



Council of the
European Union

Brussels, 20 February 2019
(OR. en)

Interinstitutional File:
2016/0074(COD)

6469/19
ADD 1

LIMITE

PECHE 67
CODEC 435

NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee

No. prev. doc.: 6993/16 PECHE 79 CODEC 281 IA 9 + ADD 1-3 - COM (2016) 134 final

Subject: Proposal for a Regulation of the EP and of the Council on the conservation of fishery resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) 1967/2006, 1098/2007, 1224/2009 and Regulations (EU) 1343/2011 and 1380/2013, and repealing Council Regulations (EC) 894/97, 850/98, 2549/2000, 254/2002, 812/2004 and 2187/2005

- *Analysis of the final compromise text with a view to agreement*

Delegations will find in Annex to this document the compromise text as provisionally agreed with the European Parliament at the trilogue on 13 February 2019.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the conservation of fishery resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1098/2007, (EC) No 1224/2009 and Regulations (EU) No 1343/2011 and (EU) No 1380/2013 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

¹ OJ C , , p. .

² OJ C , , p. .

Whereas:

- (1) Regulation (EU) No 1380/2013 of the European Parliament and of the Council³ establishes a Common Fisheries Policy (CFP) for the conservation and sustainable exploitation of fisheries resources.
- (2) Technical measures are tools to support the implementation of the CFP. However, a retrospective evaluation has shown that their current regulatory structure is unlikely to deliver on the objectives of the CFP and a new approach should be taken to increase their effectiveness focusing on adapting the governance structure.
- (3) There is a need to develop a framework for the regulation of technical measures. That framework should establish general rules to apply across all Union waters and provide for the creation of technical measures that take account of the regional specificities of fisheries through the process of regionalisation introduced by the CFP.
- (4) The framework should cover the taking and landing of fisheries resources as well as the operation of fishing gears and the interaction of fishing activities with marine ecosystems.
- (5) It should apply to fishing operations conducted in Union waters by Union and non-Union vessels and nationals of Member States (without prejudice to the primary responsibility of the flag State) as well as to Union vessels operating in the outermost regions referred to in the first paragraph of Article 349 of the Treaty. It should also apply in non-Union waters to technical measures adopted for the North East Atlantic Fisheries Commission (NEAFC) Regulatory area and in the General Fisheries Commission for the Mediterranean (GFCM) Agreement area.

³ OJ L354, 28.12.2013, p.22.

- (6) Technical measures where relevant should apply to recreational [...] *fishing activities*, which can have a significant impact on the stocks of fish and shellfish species.
- (7) Technical measures should contribute to achieving the CFP objectives to fish at maximum sustainable yield levels, reduce unwanted catches and eliminate discards and to contribute to the achievement of good environmental status (GES) as set out in Directive 2008/56/EC of the European Parliament and of the Council⁴.
- (8) Technical measures should specifically *contribute to the* [...] *protection of* [...] juveniles and spawning aggregations of fish through the use of selective fishing gears and avoidance measures. Technical measures should also minimise [...], the impacts of fishing gears on the marine ecosystem and in particular on sensitive species and habitats, *including where appropriate by using incentives*. They should also contribute to having in place management measures for the purposes of complying with obligations under Council Directive 92/43/EEC⁵, Directive 2009/147/EC of the European Parliament and of the Council⁶ and Directive 2008/56/EC.
- (9) To evaluate the effectiveness of technical measures, targets relating to the levels of unwanted catches; to the level of bycatches of sensitive species and to the extent of seabed habitats adversely affected by fishing; should be established that reflect the objectives of the CFP, Union environmental legislation (in particular Council Directive 92/43 and Directive 2000/60/EC of the European Parliament and of the Council⁷), and international best practice.

⁴ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (OJ L 164, 25.6.2008, p.19).

⁵ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora OJ L 206, 22.7.1992, p.7.

⁶ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds OJ L 20, 26.1.2010, p..

⁷ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy OJ L 327, 22.12.2000, p.1.

- (10) In order to ensure uniformity in the understanding and implementation of technical rules, definitions of fishing gears and operations contained in existing technical measures regulations should be updated and consolidated.
- (11) Certain destructive fishing gears or methods which use explosives, poisons, stupefying substances, electric current, pneumatic hammers or other percussive instruments; towed devices and grabs for harvesting red coral or other type of corals and coral-like species and certain spear-guns should be prohibited. ***It should not be allowed to sell, display or offer for sale any marine species caught using those gears or methods where these are prohibited under this Regulation.***
- (11a) ***The use of electric pulse trawl [...] should remain possible during a transitional period until 30 June 2021 and*** under certain strict conditions.
- (12) In light of advice from the Scientific, Technical and Economic Committee for Fisheries (STECF), certain common rules defining restrictions on the use of towed gears and on the construction of codends should be established to prevent bad practice that leads to unselective fishing.
- (13) In order to restrict the use of driftnets which can fish over large areas and result in significant catches of sensitive species the existing restrictions on using such gears should be consolidated.
- (14) In light of advice from STECF, fishing with static nets in ICES divisions IIIa, VIa, VIb, VIIb, VIIc, VIIj and VIIk and ICES sub-areas VIII, IX, X and XII east of 27° W in waters with a charted depth of more than [...] **200** metres should continue to be prohibited to provide protection for sensitive deep-sea species, ***subject to certain derogations.***

- (15) For certain rare fish species, such as *some* species of sharks and rays, even limited fishing activity could result in a serious risk to their conservation. To protect such species a general prohibition on fishing for them should be introduced.
- (16) To afford the strict protection for sensitive marine species such as marine mammals, seabirds and marine reptiles provided for in Directives 92/43/EEC and 2009/147/EC, Member States should put in place mitigation measures to minimise and where possible eliminate the catches of those species from fishing gears.
- (17) In order to provide continued protection for sensitive marine habitats located off the coasts of Ireland, the United Kingdom and around the Azores, Madeira and the Canary Islands existing restrictions on the use of demersal fishing gears should be maintained.
- (18) Where scientific advice and technical information identifies other such areas, then similar restrictions should be introduced to protect these habitats.
- (19) In accordance with the CFP, minimum conservation reference sizes should be established to ensure the protection of juveniles of marine species and in establishing fish stock recovery areas.
- (20) The manner in which the size of marine species is to be measured should be defined.
- (21) [...]
- (22) [...]
- (23) *Member States could carry out pilot projects with the aim of exploring ways to avoid, minimise and eliminate unwanted catches.* In cases where *the results of those projects or* scientific advice indicates that there are significant unwanted catches [...], Member States *should endeavour to [...] establish technical measures* to reduce such catches [...].

- (24) [...] ***This Regulation should establish baseline standards for each sea basin.*** Those baseline standards [...] ***are*** derived from existing technical measures, taking account of STECF advice and the opinions of stakeholders. They should consist of baseline mesh sizes for towed gears and static nets, minimum conservation reference sizes, closed or restricted areas, and nature conservation measures to mitigate against [...] catches of [...] ***sensitive species*** in certain areas and any other regionally specific measures currently in existence [...].
- (25) Member States [...] ***should have the possibility to*** develop joint recommendations for appropriate technical measures that [...] ***differ*** from [...] ***these*** baselines in accordance with the regionalisation process set out in the CFP, ***based on scientific evidence.***
- (26) Such regional technical measures should as a minimum [...] ***lead to such benefits for the conservation of marine biological resources that are at least*** equivalent ***in particular*** in terms of exploitation patterns and ***the level of protection provided*** for sensitive species and habitats as the baseline standards.
- (27) [...]
- (28) In developing joint recommendations to adopt alternative size and species selective ***characteristics of*** gears to the baseline mesh sizes [...] regional groups of Member States should ensure that such gears result in, as a minimum, similar or improved selectivity patterns as the baseline gears.
- (29) In developing joint recommendations [...] ***in relation to*** restricted areas [...] to protect juveniles and spawning aggregations, regional groups of Member States should define the specifications, extent, duration, gear restrictions and control and monitoring arrangements in their joint recommendations.

- (30) In developing joint recommendations [...] *in relation to* minimum conservation reference sizes [...], regional groups of Member States should ensure the objectives of the CFP are not jeopardised by ensuring that the protection of juveniles of marine species *is* [...] respected while ensuring that no distortion is introduced into the market and that no market for fish below minimum conservation reference sizes is created.
- (31) The creation of real-time closures in conjunction with moving-on provisions as an additional measure for the protection of *sensitive species*, juveniles or spawning aggregations should be allowed as an option to be developed under joint recommendations. The conditions for the establishment and lifting of such areas as well as the control and monitoring arrangements should be defined in the relevant joint recommendations.
- (32) On the basis of [...] *an* assessment of the impacts of innovative gears [...], the use of such or extension to the use of novel gears [...] could be included as an option in joint recommendations from regional groups of Member States. The use of innovative fishing gears should not be permitted where scientific assessment indicates that their use will lead to *significant* negative impacts on sensitive habitats and non-target species.
- (33) In *developing joint recommendations in relation to* [...] *the protection of* sensitive species and [...] habitats, regional groups of Member States should *be allowed to* develop additional mitigation measures to reduce the impacts of fishing on sensitive species and habitats. Where scientific evidence shows that there is a serious threat to the conservation status of such species and habitats then Member States should introduce additional restrictions on the construction and operation of certain fishing gears or even the introduction of a total prohibition on their use in that region. In particular such provisions could be applied to the use of driftnets which in certain areas has resulted in significant catches of [...] *sensitive species*.

- (34) Where no multiannual plan is in place Regulation (EU) No 1380/2013 allows for the establishment of temporary discard plans for the implementation of the landing obligation. As part of such plans it should be allowed to establish technical measures which are strictly linked to the implementation of the landing obligation and which aim to increase selectivity and reduce unwanted catches as much as possible.
- (34a) *It should be possible to conduct pilot projects on full documentation of catches and discards. Such projects may involve derogations from the rules on mesh sizes under this Regulation insofar as they contribute to achieving the objectives and targets of this Regulation.*
- (35) [...] *Certain provisions on technical measures adopted by NEAFC should be included in this Regulation.*
- (36) In order not to hinder scientific research, [...] *direct* restocking and transplantation, the provisions of this Regulation should not apply to operations which may be necessary for the conducting of such activities. *In particular, where fishing operations for the purposes of scientific research require such a derogation from the technical measures under this regulation, they should be subject to appropriate conditions.*
- (37) [...]

- (38) The power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to *adopt certain measures in relation to recreational fishing activities, restrictions on towed gears, sensitive species and habitats*, [...] the list of fish and shellfish for which directed fishing is prohibited,[...] *the definitions of directed fishing, pilot projects on full documentation on catches and discards*, and [...] technical measures as part of temporary discard plans *as well as in relation to minimum conservation reference sizes, mesh sizes, closed areas and other technical measures in certain sea basins, mitigation measures for sensitive species and the list of species of key indicator stocks*. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.
- (39) In order to ensure uniform conditions for the implementation of the provisions of this Regulation in respect of the establishment of the specification of devices to reduce wear and tear, to strengthen or to limit the escape of catches in the forward part of towed gears; to define the specification of the selection devices attached to defined baseline gears; to define the specifications of the pulse trawl; restrictions on construction and the control and monitoring measures to be adopted by the flag Member State; to define rules on: the control and monitoring measures to be adopted by the flag Member State when using static gears in depths between 200-600 metres, to define detailed rules on the control and monitoring measures to be adopted for certain closed or restricted areas; and to define detailed rules on the signal and implementation characteristics of devices used to deter cetaceans from static nets and methods used to minimise bycatches of seabirds and marine reptiles, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁸.

⁸ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p.13).

- (40) By the end of 2020 and every third year thereafter the Commission should report to the European Parliament and to the Council on the implementation of this Regulation, on the basis of information supplied by Member States and the relevant Advisory Councils and following evaluation by the STECF. This report should assess the extent to which technical measures both regionally and at Union level have contributed to achieving the objectives and in reaching the targets of this Regulation.
- (40a) For that purpose, adequate selectivity indicators, such as the scientific concept of length of optimal selectivity (L_{opt}) could be used as a reference tool to monitor progress over time towards the existing CFP objectives of minimizing unwanted catches. In this sense, these indicators are not binding targets, but monitoring tools which may inform deliberations or decisions at regional level. The indicators and the values used for their application should be requested from appropriate scientific bodies for a number of key indicator stocks which would also take into account mixed fisheries and recruitment spikes. The Commission could include these indicators in the report on the implementation of this Regulation. The list of the key indicator stocks includes the demersal species which are managed by the catch limits taking into account the relative importance of the landings, discards and the relevance of the fishery for each seabasin.*
- (40b) The report should also refer to advice from ICES on the progress that has been made, or impact arising from innovative gears and should draw conclusions about the benefits or negative effects on marine ecosystems, sensitive habitats as well as selectivity.*
- (40c) On the basis of that report, where at regional level there is evidence that the objectives and targets have not been met, Member States within that region should submit a plan setting out the corrective actions to be taken to ensure those objectives and targets can be met. The Commission should also propose to the European Parliament and to the Council any necessary amendments to this Regulation on the basis of that report.

