		
Union	3 000		
TAC	3 000		

Species:	Sole <i>Solea spp.</i>	Zone:	VIIIc, VIIIId, VIIIe, IX and X; EU waters of CECAF 34.1.1 (SOO/8CDE34)
Spain	323	Precautionary TAC	
Portugal	535		
Union	858		
TAC	858		

Species:	Sprat <i>Sprattus sprattus</i>	Zone:	VIIId and VIIe (SPR/7DE.)
Belgium	21	Precautionary TAC	
Denmark	1 339		
Germany	21		
France	288		
The Netherlands	288		
United Kingdom	2 163		
Union	4 120		
TAC	4 120		

Species:	Spurdog/dogfish <i>Squalus acanthias</i>	Zone:	EU waters of IIIa (DGS/03A-C.)
Denmark	<i>pm</i>	Analytical TAC	
Sweden	<i>pm</i>	Article 3 of Regulation (EC) No 847/96 does not apply.	
Union	<i>pm</i>	Article 4 of Regulation (EC) No 847/96 does not apply.	
TAC	<i>pm</i>		

Species:	Spurdog/dogfish <i>Squalus acanthias</i>	Zone:	EU waters of IIa and IV (DGS/2AC4-C)
Belgium	<i>pm</i> (1)	Analytical TAC	
Denmark	<i>pm</i> (1)	Article 3 of Regulation (EC) No 847/96 does not apply.	
Germany	<i>pm</i> (1)	Article 4 of Regulation (EC) No 847/96 does not apply.	
France	<i>pm</i> (1)		
The Netherlands	<i>pm</i> (1)		
Sweden	<i>pm</i> (1)		
United Kingdom	<i>pm</i> (1)		
Union	<i>pm</i> (1)		
TAC	<i>pm</i> (1)		
(1) Catches taken with longlines of tope shark ( <i>Galeorhinus galeus</i> ), kitefin shark ( <i>Dalatias licha</i> ), bird beak dogfish ( <i>Deania calcea</i> ), leafscale gulper shark ( <i>Centrophorus squamosus</i> ), greater lanternshark ( <i>Etmopterus princeps</i> ), smooth lanternshark ( <i>Etmopterus pusillus</i> ), Portuguese dogfish ( <i>Centroscymnus coelolepis</i> ) and spurdog ( <i>Squalus acanthias</i> ) are included. When accidentally caught, these species shall not be harmed. Specimens shall be promptly released.			



Species:	Spurdog/dogfish <i>Squalus acanthias</i>	Zone:	EU and international waters of I, V, VI, VII, VIII, XII and XIV (DGS/15X14)
Belgium	<i>pm</i> (1)	Analytical TAC	
Germany	<i>pm</i> (1)	Article 3 of Regulation (EC) No 847/96 does not apply.	
Spain	<i>pm</i> (1)		
France	<i>pm</i> (1)	Article 4 of Regulation (EC) No 847/96 does not apply.	
Ireland	<i>pm</i> (1)	Article 11 of this Regulation applies.	
The Netherlands	<i>pm</i> (1)		
Portugal	<i>pm</i> (1)		
United Kingdom	<i>pm</i> (1)		
Union	<i>pm</i> (1)		
TAC	<i>pm</i> (1)		
(1)	Catches taken with longlines of tope shark ( <i>Galeorhinus galeus</i> ), kitefin shark ( <i>Dalatias licha</i> ), bird beak dogfish ( <i>Deania calcea</i> ), leafscale gulper shark ( <i>Centrophorus squamosus</i> ), greater lanternshark ( <i>Etmopterus princeps</i> ), smooth lanternshark ( <i>Etmopterus pusillus</i> ), Portuguese dogfish ( <i>Centroscymnus coelolepis</i> ) and spurdog ( <i>Squalus acanthias</i> ) are included. When accidentally caught, these species shall not be harmed. Specimens shall be promptly released.		

Species:	Horse mackerel <i>Trachurus</i> spp.	Zone:	VIIIc (JAX/08C.)
Spain	<i>pm</i> <sup>(1)(2)</sup>	Analytical TAC	
France	<i>pm</i> <sup>(1)</sup>		
Portugal	<i>pm</i> <sup>(1)(2)</sup>		
Union	<i>pm</i>		
TAC	<i>pm</i>		
(1)	Of which, notwithstanding Article 19 of Regulation (EC) No 850/98 <sup>1</sup> , no more than 5 % may consist of horse mackerel between 12 and 14 cm. For the purposes of the control of that quantity, the conversion factor to be applied to the weight of the landings shall be 1,20.		
(2)	Special condition: up to 5 % of this quota may be fished in IX (JAX/*09.).		

Species:	Horse mackerel <i>Trachurus</i> spp.	Zone:	IX (JAX/09.)
Spain	7 762 <sup>(1)(2)</sup>	Precautionary TAC	
Portugal	22 238 <sup>(1)(2)</sup>		
Union	30 000		
TAC	30 000		
(1)	Of which, notwithstanding Article 19 of Regulation (EC) No 850/98, no more than 5 % may consist of horse mackerel between 12 and 14 cm. For the purposes of the control of that quantity, the conversion factor to be applied to the weight of the landings shall be 1,20.		
(2)	Special condition: up to 5 % of this quota may be fished in VIIIc (JAX/*08C).		

<sup>1</sup> Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms (OJ L 125, 27.4.1998, p. 1).

Species:	Horse mackerel <i>Trachurus</i> spp.	Zone:	X; EU waters of CECAF <sup>(1)</sup> (JAX/X34PRT)
Portugal	To be established	(2)(3)	Precautionary TAC
Union	To be established	(4)	
TAC	To be established	(4)	
(1)	Waters adjacent to the Azores.		
(2)	Of which, notwithstanding Article 19 of Regulation (EC) No 850/98, no more than 5 % may consist of horse mackerel between 12 and 14 cm. For the purposes of the control of that quantity, the conversion factor to be applied to the weight of the landings shall be 1,20.		
(3)	Article 6 of this Regulation applies.		
(4)	Fixed at the same quantity as determined in accordance with footnote 3.		

Species:	Horse mackerel <i>Trachurus</i> spp.	Zone:	EU waters of CECAF <sup>(1)</sup> (JAX/341PRT)
Portugal	To be established	(2)(3)	Precautionary TAC
Union	To be established	(4)	
TAC	To be established	(4)	
(1)	Waters adjacent to Madeira.		
(2)	Of which, notwithstanding Article 19 of Regulation (EC) No 850/98, no more than 5 % may consist of horse mackerel between 12 and 14 cm. For the purposes of the control of that quantity, the conversion factor to be applied to the weight of the landings shall be 1,20.		
(3)	Article 6 of this Regulation applies.		
(4)	Fixed at the same quantity as determined in accordance with footnote 3.		

Species:	Horse mackerel <i>Trachurus</i> spp.	Zone:	EU waters of CECAF <sup>(1)</sup> (JAX/341SPN)
Spain	To be established	<sup>(2)</sup>	Precautionary TAC
Union	To be established	<sup>(3)</sup>	
TAC	To be established	<sup>(3)</sup>	
(1)	Waters adjacent to the Canary Islands.		
(2)	Article 6 of this Regulation applies.		
(3)	Fixed at the same quantity as determined in accordance with footnote 2.		

## **ANNEX IIA**

### FISHING EFFORT FOR VESSELS IN THE CONTEXT OF THE MANAGEMENT OF COD STOCKS IN THE KATTEGAT, ICES DIVISIONS VIa AND VIIa AND EU WATERS OF ICES DIVISION Vb

#### 1. SCOPE

- 1.1. This Annex shall apply to EU vessels carrying on board or deploying any of the gears referred to in point 1 of Annex I to Regulation (EC) No 1342/2008 and present in any of the geographical areas specified in point 2 of this Annex.
- 1.2. This Annex shall not apply to vessels of less than 10 metres' length overall. Those vessels shall not be required to carry fishing authorisations issued in accordance with Article 7 of Regulation (EC) No 1224/2009. Member States concerned shall assess the fishing effort of those vessels by effort groups to which they belong, using appropriate sampling methods. During 2013, the Commission shall seek scientific advice for evaluating the effort deployment of those vessels, with a view to their future inclusion into the effort regime.

#### 2. REGULATED GEARS AND GEOGRAPHICAL AREAS

For the purposes of this Annex, the gear groupings referred to in point 1 of Annex I to Regulation (EC) No 1342/2008 and the groupings of geographical areas referred to in points 2(a), 2(c) and 2(d) of that Annex shall apply.

### 3. AUTHORISATIONS

If a Member State deems so appropriate in order to reinforce the sustainable implementation of this effort regime, it shall not issue an authorisation for fishing with a regulated gear in any of the geographical areas to which this Annex applies by any of vessels flying its flag which has no record of such fishing activity, unless it ensures that equivalent capacity, measured in kilowatts, is prevented from fishing in that area.

### 4. MAXIMUM ALLOWABLE FISHING EFFORT

- 4.1. The maximum allowable effort referred to in Article 12(1) of Regulation (EC) No 1342/2008 for the 2013 management period, i.e. from 1 February 2013 to 31 January 2014, for each of the effort groups of each Member State is set out in Appendix 1 to this Annex.
- 4.2. The maximum levels of annual fishing effort set in accordance with Regulation (EC) No 1954/2003<sup>1</sup> shall not affect the maximum allowable fishing effort set in this Annex.

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<sup>1</sup> Council Regulation (EC) No 1954/2003 of 4 November 2003 on the management of the fishing effort relating to certain Community fishing areas and resources (OJ L 289, 7.11.2003, p. 1).

## 5. MANAGEMENT

- 5.1. Member States shall manage the maximum allowable effort in accordance with the conditions laid down in Article 4 and Articles 13 to 17 of Regulation (EC) No 1342/2008 and Articles 26 to 35 of Regulation (EC) No 1224/2009.
- 5.2. A Member State may establish management periods for allocating all or parts of the maximum allowable effort to individual vessels or groups of vessels. In such case, the number of days or hours for which a vessel may be present within the area during a management period shall be fixed at the discretion of the Member State concerned. During any such management periods, the Member State concerned may reallocate effort between individual vessels or groups of vessels.
- 5.3. If a Member State authorises vessels flying its flag to be present within an area by hours, it shall continue measuring the consumption of days in accordance with the conditions referred to in point 5.1. Upon request by the Commission, the Member State concerned shall demonstrate its precautionary measures taken to avoid an excessive consumption of effort within the area due to a vessel terminating presences in the area before the end of a 24-hour period.

6. FISHING EFFORT REPORT

Article 28 of Regulation (EC) No 1224/2009 shall apply to vessels falling under the scope of this Annex. The geographical area referred to in that Article shall be understood, for the purpose of cod management, as each of the groupings of geographical areas referred to in point 2 of this Annex.

7. COMMUNICATION OF RELEVANT DATA

Member States shall transmit to the Commission the data on fishing effort deployed by their fishing vessels in accordance with Articles 33 and 34 of Regulation (EC) No 1224/2009. These data shall be transmitted via the Fisheries Data Exchange System or any future data collection system implemented by the Commission.