- (41) By reason of the number and importance of the amendments to be made, Council Regulations (EC) (EC) 894/97⁹, 850/98¹⁰, (EC) No 2549/2000¹¹, (EC) No 254/2002¹², (EC) No 812/2004¹³ and (EC) No 2187/2005¹⁴ should be repealed.

⁹ Council Regulation (EC) No 1239/98 of 8 June 1998 amending Regulation (EC) No 894/97 laying down certain technical measures for the conservation of fishery resources (PB L 171, 17.6.98).

¹⁰ 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 L125, 27.4.1998, p.1).

¹¹ Council Regulation (EC) No 2549/2000 of 17 November 2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa OJ L 292, 21.11.2000, p.5

¹² Council Regulation (EC) No 254/2002 of 12 February 2002 establishing measures to be applicable in 2002 for the recovery of the stock of cod in the Irish Sea (ICES division VIIa) (OJ L41, 13.2.2002, p.1).

¹³ Council Regulation (EC) No 812/2004 of 26 April 2004 laying down measures concerning bycatches of cetaceans in fisheries and amending Regulation (EC) No 88/98 (OJ L 150, 30.4.2004, p. 12).

¹⁴ Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98 (OJ L 349, 31.12.2005, p.1).

(42) Council Regulations (EC) 1967/2006¹⁵, (EC) No 1098/2007¹⁶, (EC) 1224/2009¹⁷ and Regulations (EU) No 1343/2011¹⁸ and (EU) No 1380/2013¹⁹ of the European Parliament and of the Council should be amended accordingly.

(43) [...] *The Commission is currently empowered to adopt and amend technical measures at regional level under the Regulations establishing the multi-annual plans for the Baltic Sea, North Sea, Western Waters and Western Mediterranean. For the sake of legal certainty, these Regulations should be amended in order to clarify the scope of the respective empowerments and to specify that delegated acts adopted under the empowerments provided for in those Regulations are to comply with certain requirements set out in this Regulation.*

¹⁵ Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 (OJ L 409 30.12.2006 p.11).

¹⁶ Council Regulation (EC) No 1098/2007 of 18 September 2007 establishing a multiannual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 779/97 (OJ L 248, 22.9.2007, p.1).

¹⁷ 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, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 OJ L 343, 22.12.2009, p.1.

¹⁸ Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, OJ L 347, 30.12.2011, p.44.

¹⁹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC, OJ L 354, 28.12.2013, p.22.

HAVE ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter

This Regulation lays down technical measures concerning:

- (a) the taking and landing of fisheries resources; [...]
- (b) the operation of fishing gears; and
- (c) the interaction of fishing activities with marine ecosystems.

Article 2

Scope

1. This Regulation shall apply to activities pursued by Union fishing vessels and nationals of Member States, without prejudice to the primary responsibility of the flag State, in the fishing zones referred to in Article 5 as well as by fishing vessels flying the flag of, and registered in, third countries when fishing in Union waters.
2. Articles 7, [...] **11, 12 and 13** shall also apply to recreational fisheries. ***In cases where recreational fisheries have a significant impact in a particular region, a delegated act adopted in accordance with Article 18 of this Regulation may provide that the relevant parts of Article 14 or parts A or C of Annexes V to X also apply to recreational fisheries.***

3. Subject to the conditions set out in Articles 29 and 30, the technical measures set out in this Regulation shall not apply to fishing operations conducted solely for the purpose of:
- (a) scientific investigations, and
 - (b) artificial restocking or transplantation of marine species.

Article 3

[...] Objectives

1. As tools to support the implementation of the Common Fisheries Policy (CFP), technical measures shall contribute to the objectives of the CFP set out in *the applicable provisions of* Article 2 of Regulation (EU) No 1380/2013 [...].
2. [...] Technical measures shall in particular *contribute to achieving the following objectives*:
 - (a) optimise exploitation patterns to provide protection for juveniles and spawning aggregations of marine [...] *biological resources*;
 - (b) [...] *ensure that incidental catches of sensitive* marine species, *including those* listed under Directives 92/43/EEC and 2009/147/EC [...] that result from fishing are minimised and where possible eliminated such that they do not represent a threat to the conservation status of these species;
 - (c) ensure, *including by using appropriate incentives*, that the *negative* environmental impacts of fishing on marine habitats are minimised [...];
 - (d) [...] have in place fisheries management measures for the purposes of complying with the obligations under Directives 92/43/EEC, 2009/147/EC, 2008/56/EC *in particular with a view to achieving good environmental status in line with Article 9(1) of that Directive*, and 2000/60/EC.

Article 4

Targets

1. Technical measures shall aim to *ensure* [...]:

- (a) [...] that catches of marine species below minimum conservation reference sizes [...] ***are reduced as far as possible*** in accordance with Article 2(2) [...] of Regulation (EU) No 1380/2013.
- (b) [...] that bycatches of marine mammals, marine reptiles, seabirds and other non-commercially exploited species do not exceed levels provided for in Union legislation and international agreements ***that are binding on the Union***.
- (c) [...] that the environmental impacts of fishing activities on seabed habitats ***are in line with Article 2 (5) (j) of Regulation (EU) No 1380/2013*** [...].

2. The extent to which [...] ***progress was made towards these targets*** shall be reviewed as part of the reporting process set out in Article 34.

Article 5

Definition of fishing zones

For the purposes of this Regulation, the following geographical definitions of fishing zones shall apply:

- (a) 'North Sea' means *Union waters in* ICES divisions²⁰ IIa, IIIa and IV;
- (b) 'Baltic Sea' means *Union waters in* ICES divisions IIIb, IIIc and IIId;
- (c) 'North Western waters' means *Union waters in* ICES sub-areas V [...], VI and VII;
- (d) 'South Western waters' means ICES sub-areas VIII, IX and X (Union waters) and CECAF zones²¹ 34.1.1, 34.1.2 and 34.2.0 (Union waters);
- (e) 'Mediterranean Sea' means the maritime waters of the Mediterranean to the East of line 5°36' West;
- (f) 'Black Sea' means waters in the General Fisheries Commission for the Mediterranean (GFCM) geographical sub-area 29 as defined in Annex I to Regulation (EU) No 1343/2011²² (Resolution GFCM/33/2009/2);

²⁰ ICES (International Council for the Exploration of the Sea) divisions are as defined in 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.

²¹ CECAF (Eastern Central Atlantic or FAO major fishing zone 34) zones are as defined in 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.

²² Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea OJ L 347, 30.12.2011, p.44.

- (g) [...] '*Union waters in the Indian Ocean and the West Atlantic*' means waters around [...] *Guadeloupe, French Guyana, Martinique, Mayotte, Réunion and Saint Martin under the sovereignty or jurisdiction of a Member State*;
- (h) 'NEAFC Regulatory Area' means the waters of the NEAFC Convention Area which lie beyond the waters under the fisheries jurisdiction of the Contracting Parties' as defined in Regulation (EU) No 1236/2010 of the European Parliament and of the Council²³;
- (i) 'GFCM Agreement area' means the Mediterranean and the Black Sea and connecting waters, as defined in Regulation (EU) No 1343/2011 of the European Parliament and of the Council²⁴.

Article 6

Definitions [...]

1. For the purposes of this Regulation, in addition to the definitions set out in Article 4 of Regulation (EU) 1380/2013, the following definitions shall apply:
- (1) 'exploitation pattern' means how fishing [...] *mortality* is distributed across the age *and size* profile of a stock;

²³ Regulation (EU) No 1236/2010 of the European Parliament and of the Council of 15 December 2010 laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries and repealing Council Regulation (EC) No 2791/1999 (OJ L 348, 31.12.2010, p. 17).

²⁴ Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 347, 30.12.2011, p. 44).

- (2) 'selectivity' means a quantitative expression represented as a probability of capture of a certain size *and/or species* of *marine biological resources* [...];
- (3) [...]
- (4) 'directed fishing' means fishing [...] *effort targeted at a specific species* or [...] *group* of species *and may be further specified at regional level in delegated acts adopted pursuant to Article 31a(7)* [...];
- (5) 'good environmental status' means the environmental status of marine waters as defined by Article 3(5) of Directive 2008/56/EC;
- (5a) ***“conservation status of a species” means the sum of the influences acting on the species concerned that may affect the long term distribution and abundance of its populations.***
- (5b) ***“conservation status of a habitat” means the sum of the influences acting on a natural habitat and its typical species that may affect its long-term natural distribution, structure and functions as well as the long-term survival of its typical species.***
- (6) 'sensitive habitat' means a habitat whose conservation status, including its extent and the condition (structure and function) of its biotic and abiotic components, is adversely affected by pressures arising from human activities, including fishing activities. Sensitive habitats, in particular, include habitat types listed in Annex I and habitats of species listed in Annex II of Directive 92/43 EEC, habitats of species listed in Annex I of Directive 2009/147/EC, habitats whose protection is necessary to achieve good environmental status under Directive 2008/56/EC and vulnerable marine ecosystems as defined by Art. 2(b) of Council Regulation 734/2008²⁵;

²⁵ Council Regulation (EC) 734/2008 of 15 July 2008 on the protection of vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears. OJ L 201, 15.7.2008, p.8.

- (7) 'sensitive species' means a species whose conservation status, including its habitat, distribution, population size [...] **or** population condition is adversely affected by pressures arising from human activities, including fishing activities. Sensitive species, in particular, include species listed in Annexes II and IV of Directive 92/43/EEC, species covered by Directive 2009/147/EC and species whose protection is necessary to achieve good environmental status under Directive 2008/56/EC;
- (8) 'small pelagic species' means **species such as** mackerel, herring, horse mackerel, anchovy, sardine, blue whiting, argentine, sprat, **and** boarfish;
- (9) [...];
- (10) 'Advisory Councils' means stakeholder groups established **in accordance with Article 43 of Regulation (EU) 1380/2013** [...];
- (11) 'trawl' means fishing gear which is actively towed by one or more fishing vessels and consisting of a net [...] closed at the back by a **bag or a** codend;
- (11a) 'towed gear' means any trawls, Danish seines, **dredges** and similar gear [...] which are actively moved in the water **by one or more fishing vessels or by any other mechanised system**;
- (12) '[...] **bottom** trawl' means a trawl designed and rigged to operate on or near the seabed;
- (13) '[...] **bottom** pair trawl' means a [...] **bottom** trawl towed by two boats simultaneously, one towing each side of the trawl. The horizontal opening of the trawl is maintained by the distance between the two vessels as they tow the gear;

- (14) 'pelagic trawl' means a trawl designed and rigged to operate in midwater;
- (15) 'beam trawl' means gear with a trawl net open horizontally by a *beam, wing or similar device* [...];
- (16) 'electric pulse trawl' means a [...] *trawl* which uses an electric [...] *current* to catch [...] *marine biological resources* [...];
- (17) 'Danish seine *or Scottish seine*' means an encircling and towed gear, operated from a boat by means of two long ropes (seine ropes) designed to herd the fish towards the opening of the seine. The gear made up of net, which is similar *in design* to a bottom trawl [...];
- 17(a) '*shore seines*' means *surrounding nets and towed seines set from a boat and pulled towards the shore as they are being operated from the shore or from a vessel moored or anchored by the shore.*
- 17(b) '*surrounding nets*' means *nets which catch fish by surrounding them both from the sides and from below. They may or may not be equipped with a purse line;*
- (18) 'purse seine *and ring nets*' means [...] *any surrounding* net where the bottom is drawn together by means of a purse line *situated* at the bottom of the net, which passes through a series of rings along the groundrope, enabling the net to be pursed and closed;

- (19) 'dredges' means gears which are either actively towed by the main boat engine (boat dredge) or hauled by a motorised winch from an anchored vessel (mechanised dredge) to catch bivalves, gastropods or sponges and which consist of a net bag or metal basket mounted on a rigid frame or rod of variable size and shape whose lower part may carry a scraper blade that can be either rounded, sharp or toothed, and may or may not be equipped with skids and diving boards. Some dredges are equipped with hydraulic equipment (hydraulic dredges). Dredges pulled by hand or by manual winches in shallow waters with or without a boat to catch bivalves, gastropods or sponges (hand dredges) shall not be considered towed gears for the purpose of this Regulation;
- (20) 'static nets' means any type of gillnet, entangling net or trammel net that is [...] anchored to the seabed [...] for fish to swim into and become entangled or enmeshed in the netting;
- (21) 'driftnet' means a net [...] held on the water surface or at a certain distance below it by floating devices and drifting with the current, either independently or with the boat to which it may be attached. It may be equipped with devices aiming to stabilise the net or to limit its drift [...];
- (22) '[...] gillnet' means a *static* net made up of a single piece of net and held vertically in the water by floats and weights [...];
- (23) '[...] entangling net' means a [...] *static net consisting of a* wall of netting rigged so that the netting is hung onto the ropes to create a greater amount of slack netting than a gillnet [...];