## Appendix 1 to Annex IIA

### Maximum allowable fishing effort in kilowatt days

Geographical area:	Regulated gear	DK	DE	SE
(a) Kattegat	TR1	<i>pm</i>	<i>pm</i>	<i>pm</i>
	TR2	<i>pm</i>	<i>pm</i>	<i>pm</i>
	TR3	<i>pm</i>	<i>pm</i>	<i>pm</i>
	BT1	<i>pm</i>	<i>pm</i>	<i>pm</i>
	BT2	<i>pm</i>	<i>pm</i>	<i>pm</i>
	GN	<i>pm</i>	<i>pm</i>	<i>pm</i>
	GT	<i>pm</i>	<i>pm</i>	<i>pm</i>
	LL	<i>pm</i>	<i>pm</i>	<i>pm</i>

Geographical area	Regulated gear	BE	FR	IE	NL	UK
(c) ICES division VIIa	TR1	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	TR2	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	TR3	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	BT1	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	BT2	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	GN	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	GT	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	LL	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>

Geographical area	Regulated gear	BE	DE	ES	FR	IE	UK
(d) ICES division VIa and EU waters of ICES division Vb	TR1	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	TR2	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	TR3	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	BT1	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	BT2	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	GN	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	GT	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>
	LL	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>	<i>pm</i>

## **ANNEX IIB**

### FISHING EFFORT FOR VESSELS IN THE CONTEXT OF THE RECOVERY OF CERTAIN SOUTHERN HAKE AND NORWAY LOBSTER STOCKS IN ICES DIVISIONS VIIIc AND IXa EXCLUDING THE GULF OF CÁDIZ

## **CHAPTER I GENERAL PROVISIONS**

### 1. SCOPE

This Annex shall apply to EU vessels of 10 metres' length overall or more carrying on board or deploying trawls, Danish seines or similar gears of mesh size equal to or larger than 32 mm and gill-nets of mesh size equal to or larger than 60 mm or bottom longlines in accordance with Regulation (EC) No 2166/2005, and present in ICES divisions VIIIc and IXa excluding the Gulf of Cádiz.

## 2. DEFINITIONS

For the purposes of this Annex:

- (a) 'gear grouping' means the grouping consisting of the following two gear categories:
  - (i) trawls, Danish seines or similar gears of mesh size equal to or larger than 32 mm and
  - (ii) gill-nets of mesh size equal to or larger than 60 mm and bottom longlines;
- (b) 'regulated gear' means any of the two gear categories belonging to the gear grouping;
- (c) 'area' means ICES divisions VIIIc and IXa excluding the Gulf of Cádiz;
- (d) '2013 management period' means the period from 1 February 2013 to 31 January 2014;
- (e) 'special conditions' means the special conditions set out in point 6.1.

## 3. LIMITATION IN ACTIVITY

Without prejudice to Article 29 of Regulation (EC) No 1224/2009, each Member State shall ensure that, when carrying on board any regulated gear, EU vessels flying its flag shall be present within the area for no more than the number of days specified in Chapter III of this Annex.

## **CHAPTER II AUTHORISATIONS**

### **4. AUTHORISED VESSELS**

- 4.1. A Member State shall not authorise fishing with a regulated gear in the area by any of vessels flying its flag which have no record of such fishing activity in the years 2002 to 2012 in the area, excluding the record of fishing activities as a result of transfer of days between fishing vessels, unless it ensures that equivalent capacity, measured in kilowatts, is prevented from fishing in the area.
- 4.2. A vessel flying the flag of a Member State having no quotas in the area shall not be authorised to fish in the area with a regulated gear, unless the vessel is allocated a quota after a transfer as permitted in accordance with Article 20(5) of Regulation (EC) No 2371/2002 and is allocated days at sea in accordance with point 11 or 12 of this Annex.

## **CHAPTER III**

### **NUMBER OF DAYS PRESENT WITHIN THE AREA ALLOCATED TO EU VESSELS**

#### 5. MAXIMUM NUMBER OF DAYS

- 5.1. During the 2013 management period, the maximum number of days at sea for which a Member State may authorise a vessel flying its flag to be present within the area having carried on board any regulated gear is shown in Table I.
- 5.2. If a vessel is able to demonstrate that its hake catches represent less than 4 % of the total live weight of fish caught in a given fishing trip, the flag Member State of the vessel shall be allowed not to count the days at sea associated with that fishing trip against the applicable maximum number of days at sea as set out in Table I.

#### 6. SPECIAL CONDITIONS FOR THE ALLOCATION OF DAYS

- 6.1. For the purposes of fixing the maximum number of days at sea an EU vessel may be authorised by its flag Member State to be present within the area, the following special conditions shall apply in accordance with Table I:
  - (a) the total landings of hake in the year 2010 or 2011 made by the vessel concerned must represent less than 5 tonnes according to the landings in live weight; and

- (b) the total landings of Norway lobster in the year 2010 or 2011 made by the vessel concerned must represent less than 2,5 tonnes according to the landings in live weight.
- 6.2. If a vessel benefits from an unlimited number of days as a result of its compliance with the special conditions, the vessel's landings in the 2013 management period shall not exceed 5 tonnes of the total landings in live weight of hake and 2,5 tonnes of the total landings in live weight of Norway lobster.
- 6.3. When either of the special conditions is not met by a vessel, that vessel shall, with immediate effect, no longer be entitled to the allocation of days corresponding to the given special condition.
- 6.4. The application of the special conditions referred to in point 6.1. may be transferred from one vessel to one or more other vessels which replace that vessel in the fleet, provided that the replacing vessel uses similar gear and does not have in any year of its operation a record of landings of hake and Norway lobster higher than the quantities specified in point 6.1.

Table I			
Maximum number of days a vessel may be present within the area by fishing gear per year			
Special condition	Regulated gear	Maximum number of days	
	Bottom trawls, Danish seines and similar trawls of mesh size $\geq 32$ mm, gill-nets of mesh size $\geq 60$ mm and bottom longlines	ES	<i>pm</i>
		FR	<i>pm</i>
		PT	<i>pm</i>
6.1.(a) and 6.1.(b)	Bottom trawls, Danish seines and similar trawls of mesh size $\geq 32$ mm, gill-nets of mesh size $\geq 60$ mm and bottom longlines	Unlimited	

## 7. KILOWATT DAY SYSTEM

- 7.1. A Member State may manage its fishing effort allocations in accordance with a kilowatt days system. Through that system it may authorise any vessel concerned by any regulated gear and special conditions as set out in Table I to be present within the area for a maximum number of days which is different from that set out in that Table, provided that the overall amount of kilowatt days corresponding to the regulated gear and to the special conditions is respected.
- 7.2. This overall amount of kilowatt days shall be the sum of all individual fishing efforts allocated to the vessels flying the flag of that Member State and qualified for the regulated gear and, where applicable, the special conditions. Such individual fishing efforts shall be calculated in kilowatt days by multiplying the engine power of each vessel by the number of days at sea it would benefit from, according to Table I, if point 7.1. were not applied. For as long as the number of days is unlimited according to Table I, the relevant number of days the vessel would benefit from is 360.

- 7.3. A Member State wishing to benefit from the system referred to in point 7.1. shall submit a request to the Commission, with reports in electronic format containing, for the regulated gear and special conditions as laid down in Table I, the details of the calculation based on:
- (a) list of vessels authorised to fish by indicating their EU fishing fleet register number (CFR) and their engine power;
  - (b) track record of 2010 and 2011 for such vessels reflecting the catch composition defined in the special condition referred to in point 6.1.(a) or (b), if these vessels are qualified for such special conditions;
  - (c) the number of days at sea for which each vessel would have initially been authorised to fish according to Table I and the number of days at sea which each vessel would benefit from in application of point 7.1.
- 7.4. On the basis of that request, the Commission shall assess whether the conditions referred to in point 7 are complied with and, where applicable, may authorise that Member State to benefit from the system referred to in point 7.1.



## 8. ALLOCATION OF ADDITIONAL DAYS FOR PERMANENT CESSATION OF FISHING ACTIVITIES

- 8.1. An additional number of days at sea on which a vessel may be authorised by its flag Member State to be present within the area when carrying on board any regulated gear may be allocated to a Member State by the Commission on the basis of permanent cessations of fishing activities that have taken place between 1 February 2012 and 31 January 2013 either in accordance with Article 23 of Regulation (EC) No 1198/2006<sup>1</sup> or Regulation (EC) No 744/2008<sup>2</sup>. Permanent cessations resulting from any other circumstances may be considered by the Commission on a case-by-case basis, following a written and duly motivated request from the Member State concerned. Such written request shall identify the vessels concerned and confirm, for each of them, that they shall never return to fishing activities.
- 8.2. The effort expended in 2003 measured in kilowatt days of the withdrawn vessels using the regulated gear shall be divided by the effort expended by all vessels using that gear during 2003. The additional number of days at sea shall be then calculated by multiplying the ratio so obtained by the number of days that would have been allocated according to Table I. Any part of a day resulting from that calculation shall be rounded to the nearest whole day.

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<sup>1</sup> Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund (OJ L 223, 15.8.2006, p. 1).

<sup>2</sup> Council Regulation (EC) No 744/2008 of 24 July 2008 instituting a temporary specific action aiming to promote the restructuring of the European Community fishing fleets affected by the economic crisis (OJ L 202, 31.7.2008, p. 1).

- 8.3. Points 8.1. and 8.2. shall not apply where a vessel has been replaced in accordance with point 3 or 6.4., or when the withdrawal has already been used in previous years to obtain additional days at sea.
- 8.4. A Member State wishing to benefit from the allocations referred to in point 8.1. shall submit a request to the Commission, by 15 June 2013, with reports in electronic format containing, for the gear grouping and special conditions as laid down in Table I, the details of the calculation based on:
- (a) lists of withdrawn vessels with their EU fishing fleet register number (CFR) and their engine power;
  - (b) the fishing activity deployed by such vessels in 2003 calculated in days at sea according to the grouping of fishing gears and, if necessary, special conditions.
- 8.5. On the basis of such a request by a Member State the Commission may, by means of implementing acts, allocate that Member State a number of days additional to that referred to in point 5.1. for that Member State. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).

- 8.6. During the 2013 management period, a Member State may re-allocate those additional days at sea to all or part of the vessels remaining in fleet and qualified for the regulated gears. Additional days stemming from a withdrawn vessel that benefited from a special condition referred to in point 6.1.(a) or (b) may not be allocated to a vessel remaining active that does not benefit from a special condition.
- 8.7. When the Commission allocates additional days at sea due to a permanent cessation of fishing activities during the 2013 management period, the maximum number of days per Member State and gear shown in Table I shall be adjusted accordingly for the 2014 management period.
9. ALLOCATION OF ADDITIONAL DAYS FOR ENHANCED SCIENTIFIC OBSERVER COVERAGE
- 9.1. Three additional days on which a vessel may be present within the area when carrying on board any regulated gear may be allocated to a Member State by the Commission on the basis of an enhanced programme of scientific observer coverage in partnership between scientists and the fishing industry. Such a programme shall focus in particular on levels of discarding and on catch composition and go beyond the requirements on data collection, as laid down in Regulation (EC) No 199/2008<sup>1</sup> and its implementing rules for national programmes.

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<sup>1</sup> Council Regulation (EC) No 199/2008 of 25 February 2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy (OJ L 60, 5.3.2008, p. 1).

- 9.2. Scientific observers shall be independent from the owner, the master of the vessel and any crew member.
- 9.3. A Member State wishing to benefit from the allocations referred to in point 9.1. shall submit a description of its enhanced scientific observer coverage programme to the Commission for approval.
- 9.4. On the basis of that description, and after consultation with STECF, the Commission may, by means of implementing acts, allocate the Member State concerned a number of days additional to that referred to in point 5.1. for that Member State and for the vessels, the area and gear concerned by the enhanced programme of scientific observers. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).
- 9.5. If an enhanced scientific observer coverage programme submitted by a Member State has been approved by the Commission in the past and the Member State concerned wishes to continue its application without changes, it shall inform the Commission of the continuation of that programme four weeks before the beginning of the period for which the programme applies.