- (24) '[...] trammel net' means a **static** net made up of [...] **several** layers of netting with two outer layers of a large mesh size with a sheet of [...] small mesh sandwiched between them [...];
- (25) 'combined gillnet and trammel net' means any bottom-set gillnet combined with a trammel net which constitutes the lower part;
- (26) 'longline' means a fishing gear consisting of a main line [...] of [...] **variable** length, to which **branch lines** (snoods) with [...] hooks are fixed at [...] intervals **determined by the target species**. The main line is anchored either horizontally on or near the bottom, vertically or can be allowed to drift on the surface;
- (27) 'pots and creels' means traps in the form of cages or baskets **having one or more entrances**, [...] designed to catch crustaceans, **molluscs** or fish, that are set on the seabed **or suspended above it** [...];
- (28) 'handline' means a [...] single fishing line **with** one or more lures or baited hooks [...];
- (29) 'St Andrews cross' means a grab which employs a scissor-like action to harvest for example bivalve molluscs or red coral from the seabed;
- (30) 'codend' means the rearmost part of the trawl, having either a cylindrical shape, i.e. the same circumference throughout, or a tapering shape. Made up of one or more panels (pieces of netting [...] attached to one another along their sides [...] **and may include the lengthening piece which is made up of one or more panels located just in front of the codend sensu stricto**;

- (31) 'mesh size' means [...]:
- i) for knotted netting: the longest distance between two opposite knots in the same mesh when fully extended;*
 - ii) for knotless netting: the inside distance between the opposite joints in the same mesh when fully extended along its longest possible axis;*
- (32) 'square mesh' means [...] *a quadrilateral mesh composed of two sets of parallel bars of the same nominal length, where one set is parallel to, and the other is at right angles to the longitudinal axis of the net;*
- (33) 'diamond mesh' [...] *is composed of four bars of the same length where the two diagonals of the mesh are perpendicular and one diagonal is parallel to the longitudinal axis of the net;*
- (34) 'T90' means trawls, Danish seines or similar towed gears having a codend and extension piece produced from knotted diamond mesh netting turned 90° so that the main direction of run of the netting is parallel to the towing direction;
- (35) 'Bacoma exit window' means an escape panel constructed in knotless square mesh netting fitted into the top panel of a codend with its lower edge no more than four meshes from the codline;
- (36) 'sieve net' means a [...] *piece of netting* attached to the full circumference of the shrimp trawl *in front of the codend or extension piece* [...], and tapering to an apex where it is attached to the bottom sheet of the shrimp trawl. An exit hole is cut where the sieve net and codend join, allowing species or individuals too large to pass through the sieve to escape, whereas the shrimp can pass through the sieve and into the codend;

- (37) '[...] drop' [...] means the sum of the height of the meshes (including knots) *in a net* when wet and stretched perpendicular to the float line;
- (38) 'immersion time' *or* '*soak time*' means the period from the point of time when the [...] *gear is* first put in the water until the point of time when the [...] *gear is* fully recovered on board the fishing vessel;
- (39) 'gear monitoring sensors' means remote electronic sensors that [...] *are* placed on [...] *fishing gear* to monitor key performance parameters such as the distance between trawl doors or [...] *volume* of the catch;
- (39a) '*weighted line*' means *a line of baited hooks with added weight to increase its sinking speed and thereby reduce its time of exposure to seabirds;*
- (40) 'acoustic deterrent device' means [...] devices [...] *aimed* to [...] *deter* species such as marine mammals [...] *from* fishing gears by emitting acoustic signals;
- (41) 'bird scaring lines' (also called a tori line) means lines (with streamers that are towed from a high point near the stern of fishing vessels as baited hooks are deployed with the aim of scaring seabirds away from the hooks;
- (42) [...]
- (43) [...]

- (44) 'direct restocking' means the activity of releasing live wild animals of selected species into waters where they occur naturally, in order to use the natural production of the aquatic environment to increase the number of individuals available for fisheries and/or to increase natural recruitment;
- (45) 'transplantation' means the process by which a species is intentionally transported and released by humans within areas of established populations;
- (45a) *'selectivity performance indicators' means a reference tool to monitor progress over time towards the achievement of the CFP objective of minimising unwanted catches*
- (45b) *'spear gun' means a pneumatic or mechanically powered hand held gun that shoots a spear for the purpose of underwater fishing;*
- (45c) *'length of optimal selectivity (Lopt)' is the average length of capture provided by the best available scientific advice that optimises the growth of individuals in a stock.*

CHAPTER II

COMMON TECHNICAL MEASURES

SECTION 1

PROHIBITED FISHING GEARS AND USES

Article 7

Prohibited fishing gears and methods

It shall be prohibited to catch or harvest marine species using the following methods:

- (a) toxic, stupefying or corrosive substances;
- (b) electric current except for [...] the electric pulse trawl, ***which will only be allowed under the specific provisions of [...] Part E of Annex V;***
- (c) explosives;
- (d) pneumatic hammers or other percussive instruments;
- (e) towed devices for harvesting red coral or other type of corals or coral-like organisms;
- (f) St Andrew's cross and similar grabs for harvesting, in particular, red coral or other type of corals and coral-like species;

- (g) any type of projectile, *with the exception of those used to kill caged or trapped tuna and of handheld spears and spear guns used in recreational fishing without an aqualung, from dawn until dusk;*
- (h) [...].

Notwithstanding the provisions of Article 2, this Article shall apply to EU vessels in international waters and the waters of third countries, except where the rules adopted by multilateral fisheries organisations, under bilateral or multilateral agreements, or by a third country specifically provide otherwise.

Article 8

Prohibited uses

[...]

SECTION 2

GENERAL RESTRICTIONS ON GEARS AND CONDITIONS FOR THEIR USE

Article 9

General restrictions on the use of towed gears

1. [...] *For the purpose of Annexes V-XI, the mesh size of a towed gear as set out in those Annexes shall mean the minimum mesh size of any cod-end or extension piece found on board a fishing vessel and attached to or suitable for attachment to any towed net. This provision shall not apply to netting devices used for the attachment of gear monitoring sensors or when used in conjunction with fish and turtle excluder devices. Further derogations to improve size or species selectivity for marine species may be provided in a delegated act adopted in accordance with Article 18 of this Regulation.*
- 1a. *Dredges shall be exempted from the provisions of paragraph 1. However, it shall be prohibited during any voyage when dredges are carried on board:*
 - (a) *to tranship marine organisms; and*
 - (b)
 - i) *in the Baltic, to retain on board or land any quantity of marine organisms unless at least 85 % of the live weight thereof consists of molluscs and/or *Furcellaria lumbricalis*.*
 - ii) *elsewhere, except in the Mediterranean, where Article 13 of Regulation 1967/2006 applies, to retain on board or land any quantity of marine organisms unless at least 95% by weight thereof consists of bivalve molluscs, gastropods and sponges.*

Point (b) shall not apply to unintended catches of species subject to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013. Those unintended catches shall be landed and counted against quotas.

2. Whenever more than one net is towed simultaneously by a fishing vessel or by more than one fishing vessel, each net shall have the same *nominal* mesh size. *A derogation from this provision may be provided in a delegated act adopted in accordance with Article 18 of this Regulation where the use of several nets having a different mesh size leads to such benefits for the conservation of marine biological resources that are at least equivalent to those of existing fishing methods.*
3. It shall be prohibited to [...] *use* any device that obstructs or otherwise effectively diminishes the mesh size of the codend or any part of a towed gear, *as well as to carry on board any such device that is specifically designed for that purpose*. This provision shall not exclude the use of specified devices used to reduce wear and tear, to strengthen or to limit the escape of catches in the forward part of towed gears.
4. The Commission may adopt implementing acts establishing detailed rules for the specification of codends and the devices referred to in paragraph 3. Those implementing acts shall be based on the best available scientific and technical advice and may define:
 - restrictions on twine thickness;
 - restrictions on the circumference of codends;
 - restrictions on the use of netting materials;
 - structure and attachment of codends;
 - permitted devices to reduce wear and tear; and
 - permitted devices to limit the escape of catches.

5. The implementing acts referred to in paragraph 4 of this Article shall be adopted in accordance with the examination procedure referred to in Article 33(2).

Article 10

*General restrictions on the use of static nets **and driftnets***

1. It shall be prohibited to have on board or deploy one or more driftnets whose individual or total length is more than 2.5 kilometres.
 2. It shall be prohibited to use driftnets to fish for the species listed in Annex III.
 3. Notwithstanding paragraph 1 it shall be prohibited to have on board or deploy any driftnet in the Baltic Sea.
 4. It shall be prohibited to use bottom-set gillnets, entangling nets and trammel nets to catch the following species:
 - Albacore (*Thunnus alalunga*),
 - Bluefin tuna (*Thunnus thynnus*),
 - Rays breams (*Brama brama*),
 - Swordfish (*Xiphias gladius*),
 - Sharks belonging to the following species or families *Hexanchus griseus*; *Cetorhinus maximus*; all species of *Alopiidae*; *Carcharhinidae*; *Sphymidae*; *Isuridae*; *Lamnidae*.
- 4a. By way of derogation from paragraph 4, incidental catches in the Mediterranean Sea of no more than three specimens of the shark species referred to in paragraph 4 may be retained on board or landed provided that they are not protected species under Union law.**

5. It shall be prohibited to deploy any bottom set gillnet, entangling net and trammel nets at any position where the charted depth is greater than [...] **200** metres.

5a. Notwithstanding paragraph 5:

(a) specific derogations as specified in Annex V Part C point 6, Annex VI Part C points 6 and 9 and Annex VII Part C point 4 shall apply where the charted depth is between 200 and 600 metres;

(b) the deployment of bottom set gillnets, entangling nets and trammel nets at any position where the charted depth is greater than 200 metres shall be allowed in the fishing zone defined in point (e) of Article 5.

SECTION 3

PROTECTION OF SENSITIVE SPECIES AND HABITATS

Article 11

Prohibited fish and shellfish species

1. The [...] catching, retention on board, transshipment or landing of fish or shellfish species referred to in Annex IV to Directive 92/43/EEC shall be prohibited except when [...] derogations [...] **are** granted according to Article 16 of that Directive.

2. In addition to the species referred to in paragraph 1, it shall be prohibited for Union vessels to fish for, retain on board, tranship, land, store, sell, display or offer for sale the species listed in Annex I **of this Regulation or prohibited to be fished in accordance with other Union legal acts.**

3. When caught [...] **accidentally**, species referred to in paragraph 1 and 2 shall not be harmed and specimens shall be promptly released back into the sea **except for the purpose of allowing scientific research of accidentally killed specimens in accordance with applicable Union law**.
4. Where the best available scientific advice indicates that an amendment of the list in Annex I is necessary [...], the Commission shall be empowered to adopt such amendments by means of delegated acts in accordance with Article 32.
5. Measures adopted pursuant to paragraph 4 of this Article shall aim at achieving the target set out in Article 4(1)(b) **and may take into account international agreements concerning the protection of sensitive species**.

Article 12

[...]catches of marine mammals, seabirds and marine reptiles

1. The [...] catching, retention on board, transshipment or landing of marine mammals or marine reptiles referred to in Annexes II and IV to Directive 92/43/EEC and of species of seabirds covered by Directive 2009/147/EC shall be prohibited.
2. When caught [...], species referred to in paragraph 1 shall not be harmed and specimens shall be promptly released.
3. Notwithstanding paragraphs 1 and 2, the retention on board, transshipment or landing of specimens of marine species referred to in paragraph 1 which have been caught [...] **accidentally**, shall be [...] **permitted** as far as this activity is necessary to secure assistance for the recovery of the individual animals and **to allow for scientific research of incidentally killed specimens**, provided that the competent national authorities concerned have been fully informed in advance **as soon as possible after the catch and in accordance with applicable Union law**.

4. On the basis of the best available scientific advice a Member State may put in place for vessels flying its flag, mitigation measures or restrictions on the use of certain gears [...]. Such measures shall minimise and where possible eliminate the catches of the species referred to in paragraph 1 and shall be compatible with the objectives set out in Article 2 of Regulation (EU) 1380/2013 and be at least as stringent as technical measures applicable under Union law.