## **CHAPTER IV MANAGEMENT**

### 10. GENERAL OBLIGATION

Member States shall manage the maximum allowable effort in accordance with the conditions laid down in Article 8 of Regulation (EC) No 2166/2005 and Articles 26 to 35 of Regulation (EC) No 1224/2009.

### 11. MANAGEMENT PERIODS

- 11.1. A Member State may divide the days present within the area set out in Table I into management periods of durations of one or more calendar months.
- 11.2. The number of days or hours for which a vessel may be present within the area during a management period shall be fixed by the Member State concerned.
- 11.3. Where a Member State authorises vessels flying its flag to be present within the area by hours, the Member State shall continue measuring the consumption of days as specified in point 10. Upon request by the Commission, the Member State shall demonstrate its precautionary measures taken to avoid an excessive consumption of days within the area due to a vessel terminating presences in the area before the end of a 24-hour period.

## **CHAPTER V**

### **EXCHANGES OF FISHING EFFORT ALLOCATIONS**

12. TRANSFER OF DAYS BETWEEN FISHING VESSELS FLYING THE FLAG OF A MEMBER STATE
  - 12.1. A Member State may permit any fishing vessel flying its flag to transfer days present within the area for which it has been authorised to another vessel flying its flag within the area, provided that the product of the days received by a vessel multiplied by its engine power in kilowatts (kilowatt days) is equal to or less than the product of the days transferred by the donor vessel and the engine power in kilowatts of that vessel. The engine power in kilowatts of the vessels shall be that recorded for each vessel in the EU fishing fleet register.
  - 12.2. The total number of days present within the area transferred in accordance with point 12.1., multiplied by the engine power in kilowatts of the donor vessel, shall not be higher than the donor vessel's average annual days track record in the area as verified by the fishing logbook in the years 2010 and 2011 multiplied by the engine power in kilowatts of that vessel.
  - 12.3. The transfer of days as described in point 12.1. shall be permitted between vessels operating with any regulated gear and during the same management period.

- 12.4. Transfer of days is only permitted for vessels benefiting from an allocation of fishing days without special conditions.
- 12.5. On request from the Commission, Member States shall provide information on the transfers that have taken place. Formats of spreadsheet for the collection and transmission of information referred to in this point may be established by the Commission by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).

13. TRANSFER OF DAYS BETWEEN FISHING VESSELS FLYING THE FLAG OF DIFFERENT MEMBER STATES

Member States may permit transfer of days present within the area for the same management period and within the area between any fishing vessels flying their flags provided that points 4.1. and 4.2. and 12 apply *mutatis mutandis*. Where Member States decide to authorise such a transfer, they shall notify the Commission, before the transfer takes place, of the details of the transfer, including the number of days to be transferred, the fishing effort and, where applicable, the fishing quotas relating thereto.

## **CHAPTER VI**

### **REPORTING OBLIGATIONS**

14. FISHING EFFORT REPORT

Article 28 of Regulation (EC) No 1224/2009 shall apply to vessels falling under the scope of this Annex. The geographical area referred to in that Article shall be understood as the area specified in point 2 of this Annex.

15. COLLECTION OF RELEVANT DATA

Member States, on the basis of information used for the management of fishing days present within the area as set out in this Annex, shall collect on a quarterly basis the information about total fishing effort deployed within the area for towed gears and static gears, effort deployed by vessels using different types of gear in the area, and the engine power of those vessels in kilowatt days.



16. COMMUNICATION OF RELEVANT DATA

Upon request from the Commission, Member States shall make available to the Commission a spreadsheet with data specified in point 15 in the format specified in Tables II and III by sending it to the appropriate electronic mailbox address, which shall be communicated to the Member States by the Commission. Member States shall, upon the Commission's request, send to the Commission detailed information on effort allocated and consumed covering all or parts of the 2012 and 2013 management periods, using the data format specified in Tables IV and V.

Table II			
Reporting format kW-day information by year			
Member State	Gear	Year	Cumulative effort declaration
(1)	(2)	(3)	(4)

Table III			
Data format kW-day information by year			
Name of field	Maximum number of characters/digits	Alignment <sup>1</sup> L(eft)/R(ight)	Definition and comments
(1) Member State	3		Member State (Alpha-3 ISO code) in which the vessel is registered
(2) Gear	2		One of the following gear types: TR = trawls, Danish seines and similar gear $\geq 32$ mm GN = gillnets $\geq 60$ mm LL = bottom longlines
(3) Year	4		Either 2006 or 2007 or 2008 or 2009 or 2010 or 2011 or 2012 or 2013
(4) Cumulative effort declaration	7	R	Cumulative amount of fishing effort expressed in kilowatt days deployed from 1 January until 31 December of the year

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<sup>1</sup> Information relevant for transmission of data by fixed-length formatting.

Table IV

Reporting format for vessel-related information

Member State	CFR	External marking	Length of management period	Gear notified				Special condition applying to notified gear(s)				Days eligible using notified gear(s)				Days spent with notified gear(s)				transfer of days
				No 1	No 2	No 3	...	No 1	No 2	No 3	...	No 1	No 2	No 3	...	No 1	No 2	No 3	...	
(1)	(2)	(3)	(4)	(5)	(5)	(5)	(5)	(6)	(6)	(6)	(6)	(7)	(7)	(7)	(7)	(8)	(8)	(8)	(8)	(9)

Table V			
Data format for vessel-related information			
Name of field	Maximum number of characters/digits	Alignment <sup>1</sup> L(eft)/R(ight)	Definition and comments
(1) Member State	3		Member State (Alpha-3 ISO code) in which vessel is registered
(2) CFR	12		EU fishing fleet register number (CFR) Unique identification number of a fishing vessel Member State (Alpha-3 ISO code) followed by an identifying series (9 characters). Where a series has fewer than 9 characters, additional zeros must be inserted on the left hand side
(3) External marking	14	L	Under Regulation (EEC) No 1381/87 <sup>2</sup>
(4) Length of management period	2	L	Length of the management period measured in months
(5) Gears notified	2	L	One of the following gear types: TR = trawls, Danish seines and similar gear $\geq 32$ mm GN = gillnets $\geq 60$ mm LL = bottom longlines

<sup>1</sup> Information relevant for transmission of data by fixed-length formatting.