5. Measures adopted pursuant to in paragraph 4 of this Article shall aim at achieving the target set out in Article 4(1)(b). ***The Member States shall, for control purposes, inform the other Member States concerned of provisions adopted under paragraph 4. They shall also make publicly available appropriate information concerning such measures.***

Article 13

Protection for sensitive habitats including vulnerable marine ecosystems

1. It shall be prohibited to deploy the fishing gears specified in Annex II within the relevant areas set out in that Annex.

2. Where the best available scientific advice recommends an amendment of the list of areas in Annex II, [...] the Commission shall be empowered to adopt such amendments by means of delegated acts, pursuant to the procedure laid down in Article 11(2) and 11(3) of Regulation (EU) *No* 1380/2013. When adopting such amendments, the Commission shall give particular attention to the mitigation of negative effects of the displacement of fishing activity to other sensitive areas.

3. Where such habitats, *as defined in paragraph 1 or other sensitive habitats, including vulnerable marine ecosystems*, occur in waters under the sovereignty or jurisdiction of a Member State, that Member State is empowered to establish closed areas or other conservation measures to protect such habitats, pursuant to the procedure laid down in Article 11 of Regulation (EU) No 1380/2013. Such measures shall be compatible with the objectives of Article 2 of Regulation (EU) No 1380/2013 and be at least as stringent as measures under Union law.

4. Measures adopted pursuant to paragraphs 2 and 3 of this Article shall aim at achieving the target set out in Article 4(1)(c).

SECTION 4

MINIMUM CONSERVATION REFERENCE SIZES

Article 14

Minimum conservation reference sizes

1. The minimum conservation reference sizes of marine species specified in Part A of Annexes V to X of this Regulation shall apply for the purpose of:

- (a) ensuring the protection of juveniles of marine species pursuant to Article 15(11) and 15(12) of Regulation (EU) No 1380/2013;
- (b) establishing fish stock recovery areas in pursuant to Article 8 of Regulation (EU) 1380/2013;
- (c) *constituting minimum marketing sizes pursuant to Article 47(2) of Regulation (EU) No 1379/2013.*

2. The measurement of the size of a marine species shall be made in accordance with the provisions set out in Annex IV.
3. Where more than one method of measuring the size of a marine species is provided for, the specimen shall not be considered below the minimum conservation reference size if the size measured by any one of those methods is equal to, or greater than, the minimum conservation reference size.
- 3a. *Lobsters, crawfish, and bivalve and gastropod molluscs belonging to any such species for which a minimum conservation reference size is set in Annex V-VII may only be retained on board whole and may only be landed whole.*

[...]

SECTION 5

MEASURES TO REDUCE DISCARDING

[...]

Article 17

[...] *Pilot projects for the avoidance of unwanted catches*

1. ***Without prejudice to Article 14 of Regulation (EU) No 1380/2013***, Member States may conduct pilot projects with the aim of exploring methods for the avoidance, minimisation and elimination of unwanted catches [...]. Those pilot projects shall take account of the opinions of the relevant Advisory Councils and be based on best available scientific advice.
2. Where the results of those pilot studies or other scientific advice indicate that unwanted catches [...] are significant, ***the Member States concerned [...] shall endeavour to*** establish technical measures to reduce those unwanted catches in accordance with [...] Article 19 of Regulation (EU) 1380/2013. [...]

CHAPTER III

REGIONALISATION

Article 18

[...] *Regional technical measures*

1. Technical measures established at the regional level are set out in the following Annexes:
 - (a) in Annex V for the North Sea;
 - (b) in Annex VI for North Western Waters;
 - (c) in Annex VII for South Western Waters;
 - (d) in Annex VIII for the Baltic Sea;
 - (e) in Annex IX for the Mediterranean;
 - (f) in Annex X for the Black Sea;
 - (g) in Annex XI for [...] *Union waters in the Indian Ocean and the West Atlantic*;
 - (h) *in Annex XIII for sensitive species.*
2. [...] *In order to take into account regional specificities of the relevant fisheries, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 of this Regulation and Article 18 of Regulation (EU) No 1380/2013 in order to amend, supplement, repeal or derogate from the technical measures set out in the Annexes referred to in paragraph 1, including when implementing the landing obligation in the context of Article 15(5) and (6) of Regulation (EU) No 1380/2013. The Commission shall adopt such acts on the basis of a joint recommendation submitted in accordance with Article 18 of Regulation (EU) No 1380/2013 and in accordance with the relevant Articles of Chapter III of this Regulation.*

3. [...] *For the purpose of adopting such delegated acts, Member States having a direct management interest may submit joint recommendations in accordance with Article 18(1) of Regulation (EU) No 1380/2013 for the first time not later than 24 months and thereafter 18 months after each submission of the report referred to in Article 34 paragraph 1. They may also submit such recommendations when deemed necessary by them.*

4. *The technical measures adopted pursuant to paragraph 2 shall:*

(a) aim at achieving the objectives and targets set out in Articles 3 and 4 of this Regulation;

(b) aim at achieving the objectives and comply with the conditions set out in other relevant Union acts adopted in the area of the CFP, in particular in the multiannual plans referred to in Articles 9 and 10 of Regulation (EU) No 1380/2013;

(c) be guided by the principles of good governance set out in Article 3 of Regulation (EU) No 1380/2013;

(d) shall as a minimum lead to such benefits for the conservation of marine biological resources that are at least equivalent, in particular in terms of exploitation patterns and the level of protection provided for sensitive species and habitats, to the measures referred to in paragraph 1 of this Article. The potential impact of fishing activities on the marine ecosystem shall also be taken into account.

5. *The application of the conditions in relation to the mesh size specifications set out in Article 31a Chapter VIa and in Part B of Annexes V to XI shall not lead to a deterioration of selectivity standards, in particular an increase in the catches of juveniles, at the time of entry into force of this Regulation, and shall aim at achieving the objectives and targets set out in Articles 3 and 4 of this Regulation.*

6. In the joint recommendations submitted for the purpose of adopting the measures referred to in paragraph 2, the Member States shall provide scientific evidence to support the adoption of those measures.

7. The Commission may require the STECF to assess the joint recommendations referred to in paragraph 2 .

[...]

Article 20

Species and size selectivity of fishing gears

[...] A joint recommendation [...] **submitted for the purpose of adopting the measures referred to in Article 18(2) in relation to** size selective and species selective **characteristics of** gears [...] shall provide **scientific** evidence demonstrating that those [...] **measures** [...] result in at least equivalent selectivity characteristics for specific species or combination of species as the gears set out in Part B of Annexes V to X and in Part A of Annex XI; or

[...]

Article 21

Closed or restricted areas to protect juveniles and spawning aggregations

[...] A joint recommendation [...] **submitted for the purpose of adopting the measures referred to in Article 18(2) in relation to** Part C of Annexes V to VIII and X and Part B of Annex XI or establish new closed or restricted areas they shall include the following elements in respect of such closed or restricted areas in those joint recommendations:

- the objective of the closure;
- the extent and duration of the closure;
- restrictions on specific gears; and
- control and monitoring arrangements.

Article 22

Minimum conservation reference sizes

[...] A joint recommendation [...] **submitted for the purpose of adopting the measures referred to in Article 18(2) in relation to** Part A of Annexes V to X they shall respect the objective of ensuring the protection of juveniles of marine species.

Article 23

Real-time closures and moving-on provisions

[...] A joint recommendation [...] ***submitted for the purpose of adopting the measures referred to in Article 18(2) in relation to*** the creation of real-time closures [...] with the aim of ensuring the protection of ***sensitive species or*** aggregations of juveniles or spawning fish or shellfish species, they shall include the following elements:

- the extent and duration of the closures;
- the species and threshold levels that trigger the closure;
- [...]
- the use of highly selective gears to allow access to otherwise closed areas; and
- control and monitoring arrangements.

[...] ***A joint recommendation submitted for the purpose of adopting the measures referred to in Article 18(2) in relation to*** moving on provisions ***shall include:***

- ***the species and threshold levels that trigger an obligation to move;***
- the distance by which a vessel shall move away from its previous fishing position.

Article 24

Innovative fishing gears

1. A joint recommendation [...] ***submitted for the purpose of adopting the measures referred to in Article 18(2) in relation to*** [...] the use of innovative fishing gears [...] within a specific sea basin [...] shall [...] ***contain*** an assessment of the likely impacts of using such gears on the targeted species and on sensitive species and habitats. ***The Member States concerned shall collect appropriate data necessary for such assessment.***
2. [...]
3. The use of innovative fishing gears shall not be permitted where those assessments indicate that their use will lead to ***significant*** negative impacts on sensitive habitats and non-target species.

Article 25

Nature conservation measures

A joint recommendation submitted [...] **for the purpose of adopting the measures referred to in Article 18(2) in relation to the protection of** sensitive species and habitats may in particular:

- develop lists of sensitive species and habitats most at risk from fishing activities within the relevant region based on best available scientific advice;
- specify the use of additional **or alternative** [...] measures to those referred to in [...] Annex[...] **XIII** to minimise the **incidental** [...] catches of the species referred to in Article 12;
- **provide information on the effectiveness of existing mitigation measures and monitoring arrangements;**
- specify measures to minimise the impacts of fishing gears on [...] **sensitive** habitats [...];
- specify restrictions on the [...] operation of specified gears or introduce a total prohibition on the use of certain fishing gears within [...] **an area** where such gears represent a threat to the conservation status of species **in that area as** referred to in Articles 11 and 12 [...] or other sensitive habitats [...].

Article 26

Regional measures under temporary discard plans

1. When Member States submit joint recommendations for the establishment of technical measures in temporary discard plans referred to in Article 15(6) of Regulation (EU) No 1380/2013, they may contain *inter alia* the following elements:

- (a) specifications of fishing gears and the rules governing their use;
- (b) specifications of modifications to fishing gears or use of selectivity devices to improve size or species selectivity;
- (c) restrictions or prohibitions on the use of certain fishing gears and on fishing activities in certain areas or periods;
- (d) minimum conservation reference sizes;

(da) derogations adopted on the basis of Article 15(4) of Regulation (EU) No 1380/2013.

2. The measures referred to in paragraph 1 shall aim at achieving the objectives set out in Article 3 and in particular for the protection of aggregations of juveniles or spawning fish or shellfish species.

Article 26a

Pilot projects on full documentation of catches and discards

1. The Commission is empowered to adopt delegated acts in accordance with Article 32 of this Regulation and Article 18 of Regulation (EU) No 1380/2013, supplementing this Regulation by defining pilot projects that develop a system of full documentation of catches and discards based on measurable targets and objectives, for the purpose of a results-based management of fisheries.

2. The pilot projects referred to in paragraph 1 of this Article may derogate from the measures set out in Part B of Annexes V to XI for a specific area and for a maximum period of one year, provided that it can be demonstrated that such pilot projects contribute to achieving the objectives and targets set out in Articles 3 and 4 and, in particular, aim at improving the selectivity of the fishing gear or practice concerned or otherwise reduce its environmental impact. That one-year period may be extended by one more year under the same conditions. It shall be limited to no more than 5% of the vessels in that metier per Member State.

3. Where Member States submit joint recommendations for the establishment of pilot projects as referred to in paragraph 1, they shall provide scientific evidence to support their adoption. STECF shall assess those joint recommendations and shall make that assessment public. Within six months of the conclusion of the project, the Member States shall submit a report to the Commission outlining the results, including a detailed assessment of the changes in selectivity and other environmental impacts.

4. STECF shall assess the report referred to in paragraph 3. In case of a positive assessment of the contribution of the new gear or practice to the objective in paragraph 2, the Commission may submit a proposal in accordance with the TFEU to allow for the generalised use of that gear or practice. The STECF assessment shall be made public.

5. The Commission is empowered to adopt delegated acts in accordance with Article 32 supplementing this Regulation by defining the technical specifications of a system for the full documentation of catches and discards referred to in paragraph 1.

Article 27

Implementing Acts

1. The Commission may adopt implementing acts, establishing the following:
 - the specifications of the selection devices attached to the gears set out in Part B of Annexes V to [...] *IX*;
 - detailed rules on the specifications of the fishing gear described in Part E of Annex V relating to restrictions on gear construction and the control and monitoring measures to be adopted by the flag Member State;
 - detailed rules on the control and monitoring measures to be adopted by the flag Member State when using the gears referred to in Annex V Part C point 6, Annex VI Part C point 9, and Annex VII part C point 4;
 - detailed rules on the control and monitoring measures to be adopted for the closed or restricted areas described in Annex V Part C point 2, Annex VI Part C points 6 and 7;
 - detailed rules on the signal and implementation characteristics of acoustic deterrent devices as referred to in [...] Annex[...] *XIII*;
 - detailed rules of the design and deployment of bird scaring lines and weighted lines as referred to in Annex[...] *XIII*.
2. Those implementing acts shall be adopted in accordance with [...] Article 33(2).

[...]

CHAPTER V

SCIENTIFIC RESEARCH, RESTOCKING AND TRANSPLANTATION

Article 29

Scientific research

1. The technical measures provided for in this Regulation shall not apply to fishing operations conducted [...] for the purpose of scientific investigations subject to the following conditions:
 - (a) the fishing operations shall be carried out with the permission and under the authority of the flag Member State;
 - (b) the Commission and the Member State in the waters under the sovereignty or jurisdiction of which the fishing operations take place ('the coastal Member State'), shall be informed at least *two weeks* [...] in advance of the intention to conduct such fishing operations detailing the vessels involved and the scientific investigations to be undertaken;
 - (c) the vessel or vessels conducting the fishing operations shall have a valid fishing authorisation in accordance with Article 7 of Regulation (EC) 1224/2009;
 - (d) if requested by the coastal Member State to the flag Member State, the master of the vessel shall *be required to* take on board an observer from the coastal Member State during the fishing operations, *unless this is not possible for security reasons*.

- (da) *fishing operations conducted by commercial vessels for the purpose of scientific investigation shall be limited in time. When the fishing operations conducted by commercial vessels for a specific research involve more than 6 commercial vessels, the Commission shall be informed by the flag Member State at least three months in advance and shall seek, where appropriate, the advice of STECF to confirm that this level of participation is justified on scientific grounds; if the level of participation is not considered justified according to the advice of STECF, the concerned Member State shall amend the conditions of the scientific research accordingly.*
- (db) *in case of electric pulse trawl, vessels conducting scientific research must follow a specific scientific protocol as part of a scientific research plan that has been reviewed or validated by ICES or STECF, as well as a system for monitoring, control and evaluation.*

2. Marine species caught for the purposes specified in paragraph 1 may be sold, stored, displayed or offered for sale, provided that they are counted against quotas in accordance with 33(6) of Regulation (EC) 1224/2009, *where applicable*, and:

- (a) they meet the [...] *minimum conservation reference sizes* set out in Annexes IV to [...] X of this Regulation; or
- (b) they are sold for purposes other than direct human consumption.

Article 30

[...]*Direct restocking and transplantation*

1. The technical measures provided for in this Regulation shall not apply to fishing operations conducted solely for the purpose of [...] **direct** restocking or transplantation of marine species, provided that those operations are carried out with the permission and under the authority of the Member State or Member States having a direct management interest.
2. Where the [...] **direct** restocking or transplantation is carried out in the waters of another Member State or Member States, the Commission and all those Member States shall be informed at least [...] **20 calendar days** in advance of the intention to conduct such fishing operations.

[...]

CHAPTER VIa

CONDITIONS IN RELATION TO MESH SIZE SPECIFICATIONS

Article 31a

Conditions in relation to mesh size specifications

- 1. The catch percentages referred to in the Annexes V to VIII shall mean the maximum percentage of species allowed so as to qualify for the specific mesh sizes set out in Annexes V to VIII. Such percentages are without prejudice to the obligation to land catches in Article 15 of EU Regulation 1380/2013.**
- 2. The catch percentages shall be calculated as the proportion by live weight of all marine biological resources landed after each fishing trip.**
- 3. The catch percentages referred to in paragraph 2 may be calculated on the basis of one or more representative samples.**
- 4. For the purpose of this Article, the equivalent weight of whole Norway lobster shall be obtained by multiplying the weight of Norway lobster tails by three.**
- 5. Member States may issue fishing authorisations in accordance with Article 7 of Council Regulation (EC) No 1224/2009 for vessels flying their flag when engaged in fishing activities using the mesh specific sizes provided for in Annexes V to XI. Such authorisations may be suspended or withdrawn where a vessel has been found to not have complied with the defined catch percentages provided for in Annexes V to VIII.**

6. *This Article is without prejudice to Regulation (EU) No 1224/2009.*

7. *The Commission shall be empowered to adopt delegated acts in accordance with Article 18 of this Regulation in order to further define the term "directed fishing" for relevant species in Part B of Annexes V to X and Part A of Annex XI. For this purpose, Member States having a direct management interest in the fisheries concerned shall submit any joint recommendations for the first time not later than 12 months after the entry into force of this Regulation.*

CHAPTER VII

PROCEDURAL PROVISIONS

Article 32

Exercise of delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Articles The power to adopt delegated acts referred to in Articles 2(2), 9(1) and (2), 11, 13, 18, [...], 26a(1) and (5), 31a and 34(3) shall be conferred on the Commission for a period of five years from [----]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Articles **2(2), 9(1) and (2), 11, 13, 18, [...], 26a(1) and (5), 31a and 34(3)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

3a. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-making of 13 April 2016.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to Articles **2(2), 9(1) and (2), 11, 13, 18, [...], 26a(1) and (5), 31a and 34(3)** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

6. [...]

7. [...]

Article 33

Committee Procedure

1. The Commission shall be assisted by the Committee for fisheries and aquaculture established by Article 47 of Regulation (EU) No 1380/2013. 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 Council Regulation (EU) No 182/2011 shall apply.
3. [...]

CHAPTER VIII

FINAL PROVISIONS

Article 34

Review and reporting

1. By the end of 2020 and every third year thereafter, and on the basis of information supplied by Member States and the relevant Advisory Councils and following evaluation by the STECF, the Commission shall submit a report to the European Parliament and to the Council on the implementation of this Regulation. This report shall assess the extent to which technical measures both regionally and at Union level have contributed to achieving the objectives set out in Article 3 and in reaching the targets set out in Article 4. ***This report shall also refer to advice from ICES on the progress that has been made, or impact arising from innovative gears. The report shall draw conclusions about the benefits or negative effects on marine ecosystems, sensitive habitats as well as selectivity.***

1a. The report under paragraph 1 shall contain inter alia an assessment of the contribution of technical measures to optimising exploitation patterns, as provided in Article 3 (2) (a). For this purpose, the report may include, amongst others, as selectivity performance indicator for the key indicator stocks for the species listed in Annex XIV the length of optimal selectivity (L_{opt}) compared to the average length of fish caught for each year covered.

2. On the basis of that report, where at regional level there is evidence that the objectives and targets have not been met, within [...] ***twelve*** months after the submission of the report as referred to in paragraph 1 Member States within that region shall submit a plan setting out the [...] actions to be taken [...] ***to contribute to achieving those objectives and targets.***

3. The Commission may also propose to the European Parliament and to the Council any necessary amendments to this Regulation on the basis of that report. ***The Commission shall be empowered to adopt delegated acts in accordance with Article 18 of this Regulation in order to amend the list of species set out in Annex XIV.***

Article 35

Amendments to Regulation (EC) No 1967/2006

Regulation (EC) No 1967/2006 is amended as follows:

- (a) Articles 3, 8, 9, 10, 11, 12, 14, 15, 16 and 25 are deleted;
- (b) Annexes [...], II, III and IV are deleted.

References to the deleted Articles and Annexes shall be construed as references to this Regulation.

[...]

Article 37

Amendments to Regulation (EC) No 1224/2009

In Regulation (EC) No 1224/2009, Chapter IV of Title IV is amended as follows:

- (a) Section 3 deleted;
- (b) the following Section 4 is added:

'SECTION 4

'ON BOARD PROCESSING AND PELAGIC FISHERIES'

Article 54a

On board processing

1. The carrying out on board a fishing vessel of any physical or chemical processing of fish to produce fish-meal, fish-oil, or similar products or to tranship catches of fish for such purposes shall be prohibited.
2. Paragraph 1 shall not apply to:
 - (a) the processing or transhipment of offal; or
 - (b) the production on board a fishing vessel of surimi.

Article 54b

Catch handling and discharge restrictions on pelagic vessels

1. The maximum space between bars in the water separator on board pelagic fishing vessels targeting mackerel, herring and horse mackerel operating in the NEAFC Convention Area as defined in Article 3(2) of Regulation (EU) No 1236/2010 shall be 10 millimetres.

The bars shall be welded in place. If holes are used in the water separator instead of bars, the maximum diameter of the holes shall not exceed 10 millimetres. Holes in the chutes before the water separator shall not exceed 15 millimetres in diameter.

2. Pelagic vessels operating in the NEAFC Convention Area shall be prohibited from discharging fish under their water line from buffer tanks or Refrigerated seawater (RSW) tanks.

3. Drawings related to the catch handling and discharge capabilities of pelagic vessels targeting mackerel, herring and horse mackerel in the NEAFC Convention Area which are certified by the competent authorities of the flag Member States, as well as any modifications thereto, shall be sent by the master of the vessel to the competent fisheries authorities of the flag Member State. The competent authorities of the flag Member State of the vessels shall carry out periodic verifications of the accuracy of the drawings submitted. Copies shall be carried on board the vessel at all times.

Article 54c

Restrictions on the use of automatic grading equipment

1. The carrying or use on board a fishing vessel of equipment which is capable of automatically grading by size or by sex herring or mackerel or horse mackerel shall be prohibited.
2. However, the carrying and use of such equipment shall be permitted provided that:
 - (a) the vessel does not simultaneously carry or use on board either towed gear of mesh size less than [...] **70** mm or one or more purse seines or similar fishing gears; or
 - (b) the whole of the catch which may be lawfully retained on board:

is stored in a frozen state;

the graded fish are frozen immediately after grading and no graded fish are returned to the sea; and

(the equipment is installed and located on the vessel in such a way as to ensure immediate freezing and not to allow the return of marine species to the sea.

3. By way of derogation from paragraphs 1 and 2, any vessel authorised to fish in the Baltic, Belts or Sound may carry automatic grading equipment in the Kattegat provided that a fishing authorisation has been issued in accordance with Article 7. The fishing authorisation shall define the species, areas, time periods and any other required conditions applicable to the use and carriage on board of the grading equipment.'

3a. *Article 54c shall not apply in the Baltic Sea.*

[...]

Article 39

Amendment to Regulation (EU) No 1380/2013

In Regulation (EU) No 1380/2013, Article 15(12) is replaced by the following:

'For the species that are not subject to the landing obligation as specified in paragraph 1, the catches of species below the minimum conservation reference size shall not be retained on board, but shall be returned immediately to the sea, except when they are used as live bait.'

Article 39a

Amendment to Regulations (EU) No 2016/1139 [Baltic MAP]

1. Article 8 paragraph 1: at the end of the first sentence the following text is inserted:

'which are not covered by Regulation XX [Regulation on Technical Measures]'

2. Article 8 paragraph 2: at the end of the paragraph the following text is inserted:

'and comply with the requirements of Article 18[(4)] of Regulation XXX [Regulation on Technical Measures]'

Article 39b

Amendment to Regulations (EU) No 2018/973 [North Sea MAP]

1. Article 9 paragraph 1: at the end of the first sentence the following text is inserted:

'which are not covered by Regulation XX [Regulation on Technical Measures]'

2. Article 9 paragraph 2: at the end of the paragraph the following text is inserted:

'and comply with the requirements of Article 18[(4)] of Regulation XXX [Regulation on Technical Measures]'

Article 39c

Amendment to Regulations (EU) No XX [Western Waters MAP]

1. Article x paragraph 1: at the end of the first sentence the following text is inserted:

'which are not covered by Regulation XX [Regulation on Technical Measures]'

2. Article x paragraph 2: at the end of the paragraph the following text is inserted:

'and comply with the requirements of Article 18[(4)] of Regulation XXX [Regulation on Technical Measures]'

Article 39d

Amendment to Regulations (EU) No X [Western Med MAP]

1. Article X paragraph 1: at the end of the first sentence the following text is inserted:

'which are not covered by Regulation XX [Regulation on Technical Measures]'

2. Article X paragraph 2: at the end of the paragraph the following text is inserted:

'and comply with the requirements of Article 18[(4)] of Regulation XXX [Regulation on Technical Measures]'

Article 40

Repeals

1. Regulations (EC) No 894/97, (EC) No 850/98, ((EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 are repealed.

2. References to the repealed Regulations shall be construed as references to this Regulation.

Article 41

Entry into Force

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

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

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEXES

ANNEX I

Prohibited Species

[...]

(b) the following species of sawfish in all Union waters:

(i) narrow sawfish (*Anoxypristis cuspidata*);

(ii) dwarf sawfish (*Pristis clavata*);

(iii) smalltooth sawfish (*Pristis pectinata*);

(iv) largetooth sawfish (*Pristis pristis*);

(v) green sawfish (*Pristis zijsron*);

(c) basking shark (*Cetorhinus maximus*) and white shark (*Carcharodon carcharias*) in all waters;

[...]