<sup>2</sup> Commission Regulation (EEC) No 1381/87 of 20 May 1987 establishing detailed rules concerning the marking and documentation of fishing vessels (OJ L 132, 21.5.1987, p. 9).

Table V			
Data format for vessel-related information			
Name of field	Maximum number of characters/digits	Alignment <sup>1</sup> L(eft)/R(ight)	Definition and comments
(6) Special condition applying to notified gear(s)	2	L	Indication of which, if any, of the special condition referred to in point 6.1.(a) or (b) of Annex IIB that apply
(7) Days eligible using notified gear(s)	3	L	Number of days for which the vessel is eligible under Annex IIB for the choice of gears and length of management period notified
(8) Days spent with notified gear(s)	3	L	Number of days the vessel actually spent present within the area and using a gear corresponding to gear notified during the notified management period
(9) Transfers of days	4	L	For days transferred indicate '- number of days transferred' and for days received indicate '+ number of days transferred'

## **ANNEX IIC**

### **FISHING EFFORT FOR VESSELS IN THE CONTEXT OF THE MANAGEMENT OF WESTERN CHANNEL SOLE STOCKS IN ICES DIVISION VIIe**

## **CHAPTER I GENERAL PROVISIONS**

### **1. SCOPE**

- 1.1. This Annex shall apply to EU vessels of 10 metres length overall or more carrying on board or deploying beam trawls of mesh size equal to or greater than 80 mm and static nets including gill-nets, trammel-nets and tangle-nets with mesh size equal to or less than 220 mm in accordance with Regulation (EC) No 509/2007, and present in ICES division VIIe. For the purposes of this Annex, a reference to the 2013 management period means the period from 1 February 2013 to 31 January 2014.
- 1.2. Vessels fishing with static nets with mesh size equal to or larger than 120 mm and with track records of less than 300 kg live weight of sole per year during the three previous years, according to their fishing records, shall be exempt from the application of this Annex provided that:
  - (a) such vessels catch less than 300 kg live weight of sole during the 2013 management period;

- (b) such vessels do not tranship any fish at sea to another vessel; and
- (c) by 31 July 2013 and 31 January 2014 each Member State concerned make a report to the Commission on these vessels' catch records for sole in the three previous years as well as on catches of sole in 2013.

When any of these conditions is not met, the vessels concerned shall, with immediate effect, cease to be exempt from the application of this Annex.

## 2. DEFINITIONS

For the purposes of this Annex the following definitions shall apply:

- (a) 'gear grouping' means the grouping consisting of the following two gear categories:
  - (i) beam trawls of mesh size equal to or greater than 80 mm and
  - (ii) a static nets, including gill-nets, trammel nets and tangle-nets, with mesh size equal to or less than 220 mm;
- (b) 'regulated gear' means any of the two gear categories belonging to the gear grouping;
- (c) 'area' means ICES division VIIe;
- (d) '2013 management period' means the period from 1 February 2013 to 31 January 2014.

## 3. LIMITATION IN ACTIVITY

Without prejudice to Article 29 of Regulation (EC) No 1224/2009, each Member State shall ensure that, when carrying on board any regulated gear, EU vessels flying its flag and registered in the Union shall be present within the area for no more than the number of days set out in Chapter III of this Annex.

## **CHAPTER II AUTHORISATIONS**

### **4. AUTHORISED VESSELS**

- 4.1 A Member State shall not authorise fishing with a regulated gear in the area by any of vessels flying its flag which have no record of such fishing activity in the years 2002 to 2012 in that area unless it ensures that equivalent capacity, measured in kilowatts, is prevented from fishing in the area.
- 4.2 However, a vessel with a track record of using a regulated gear may be authorised to use a different fishing gear, provided that the number of days allocated to this latter gear is greater than or equal to the number of days allocated to the regulated gear.
- 4.3 A vessel flying the flag of a Member State having no quotas in the area shall not be authorised to fish in the area with a regulated gear, unless the vessel is allocated a quota after a transfer as permitted in accordance with Article 20(5) of Regulation (EC) No 2371/2002 and is allocated days at sea in accordance with point 10 or 11 of this Annex.



### CHAPTER III

## NUMBER OF DAYS PRESENT WITHIN THE AREA ALLOCATED TO EU VESSELS

#### 5. MAXIMUM NUMBER OF DAYS

During the 2013 management period, the maximum number of days at sea for which a Member State may authorise a vessel flying its flag to be present within the area having carried on board any regulated gear is shown in Table I.