(e) smooth lantern shark (*Etmopterus pusillus*) in Union waters of ICES division IIa and subarea IV and in Union waters of ICES subareas I, V, VI, VII, VIII, XII and XIV;

(f) reef manta ray (*Manta alfredi*) in all Union waters;

(g) giant manta ray (*Manta birostris*) in all Union waters;

(h) the following species of *Mobula* rays in all Union waters:

(i) devil fish (*Mobula mobular*);

(ii) lesser Guinean devil ray (*Mobula rochebrunei*);

(iii) spinetail mobula (*Mobula japonica*);

(iv) smoothtail mobula (*Mobula thurstoni*);

(v) longhorned mobula (*Mobula eregoodootenkee*);

(vi) Munk's devil ray (*Mobula munkiana*);

(vii) Chilean devil ray (*Mobula tarapacana*);

(viii) shortfin devil ray (*Mobula kuhlii*);

(ix) lesser devil ray (*Mobula hypostoma*);

[...]

(j) Norwegian skate (*Raja (Dipturus) nidarosiensis*) in Union waters of ICES divisions VIa, VIb, VIIa, VIIb, VIIc, VIIe, VIIf, VIIg, VIIh and VIIk;

(k) white skate (*Raja alba*) in Union waters of ICES subareas VI, VII, VIII, IX and X;

(l) guitarfishes (*Rhinobatidae*) in Union waters of ICES subareas I, II, III, IV, V, VI, VII, VIII, IX, X and XII;

(m) angel shark (*Squatina squatina*) in all Union waters;

(n) salmon (*Salmo salar*) and sea trout (*Salmo trutta*) when fishing with any towed net within the waters outside the six-mile limit measured from Member States' baselines in ICES sub-areas I, II, IV, V, VI, VII, VIII, IX and X (Union waters);

(na) houting (*Coregonus oxyrhynchus*) in ICES sub-area IVb (Union waters);

(nb) the Adriatic sturgeon (*Acipenser naccarii*) and common sturgeon (*Acipenser sturio*) in Union waters;

(o) berried female crawfish (*Palinuridae spp.*) and berried female lobster (*Homarus gammarus*) **in the Mediterranean [...]** except when used for direct restocking or transplantation purposes;

(p) date shell (*Lithophaga lithophaga*), **fan mussel (*Pinna nobilis*)** and common piddock (*Pholas dactylus*) in Union waters in the Mediterranean.

(pa) hatpin urchin (*Centrostephanus longispinus*).

ANNEX II

Closed areas for the protection of sensitive habitats

For the purposes of Article 13, the following restrictions on fishing activity are applicable in the areas enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

Part A

North Western Waters

1. It shall be prohibited to deploy bottom trawls or similar towed nets, bottom set gillnets, entangling nets or trammel nets and bottom set longlines within the following areas:

Belgica Mound Province:

- 51°29.4' N, 11°51.6' W
- 51°32.4' N, 11°41.4' W
- 51°15.6' N, 11°33.0' W
- 51°13.8' N, 11°44.4' W
- 51°29.4' N, 11°51.6' W

Hovland Mound Province:

- 52°16.2' N, 13°12.6' W
- 52°24.0' N, 12°58.2' W
- 52°16.8' N, 12°54.0' W
- 52°16.8' N, 12°29.4' W
- 52°04.2' N, 12°29.4' W
- 52°04.2' N, 12°52.8' W
- 52°09.0' N, 12°56.4' W
- 52°09.0' N, 13°10.8' W
- 52°16.2' N, 13°12.6' W

North-West Porcupine Bank Area I:

- 53°30.6' N, 14°32.4' W
- 53°35.4' N, 14°27.6' W
- 53°40.8' N, 14°15.6' W
- 53°34.2' N, 14°11.4' W
- 53°31.8' N, 14°14.4' W
- 53°24.0' N, 14°28.8' W
- 53°30.6' N, 14°32.4' W

North-West Porcupine Bank Area II:

- 53°43.2' N, 14°10.8' W
- 53°51.6' N, 13°53.4' W
- 53°45.6' N, 13°49.8' W
- 53°36.6' N, 14°07.2' W
- 53°43.2' N, 14°10.8' W

South-West Porcupine Bank:

- 51°54.6' N, 15°07.2' W
- 51°54.6' N, 14°55.2' W
- 51°42.0' N, 14°55.2' W
- 51°42.0' N, 15°10.2' W
- 51°49.2' N, 15°06.0' W
- 51°54.6' N, 15°07.2' W

2. All pelagic vessels fishing in the areas as described in point 1 shall:

- be on a list of authorised vessels and be issued with a fishing authorisation in accordance with Article 7 of Regulation (EC) No 1224/2009;
- carry on board exclusively pelagic gear;
- give four hours advance notification of their intention to enter an area for the protection of vulnerable deep-sea habitats to the Irish Fisheries Monitoring Centre (FMC) as defined in Article 4(15) of Regulation (EC) No 1224/2009 and at the same time notify quantities of fish retained on board;
- have an operational, fully functioning secure Vessel Monitoring System (VMS) which complies fully with the respective rules when present in any of the areas described in point 1;
- make VMS reports every hour;
- inform the Irish FMC on departure from the area and at the same time notify quantities of fish retained on board; and
- have on board trawls with a codend mesh size range from 16-79mm.

Darwin Mounds

It shall be prohibited to deploy any bottom trawl or similar towed nets within the following area:

- 59°54' N, 6°55' W
- 59°47' N, 6°47' W
- **59°37' N, 6°47' W**
- 59°37' N, 7°39' W
- 59°45' N, 7°39' W
- 59°54' N, 7°25' W

Part B

South Western Waters

1. El Cachucho

1.1 It shall be prohibited to deploy bottom trawls, bottom set gillnets, entangling nets or trammel nets and bottom set longlines within the following areas:

- 44°12' N, 5°16' W
- 44°12' N, 4°26' W
- 43°53' N, 4°26' W
- 43°53' N, 5°16' W
- 44°12' N, 5°16' W

1.2. Vessels that conducted directed fisheries with bottom set longlines in 2006, 2007 and 2008 for greater forkbeard (*Phycis blennoides*) may continue to fish in the area south of 44°00.00' N provided they have a fishing authorisation issued in accordance with Article 7 of Regulation (EC) No 1224/2009.

1.3. All vessels having obtained this fishing authorisation shall, regardless of their overall length, have in use an operational, fully functioning secure VMS which complies with the respective rules, when conducting fisheries in the area described in point 1.1.

2. Madeira and Canarias

It shall be prohibited to deploy bottom set gillnets, entangling nets and trammel nets at depths greater than 200m or bottom trawls or similar towed gears within the following areas:

- 27°00' N, 19°00' W
- 26°00' N, 15°00' W
- 29°00' N, 13°00' W
- 36°00' N, 13°00' W
- 36°00' N, 19°00' W

3. Azores

It shall be prohibited to deploy bottom set gillnets, entangling nets and trammel nets at depths greater than 200m or bottom trawls or similar towed gears within the following areas:

- 36°00' N, 23°00' W
- 39°00' N, 23°00' W
- 42°00' N, 26°00' W
- 42°00' N, 31°00' W
- 39°00' N, 34°00' W
- 36°00' N, 34°00' W

Part C (new)

North East Atlantic Fisheries Commission

1. It shall be prohibited to conduct bottom trawling and fishing with static gear, including bottom set gillnets and bottom set longlines, within the areas enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

Part of the Reykjanes Ridge:

— *55°04.5327' N, 36°49.0135' W*

— *55°05.4804' N, 35°58.9784' W*

— *54°58.9914' N, 34°41.3634' W*

— *54°41.1841' N, 34°00.0514' W*

— *54°00' N, 34°00' W*

— *53°54.6406' N, 34°49.9842' W*

— *53°58.9668' N, 36°39.1260' W*

— *55°04.5327' N, 36°49.0135' W*

Northern MAR Area:

— *59°45' N, 33°30' W*

— *57°30' N, 27°30' W*

— *56°45' N, 28°30' W*

— *59°15' N, 34°30' W*

— *59°45' N, 33°30' W*

Middle MAR Area (Charlie-Gibbs Fracture zone and Subpolar Frontal Region):

— 53°30' N, 38°00' W

— 53°30' N, 36°49' W

— 55°04.5327' N, 36°49' W

— 54°58.9914' N, 34°41.3634' W

— 54°41.1841' N, 34°00' W

— 53°30' N, 30°00' W

— 51°30' N, 28°00' W

— 49°00' N, 26°30' W

— 49°00' N, 30°30' W

— 51°30' N, 32°00' W

— 51°30' N, 38°00' W

— 53°30' N, 38°00' W

Southern MAR Area:

— 44°30' N, 30°30' W

— 44°30' N, 27°00' W

— 43°15' N, 27°15' W

— 43°15' N, 31°00' W

— 44°30' N, 30°30' W

The Altair Seamounts:

— 45°00' N, 34°35' W

— 45°00' N, 33°45' W

— 44°25' N, 33°45' W

— 44°25' N, 34°35' W

— 45°00' N, 34°35' W

The Antialtair Seamounts:

— 43°45' N, 22°50' W

— 43°45' N, 22°05' W

— 43°25' N, 22°05' W

— 43°25' N, 22°50' W

— 43°45' N, 22°50' W

Hatton Bank:

- *59°26' N, 14°30' W*
- *59°12' N, 15°08' W*
- *59°01' N, 17°00' W*
- *58°50' N, 17°38' W*
- *58°30' N, 17°52' W*
- *58°30' N, 18°22' W*
- *58°03' N, 18°22' W*
- *58°03' N, 17°30' W*
- *57°55' N, 17°30' W*
- *57°45' N, 19°15' W*
- *58°11.15' N, 18°57.51' W*
- *58°11.57' N, 19°11.97' W*
- *58°27.75' N, 19°11.65' W*
- *58°39.09' N, 19°14.28' W*
- *58°38.11' N, 19°01.29' W*
- *58°53.14' N, 18°43.54' W*
- *59°00.29' N, 18°01.31' W*
- *59°08.01' N, 17°49.31' W*

— 59°08.75' N, 18°01.47' W

— 59°15.16' N, 18°01.56' W

— 59°24.17' N, 17°31.22' W

— 59°21.77' N, 17°15.36' W

— 59°26.91' N, 17°01.66' W

— 59°42.69' N, 16°45.96' W

— 59°20.97' N, 15°44.75' W

— 59°21' N, 15°40' W

— 59°26' N, 14°30' W

North-West Rockall:

— 57°00' N, 14°53' W

— 57°37' N, 14°42' W

— 57°55' N, 14°24' W

— 58°15' N, 13°50' W

— 57°57' N, 13°09' W

— 57°50' N, 13°14' W

— 57°57' N, 13°45' W

— 57°49' N, 14°06' W

— 57°29' N, 14°19' W

— 57°22' N, 14°19' W

— 57°00' N, 14°34' W

— 56°56' N, 14°36' W

— 56°56' N, 14°51' W

— 57°00' N, 14°53' W

South-West Rockall (Empress of Britain Bank):

— 56°24' N, 15°37' W

— 56°21' N, 14°58' W

— 56°04' N, 15°10' W

— 55°51' N, 15°37' W

— 56°10' N, 15°52' W

— 56°24' N, 15°37' W

Logachev Mound:

— 55°17' N, 16°10' W

— 55°34' N, 15°07' W

— 55°50' N, 15°15' W

— 55°33' N, 16°16' W

— 55°17' N, 16°10' W

West Rockall Mound:

— *57°20' N, 16°30' W*

— *57°05' N, 15°58' W*

— *56°21' N, 17°17' W*

— *56°40' N, 17°50' W*

— *57°20' N, 16°30' W*

2. Where, in the course of fishing operations in new and existing bottom fishing areas within the NEAFC Regulatory Area, the quantity of live coral or live sponge caught per gear set exceeds 60 kg of live coral and/or 800 kg of live sponge, the vessel shall inform its flag State, cease fishing and move at least 2 nautical miles away from the position that the evidence suggests is closest to the exact location where this catch was made.