Table I	
Maximum number of days a vessel may be present within the area by category of regulated gear per year	
Regulated gear	Maximum number of days
Beam trawls of mesh size $\geq 80$ mm	164
Static nets with mesh size $\leq 220$ mm	164

## 6. KILOWATT DAY SYSTEM

- 6.1. During the 2013 management period, a Member State may manage its fishing effort allocations in accordance with a kilowatt days system. Through that system it may authorise any vessel concerned by any regulated gear as set out in Table I to be present within the area for a maximum number of days which is different from that set out in that Table, provided that the overall amount of kilowatt days corresponding to the regulated gear is respected.
- 6.2. This overall amount of kilowatt days shall be the sum of all individual fishing efforts allocated to the vessels flying the flag of that Member State and qualified for the regulated gear. Such individual fishing efforts shall be calculated in kilowatt days by multiplying the engine power of each vessel by the number of days at sea it would benefit from, according to Table I, if point 6.1. were not applied.
- 6.3. A Member State wishing to benefit from the system referred to in point 6.1. shall submit a request to the Commission, with reports in electronic format containing, for the regulated gear as laid down in Table I, the details of the calculation based on:
  - (a) list of vessels authorised to fish by indicating their EU fishing fleet register number (CFR) and their engine power;

- (b) the number of days at sea for which each vessel would have initially been authorised to fish according to Table I and the number of days at sea which each vessel would benefit from in application of point 6.1.
- 6.4. On the basis of that request, the Commission shall assess whether the conditions referred to in point 6 are complied with and, where applicable, may authorise that Member State to benefit from the system referred to in point 6.1.
7. ALLOCATION OF ADDITIONAL DAYS FOR PERMANENT CESSATION OF FISHING ACTIVITIES
- 7.1. An additional number of days at sea on which a vessel may be authorised by its flag Member State to be present within the area when carrying on board any regulated gear may be allocated to a Member State by the Commission on the basis of permanent cessations of fishing activities that have taken place since 1 January 2004 either in accordance with Article 23 of Regulation (EC) No 1198/2006<sup>26</sup> or Regulation (EC) No 744/2008<sup>27</sup>. Permanent cessations resulting from any other circumstances may be considered by the Commission on a case-by-case basis, following a written and duly motivated request from the Member State concerned. Such written request shall identify the vessels concerned and confirm, for each of them, that they shall never return to fishing activities.

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<sup>26</sup> Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund (OJ L 223, 15.8.2006, p. 1).

<sup>27</sup> Council Regulation (EC) No 744/2008 of 24 July 2008 instituting a temporary specific action aiming to promote the restructuring of the European Community fishing fleets affected by the economic crisis (OJ L 202, 31.7.2008, p. 1).

- 7.2. The effort expended in 2003 measured in kilowatt days of the withdrawn vessels using a given gear grouping shall be divided by the effort expended by all vessels using that gear grouping during 2003. The additional number of days at sea shall be then calculated by multiplying the ratio so obtained by the number of days that would have been allocated according to Table I. Any part of a day resulting from that calculation shall be rounded to the nearest whole day.
- 7.3. Points 7.1. and 7.2. shall not apply where a vessel has been replaced in accordance with point 4.2., or when the withdrawal has already been used in previous years to obtain additional days at sea.
- 7.4. A Member State wishing to benefit from the allocations referred to in point 7.1. shall submit a request to the Commission, by 15 June 2013, with reports in electronic format containing for the gear grouping as laid down in Table I, the details of the calculation based on:
- (a) lists of withdrawn vessels with their EU fishing fleet register number (CFR) and their engine power;
  - (b) the fishing activity deployed by such vessels in 2003 calculated in days at sea according to the grouping of fishing gears.

- 7.5. On the basis of such a request by a Member State the Commission may, by means of implementing acts, allocate that Member State a number of days additional to that referred to in point 5 for that Member State. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 18(2).
- 7.6. During the 2013 management period, a Member State may re-allocate those additional days at sea to all or part of the vessels remaining in fleet and qualified for the regulated gears.
- 7.7. A Member State may not re-allocate in the 2013 management period any additional number of days resulting from a permanent cessation of activity previously allocated by the Commission, unless the Commission has taken a decision that reassesses those additional numbers of days on the basis of the current gear groupings and limitations in days at sea. Upon the Member State's request to reassess the number of days, the Member State is provisionally authorised to reallocate 50 % of the additional number of days, until the Commission takes its decision.

8. ALLOCATION OF ADDITIONAL DAYS FOR ENHANCED SCIENTIFIC OBSERVER COVERAGE

- 8.1. Three additional days on which a vessel may be present within the area when carrying on board any regulated gear may be allocated between 1 February 2013 and 31 January 2014 to a Member State by the Commission on the basis of an enhanced programme of scientific observer coverage in partnership between scientists and the fishing industry. Such a programme shall focus in particular on levels of discarding and on catch composition and go beyond the requirements on data collection, as laid down in Regulation (EC) No 199/2008 and its implementing rules for national programmes.
- 8.2. Scientific observers shall be independent from the owner, the master of the fishing vessel and any crew member.
- 8.3. A Member State wishing to benefit from the allocations referred to in point 8.1. shall submit a description of its enhanced scientific observer coverage programme to the Commission for approval.

- 8.4. On the basis of that description, and after consultation with STECF, the Commission may, by means of implementing acts, allocate the Member State concerned a number of days additional to that referred to in point 5 for that Member State and for the vessels, the area and gear concerned by the enhanced programme of scientific observers. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).
- 8.5. If an enhanced scientific observer coverage programme submitted by a Member State has been approved by the Commission in the past and the Member State concerned wishes to continue its application without changes, it shall inform the Commission of the continuation of that programme four weeks before the beginning of the period for which the programme applies.

## **CHAPTER IV MANAGEMENT**

### 9. GENERAL OBLIGATION

Member States shall manage the maximum allowable effort in accordance with Articles 26 to 35 of Regulation (EC) No 1224/2009.

### 10. MANAGEMENT PERIODS

- 10.1. A Member State may divide the days present within the area set out in Table I into management periods of durations of one or more calendar months.

- 10.2. The number of days or hours for which a vessel may be present within the area during a management period shall be fixed by the Member State concerned.
- 10.3. Where a Member State authorises vessels flying its flag to be present within the area by hours, the Member State shall continue measuring the consumption of days as specified in point 9. Upon request by the Commission, the Member State shall demonstrate its precautionary measures taken to avoid an excessive consumption of days within the area due to a vessel terminating presences in the area before the end of a 24-hours period.