ANNEX III

List of species prohibited for capture with driftnets

- Albacore : *Thunnus alalunga*
- Bluefin tuna : *Thunnus thynnus*
- Bigeye tuna : *Thunnus obesus*
- Skipjack : *Katsuwonus pelamis*
- Atlantic Bonito : *Sarda sarda*
- Yellowfin tuna : *Thunnus albacares*
- Blackfin tuna : *Thunnus atlanticus*
- Little tuna: *Euthynnus* spp.
- Southern bluefin tuna : *Thunnus maccoyii*
- Frigate tuna: *Auxis* spp.
- Oceanic sea breams : *Brama rayi*
- Marlins: *Tetrapturus* spp.; *Makaira* spp.
- Sailfishes: *Istiophorus* spp.
- Swordfishes : *Xiphias gladius*
- Sauries: *Scomberesox* spp.; *Cololabis* spp.
- Dolphinfishes: *Coryphæna* spp.
- Sharks: *Hexanchus griseus*; *Cetorhinus maximus*; *Alopiidae*; *Carcharhinidae*; *Sphymidae*; *Isuridae*; *Lamnidae*
- Cephalopods: all species

ANNEX IV

Measurement of the size of a marine organism

1. The size of any fish shall be measured, as shown in Figure 1, from the tip of the snout to the end of the tail fin.
2. The size of a Norway lobster (*Nephrops norvegicus*) shall be measured as shown in Figure 2:
 - either as the length of the carapace, parallel to the midline, from the back of either eye socket to the midpoint of the distal dorsal edge of the carapace, or,
 - as the total length, from the tip of the rostrum to the rear end of the telson, not including the setae.
 - *in the case of detached Norway lobster tails: from the front edge of the first tail segment present to the rear end of the telson, not including the setae. The tail shall be measured flat, unstretched and on the dorsal side.*
- 2a. *The size of a lobster (*Homarus gammarus*) from the North Sea except Skagerrak/Kattegat shall be measured as shown in Figure 3, as the length of the carapace, parallel to the midline, from the back of either eye socket to the distal edge of the carapace.*
3. The size of a lobster (*Homarus gammarus*) **from Skagerrak or Kattegat** shall be measured as shown in Figure 3:
 - either as the length of the carapace, parallel to the midline, from the back of either eye socket to the midpoint of the distal dorsal edge of the carapace, or,
 - as the total length, from the tip of the rostrum to the rear end of the telson, not including the setae.
4. The size of a crawfish (Palinuridae) shall be measured as shown in Figure 4 as the length of the carapace, parallel to the midline, from the tip of the rostrum to the midpoint of the distal dorsal edge of the carapace.

5. The size of any bivalve mollusc shall be measured as shown in Figure 5, across the longest part of the shell.
6. *The size of a spinous spider crab shall be measured, as shown in Figure 6, as the length of the carapace, along the midline, from the edge of the carapace between the rostrums to the posterior edge of the carapace.*
7. *The size of an edible crab shall be measured, as shown in Figure 7, as the maximum width of the carapace measured perpendicular to the antero-posterior midline of the carapace.*
8. *The size of a whelk shall be measured, as shown in Figure 8, as the length of the shell.*
9. *The size of swordfish shall be measured, as shown in Figure 9, as the lower jaw fork length (LJFL).*

Figure 1 Fish species

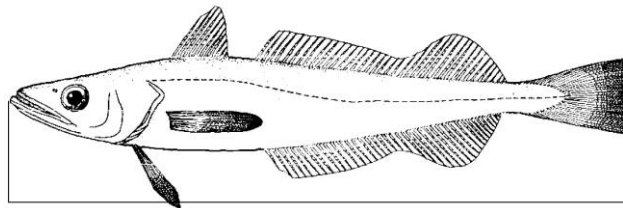


Figure 2 Norway Lobster

(Nephrops norvegicus)

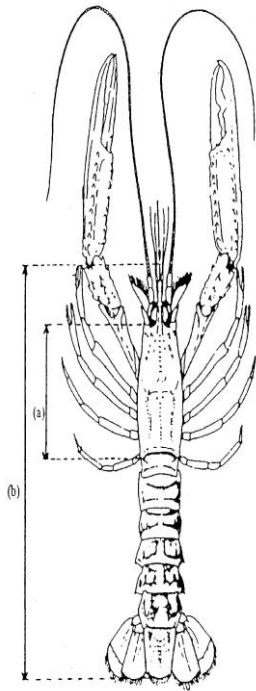


Figure 3 Lobster

(Hommarus gammarus)

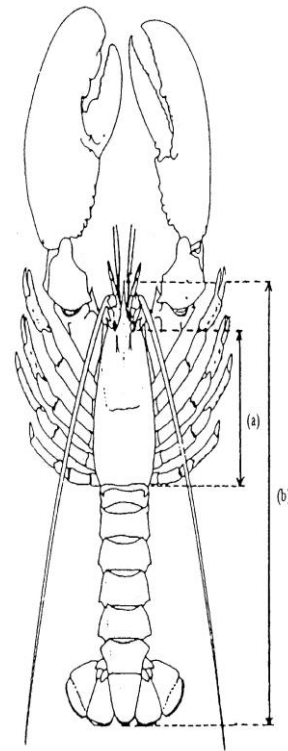


Figure 4 Crawfish

(Palinurus spp.)

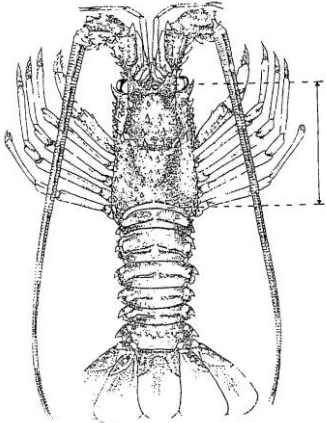


Figure 5 Bivalve molluscs



Figure 6 Spinous Spider Crabs

(Maia squinata)

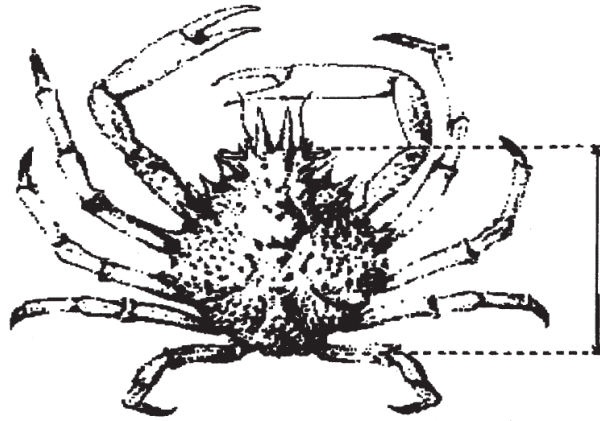


Figure 7 Edible crab

(Cancer pagarus)

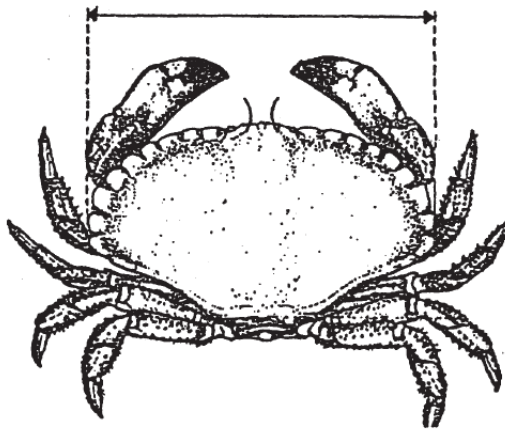


Figure 8 Whelk

(Buccinum spp)

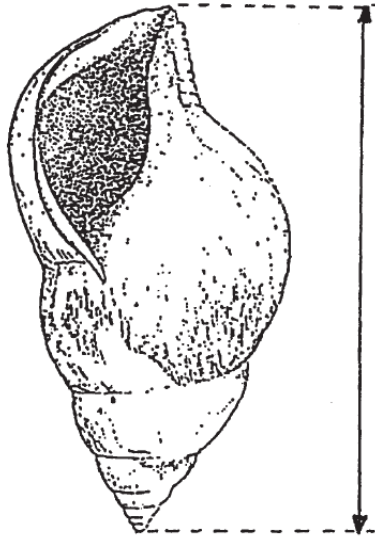
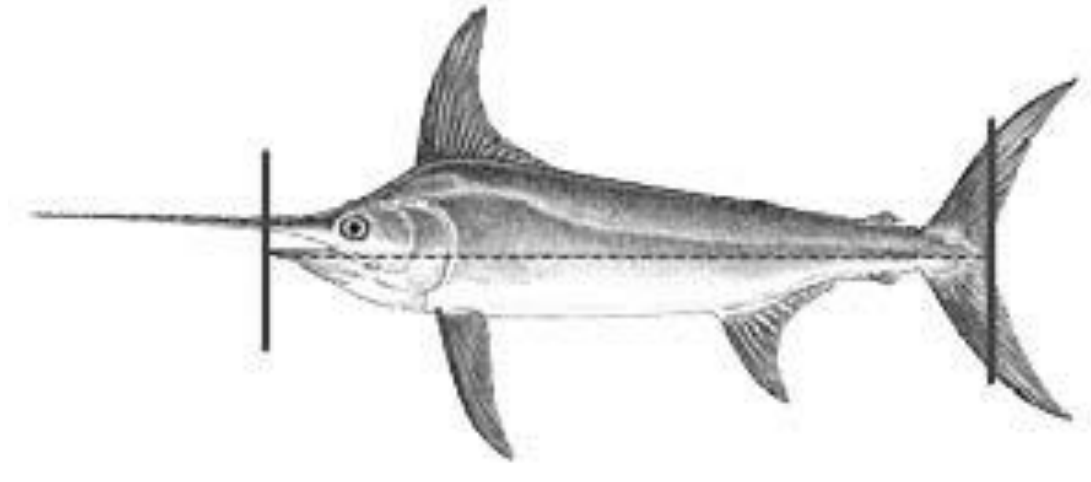


Figure 9 Swordfish

(Xiphias gladius)



ANNEX V

North Sea²⁶

Part A

Minimum conservation reference sizes

Species	North Sea
Cod (<i>Gadus morhua</i>)	35 cm
Haddock (<i>Melanogrammus aeglefinus</i>)	30 cm
Saithe (<i>Pollachius virens</i>)	35 cm
Pollack (<i>Pollachius pollachius</i>)	30 cm
Hake (<i>Merluccius merluccius</i>)	27 cm
Megrim (<i>Lepidorhombus</i> spp.)	20 cm
Sole (<i>Solea</i> spp.)	24 cm
Plaice (<i>Pleuronectes platessa</i>)	27 cm
Whiting (<i>Merlangius merlangus</i>)	27 cm
Ling (<i>Molva molva</i>)	63 cm
Blue ling (<i>Molva dipterygia</i>)	70 cm

²⁶ **For the purposes of this Annex:**

- *The Kattegat is limited in the north by a line drawn from Skagen Lighthouse to the lighthouse in Tistlarna, and from there to the nearest point on the Swedish coast, and in the south by a line drawn from Hasenøre Head to Gniben Point, from Korshage to Spodsbjerg, and from Gilbjerg Head to the Kullen.*

- *The Skagerrak is limited in the west by a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes, and in the south by a line drawn from Skagen Lighthouse to the lighthouse of Tistlarna, and from there to the nearest point on the Swedish coast,*

- *The North Sea shall comprise ICES sub-area IV, the adjacent part of ICES Division IIa lying south of latitude 64° N, and that part of ICES Division IIIa which is not covered by the definition of Skagerrak given in the second indent.*

Norway lobster (<i>Nephrops norvegicus</i>)	Total length 85 mm, Carapace length 25 mm Norway lobster tails 46 mm
Mackerel (<i>Scomber</i> spp.)	[...] 30 cm ⁵
Herring (<i>Clupea harengus</i>)	20 cm ⁵
Horse mackerel (<i>Trachurus</i> spp.)	15 cm ⁵
Anchovy (<i>Engraulis encrasicolus</i>)	12 cm or 90 individuals per kilo ⁵
Bass (<i>Dicentrarchus labrax</i>)	42 cm
Sardine (<i>Sardina pilchardus</i>)	11 cm ⁵
Lobster (<i>Homarus gammarus</i>)	87 mm (<i>carapace length</i>)
Spinous spider crab (<i>Maia squinado</i>)	120 mm
Queen scallop (<i>Chlamys</i> spp.)	40 mm
Grooved carpetshell (<i>Ruditapes decussatus</i>)	40 mm
Carpetshell (<i>Venerupis pullastra</i>)	38 mm
Short-necked clam (<i>Venerupis philippinarum</i>)	35 mm
Clam (<i>Venus verrucosa</i>)	40 mm
Hard clam (<i>Callista chione</i>)	6 cm
Razor clam (<i>Ensis</i> spp.)	10 cm

Surf clams (<i>Spisula solida</i>)	25 mm
Donax clams (<i>Donax</i> spp.)	25 mm
Bean solen (<i>Pharus legumen</i>)	65 mm
Whelk (<i>Buccinum undatum.</i>)	45 mm
Octopus (<i>Octopus vulgaris</i>)	750 grammes
Crawfish (<i>Palinurus</i> spp.)	95 mm (<i>carapace length</i>)
Deepwater rose shrimp (<i>Parapenaeus longirostirs</i>)	22mm (carapace length)
Edible crab (<i>Cancer pagurus</i>)	140 mm ^{1,2,3,4}
Scallop (<i>Pecten maximus</i>)	100 mm