## **CHAPTER V**

### **EXCHANGES OF FISHING EFFORT ALLOCATIONS**

11. TRANSFER OF DAYS BETWEEN FISHING VESSELS FLYING THE FLAG OF A MEMBER STATE
  - 11.1. A Member State may permit any fishing vessel flying its flag to transfer days present within the area for which it has been authorised to another vessel flying its flag within the area, provided that the product of the days received by a vessel multiplied by its engine power in kilowatts (kilowatt days) is equal to or less than the product of the days transferred by the donor vessel and the engine power in kilowatts of that vessel. The engine power in kilowatts of the vessels shall be that recorded for each vessel in the EU fishing fleet register.



- 11.2. The total number of days present within the area transferred in accordance with point 11.1., multiplied by the engine power in kilowatts of the donor vessel, shall not be higher than the donor vessel's average annual days track record in the area as verified by the fishing logbook in the years 2001, 2002, 2003, 2004 and 2005 multiplied by the engine power in kilowatts of that vessel.
- 11.3. The transfer of days as described in point 11.1. shall be permitted between vessels operating with any regulated gear and during the same management period.
- 11.4. On request from the Commission, Member States shall provide information on the transfers that have taken place. Formats of spreadsheet for the collection and transmission of information referred to in this point may be established by the Commission by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 18(2).

12. TRANSFER OF DAYS BETWEEN FISHING VESSELS FLYING THE FLAG OF DIFFERENT MEMBER STATES

Member States may permit transfer of days present within the area for the same management period and within the area between any fishing vessels flying their flags provided that points 4.2., 4.4., 5, 6 and 10 apply *mutatis mutandis*. Where Member States decide to authorise such a transfer, they shall notify the Commission before the transfer takes place, the details of the transfer, including the number of days to be transferred, the fishing effort and, where applicable, the fishing quotas relating thereto.

## **CHAPTER VI REPORTING OBLIGATIONS**

13. FISHING EFFORT REPORT

Article 28 of Regulation (EC) No 1224/2009 shall apply to vessels falling under the scope of this Annex. The geographical area referred to in that Article shall be understood as the area specified in point 2 of this Annex.

14. COLLECTION OF RELEVANT DATA

Member States, on the basis of information used for the management of fishing days present within the area as set out in this Annex, shall collect on a quarterly basis the information about total fishing effort deployed within the area for towed gears and static gears, effort deployed by vessels using different types of gear in the area, and the engine power of those vessels in kilowatt days.

15. COMMUNICATION OF RELEVANT DATA

Upon request from the Commission, Member States shall make available to the Commission a spreadsheet with data specified in point 14 in the format specified in Tables II and III by sending it to the appropriate electronic mailbox address, which shall be communicated to the Member States by the Commission. Member States shall, upon the Commission's request, send to the Commission detailed information on effort allocated and consumed covering all or parts of the 2012 and 2013 management periods, using the data format specified in Tables IV and V.

Table II			
Reporting format kW-day information by year			
Member State	Gear	Year	Cumulative effort declaration
(1)	(2)	(3)	(4)

Table III			
Data format kW-day information by year			
Name of field	Maximum number of characters/digits	Alignment <sup>28</sup> L(eft)/R(ight)	Definition and comments
(1) Member State	3		Member State (Alpha-3 ISO code) in which the vessel is registered
(2) Gear	2		One of the following gear types: BT = beam trawls $\geq$ 80 mm GN = gillnet < 220 mm TN = trammel net or entangling net < 220 mm
(3) Year	4		Either 2006 or 2007 or 2008 or 2009 or 2010 or 2011 or 2012 or 2013
(4) Cumulative effort declaration	7	R	Cumulative amount of fishing effort expressed in kilowatt days deployed from 1 January until 31 December of the year

<sup>28</sup> Information relevant for transmission of data by fixed-length formatting.

Table IV																
Reporting format for vessel-related information																
Mem ber State	C F R	E x t e r n a l m a r k i n g	L e n g t h o f m a n a g e m e n t p e r i o d	Gear notified				Days eligible using notified gear(s)				Days spent with notified gear(s)				Transfer of days
				No 1	No 2	No 3	...	No 1	No 2	No 3	...	No 1	No 2	No 3	...	
(1)	(2)	(3)	(4)	(5)	(5)	(5)	(5)	(6)	(6)	(6)	(6)	(7)	(7)	(7)	(7)	(8)

Table V			
Data format for vessel-related information			
Name of field	Maximum number of characters/digits	Alignment <sup>29</sup> L(eft)/R(ight)	Definition and comments
(1) Member State	3		Member State (Alpha-3 ISO code) in which vessel is registered
(2) CFR	12		EU fishing fleet register number (CFR) Unique identification number of a fishing vessel Member State (Alpha-3 ISO code) followed by an identifying series (9 characters). Where a series has fewer than 9 characters, additional zeros must be inserted on the left hand side
(3) External marking	14	L	Under Regulation (EEC) No 1381/87
(4) Length of management period	2	L	Length of the management period measured in months
(5) Gears notified	2	L	One of the following gear types: BT = beam trawls $\geq$ 80 mm GN = gillnet < 220 mm TN = trammel net or entangling net < 220 mm

<sup>29</sup> Information relevant for transmission of data by fixed-length formatting.

Table V			
Data format for vessel-related information			
Name of field	Maximum number of characters/digits	Alignment <sup>29</sup> L(eft)/R(ight)	Definition and comments
(6) Special condition applying to notified gear(s)	3	L	Number of days for which the vessel is eligible under Annex IIC for the choice of gears and length of management period notified
(8) Days spent with notified gear(s)	3	L	Number of days the vessel actually spent present within the area and using a gear corresponding to gear notified during the notified management period
(9) Transfers of days	4	L	For days transferred indicate '- number of days transferred' and for days received indicate '+ number of days transferred'