Species	Skagerrak/Kattegat
Cod (<i>Gadus morhua</i>)	30 cm
Haddock (<i>Melanogrammus aeglefinus</i>)	27 cm
Saithe (<i>Pollachius virens</i>)	30 cm
Pollack (<i>Pollachius pollachius</i>)	-
Hake (<i>Merluccius merluccius</i>)	30 cm

Megrim (<i>Lepidorhombus</i> spp.)	25 cm
Sole (<i>Solea</i> spp.)	24 cm
Plaice (<i>Pleuronectes platessa</i>)	27 cm
Whiting (<i>Merlangius merlangus</i>)	23 cm
Ling (<i>Molva molva</i>)	-
Blue ling (<i>Molva dipterygia</i>)	-
Norway lobster (<i>Nephrops norvegicus</i>)	Total length 105mm Norway Lobster tails 59mm Carapace length 32mm
Mackerel (<i>Scomber</i> spp.)	20 cm ⁵
Herring (<i>Clupea harengus</i>)	18 cm ⁵
Horse mackerel (<i>Trachurus</i> spp.)	15 cm ⁵
Lobster (<i>Homarus gammarus</i>)	Total length 220mm Carapace length 78mm

¹ In Union waters in ICES division IVa

² In an area in ICES divisions IVb, c limited by a point at 53°28'22"N, 0°09'24"E, on the coast of England, a straight line joining this point with 53°28'22"N, 0°22'24"E, the 6 mile boundary of the United Kingdom, and a straight line connecting a point at 51°54'06"N, 1°30'30"E, with a point on the coast of England at 51°55'48"N, 1°17'00"E, a minimum conservation reference size of 115 mm shall apply.

³ For edible crabs caught in pots or creels, a maximum of 1% by weight of the total catch of edible crab may consist of detached claws. For edible crabs caught with any other fishing gear, a maximum of 75kg of detached crab claws may be landed.

⁴ *In area south of 56° N, except ICES Divisions VIIId, e, f, and ICES Divisions IVb, a minimum conservation reference size of 130 mm shall apply.*

⁵ *By way of derogation from Article 15 of Regulation (EU) No 1380/2013, the minimum conservation reference sizes of sardine, anchovy, herring, horse mackerel and mackerel shall not apply within a limit of 10 % by live weight of the total catches retained on board of each of those species.*

The percentage of undersized sardine, anchovy, herring, horse mackerel or mackerel shall be calculated as the proportion by live weight of all marine organisms on board after sorting or on landing.

The percentage may be calculated on the basis of one or more representative samples. The limit of 10 % shall not be exceeded during trans- shipment, landing, transportation, storage, display or sale.

Part B

Mesh sizes

1. Baseline mesh sizes for towed gears

1.1. *Without prejudice to the landing obligation, vessels shall use a mesh size of at least 120mm or at least 90mm in Skagerrak and Kattegat^x.*

1.2. *Without prejudice to the landing obligation, and notwithstanding paragraph 1.1, vessels may use smaller mesh sizes as listed in the following table for the North Sea, Skagerrak/Kattegat provided that:*

(i) *the associated conditions set out in that table are respected, and by-catches of cod, haddock and saithe do not exceed 20% of the total catch in live weight of all marine biological resources landed after each fishing trip; or*

(ii) *other selectivity modifications are used which are assessed by STECF upon request of one or more Member States and approved by the Commission. Those selectivity modifications shall result in the same or better selectivity characteristics for cod, haddock and saithe as that of 120mm.*

<i>Mesh Size</i>	<i>Geographical Areas</i>	<i>Conditions</i>
<i>At least 100mmⁱ</i>	<i>North Sea south of 57°30'N</i>	<i>Directed fishing for plaice and sole with otter trawls, beam trawls, and seines. A square mesh panel of at least 90 mm shall be fitted.</i>
<i>At least 80mmⁱ</i>	<i>ICES Division IVb and ICES Division IVc</i>	<i>Directed fishing for sole with beam trawls. A panel with a mesh size of at least 180mm fitted in the upper half of the anterior part of the net shall be fitted.</i> <i>Directed fishing for whiting, mackerel and species not subject to catch limits. A square mesh panel of at least 80mm shall be fitted.</i>
<i>At least 80mm</i>	<i>North Sea</i>	<i>Directed fishing for Nephrops norvegicus. A square mesh panel of at least 120mm or sorting grid with a maximum bar spacing of 35mm or equivalent selectivity device shall be fitted.</i> <i>Directed fishing for species not subject to catch limits and which are not covered elsewhere in the table. A square mesh panel of at least 80mm shall be fitted.</i> <i>Directed fishing for skates and rays.</i>
<i>At least 80mm</i>	<i>ICES division IVc</i>	<i>Directed fishing for sole using otter trawls. A square mesh panel of at least 80mm shall be fitted.</i>

<i>At least 70mm (square mesh) or 90mm (diamond mesh)</i>	<i>Skagerrak and Kattegat</i>	<i>Directed fishing for Nephrops norvegicus. A sorting grid with a maximum bar spacing of 35mm or equivalent selectivity device shall be fitted.</i>
<i>At least 40mm</i>	<i>Whole area</i>	<i>Directed fishing for squid (Lolignidae, Ommastrephidae)</i>
<i>At least 35mm</i>	<i>Skagerrak and Kattegat</i>	<i>Directed fishing for Pandalus borealis. A sorting grid with a maximum bar spacing of 19mm or equivalent selectivity device shall be fitted.</i>
<i>At least 32mm</i>	<i>Whole area except Skagerrak and Kattegat</i>	<i>Directed fishing for Pandalus borealis. A sorting grid with a maximum bar spacing of 19mm or equivalent selectivity device shall be fitted.</i>
<i>At least 16mm</i>	<i>Whole area</i>	<p><i>Directed fishing for small pelagic species which are not covered elsewhere in the table.</i></p> <p><i>Directed fishing for Norway pout. A sorting grid with a maximum bar spacing of 35mm in the Norway pout fishery shall be fitted.</i></p> <p><i>Directed fishing for common and Aesop shrimps. A separator trawl or sorting grid must be fitted in accordance with nationally or regionally established rules.</i></p>
<i>Less than 16mm</i>	<i>Whole area</i>	<i>Directed fishing for sandeels</i>

^x In sub-divisions Skagerrak and Kattegat, a top panel of at least 270mm mesh size (diamond mesh) or at least 140mm mesh size (square mesh) shall be fitted. In sub-division Kattegat, a square mesh panel of at least 120mm shall be fitted (on trawls in the period from 1 October to 31 December, and on seines in the period from 1 August to 31 October).

i Vessels shall be prohibited from using any beam trawl with a mesh size between 32 and 99mm north of a line joined by the following points by a point on the East Coast of the UK at latitude 55°N, then east to latitude 55°, longitude 5°E, then north to latitude 56°N and east to a point on the west Coast of Denmark at latitude 56°N. It is prohibited to use any beam trawl of mesh size range 32 to 119 mm within ICES Division IIa and that part of ICES Sub-area IV to the north of 56° 00' N.

2. Baseline mesh sizes for static nets and driftnets

2.1. *Without prejudice to the landing obligation, vessels shall use a mesh size of at least 120mm.*

2.2. *Without prejudice to the landing obligation, and notwithstanding paragraph 2.1, vessels may use smaller mesh sizes as listed in the following table for the North Sea, Skagerrak/Kattegat provided that the associated conditions set out in that table are respected and by-catches of cod, haddock and saithe do not exceed 20% of the total catch in live weight of all marine biological resources landed after each fishing trip.*

<i>Mesh Size</i>	<i>Geographical Areas</i>	<i>Conditions</i>
<i>At least 100mm</i>	<i>Whole area</i>	<i>Directed fishing for haddock, whiting, dab and bass</i>
<i>At least 90mm</i>	<i>Whole area</i>	<i>Directed fishing for flatfish or species not subject to catch limits and which are not covered elsewhere in the table</i>
<i>At least 50mm</i>	<i>Whole area</i>	<i>Directed fishing for small pelagic species which are not covered elsewhere in the table</i>

Part C

Closed or restricted areas

1. Closure of an area to protect sandeel in ICES divisions IVa and IVb

1.1 Fishing for sandeels with any towed gear with a codend mesh size less than [...] 32mm [...] shall be prohibited within the geographical area bounded by the east coast of England and Scotland, and enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

- the east coast of England at latitude 55°30' N
- 55° 30' N, 01° 00' W
- 58° 00' N, 01° 00' W
- 58° 00' N, 02° 00' W
- the east coast of Scotland at longitude 02°00' W.

1.2 Fisheries for scientific investigation shall be allowed in order to monitor the sandeel stock in the area and the effects of the closure.

2. Closure of an area to protect juvenile plaice in ICES subarea IV

2.1 Vessels exceeding 8 metres length overall shall be prohibited from using any demersal trawl, *beam trawl*, Danish seine or similar towed gear within the geographical areas enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84:

- (c) the area within 12 nautical miles of the coasts of France, north of latitude 51°00' N, Belgium, and the Netherlands up to latitude 53°00' N, measured from the baselines;
- (d) the area bounded by a line joining the following coordinates:
- (e) a point on the west coast of Denmark at latitude 57°00'N,
 - 57°00' N, 7°15' E
 - 55°00' N, 7°15' E
 - 55°00' N, 7°00' E
 - 54°30'N, 7°00' E
 - 54°30' N, 7°30' E
 - 54°00' N, 7°30' E
 - 54°00' N, 6°00' E
 - 53°50' N, 6°00' E
 - 53°50' N, 5°00' E
 - 53°30' N, 5°00' E
 - 53°30' N, 4°15' E
 - 53°00' N, 4°15' E
 - a point on the coast of the Netherlands at latitude 53°00'N
 - the area within 12 nautical miles of the west coast of Denmark from 57°00'N as far north as the Hirtshals Lighthouse, measured from the baselines.

2.2 The following vessels are permitted to fish in the area referred to in point 2.1:

a) - vessels whose engine power does not exceed 221kW using [...] **bottom** trawls or Danish seines;

- paired vessels whose combined engine power does not exceed 221kW at any time using [...] **bottom** pair trawls;

b) vessels whose engine power exceeds 221kW shall be permitted to use [...] **bottom** trawls or Danish seine, and paired vessels whose combined engine power exceeds 221kW shall be permitted to use [...] **bottom** pair trawls provided that such vessels do not engage in directed fishing for plaice and sole and respect the relevant mesh size rules contained in Part B of this Annex.

2.3 *When vessels referred to in point 2.2 a) use beam trawls, the beam length, or of any aggregated trawls measured as the sum of the length of each beam, shall not be greater than or shall not be able to be extended to a length of greater than nine metres except when operating with gear having a mesh size between 16 and 31 millimetres. Fishing vessels whose primary activity is fishing for common shrimp shall be permitted to use beam trawls of which the aggregate beam length, measured as the sum of the length of each beam, is greater than nine metres when operating with gear having a mesh size between 80 and 99mm provided an additional fishing authorisation has been issued to these vessels.*

2.4 *Vessels permitted to fish in the area referred to in point 2.1 shall be included in a list to be provided to the Commission by each Member State. The total engine power of the vessels referred to in point 2.2(a) within the list shall not exceed the total engine power in evidence for each Member State at 1 January 1998. The permitted fishing vessels shall hold a fishing authorisation in accordance with Article 7 of Regulation (EC) no. 1224/2009.*

3. Restrictions on the use of beam trawls within 12 miles of the coast of the United Kingdom

3.1 Vessels shall be prohibited from using any beam trawl inside the areas within 12 miles of the coasts of the United Kingdom, measured from the baselines of the territorial waters.

3.2 By way of derogation from point 3.1, fishing with beam trawls within the specified area shall be permitted provided that:

- The engine power of the vessels does not exceed 221Kw and overall length does not exceed 24 metres; and
- The beam length or aggregated beam length, measured as the sum of each beam is no more than 9 metres, or cannot be extended to a length greater than 9 metres, except when directed fishing for *Crangon crangon* with a minimum mesh size of less than 31 mm.

4. Restrictions on fishing for sprat to protect herring in ICES division IVb

Fishing with any towed gears with a codend mesh size of less than [...] 32 mm or static nets less than [...] 30 mm mesh size shall be prohibited within the geographical areas enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 and during the following periods mentioned:

- from 1 January to 31 March, and from 1 October to 31 December, within ICES statistical area 39E8. For the purpose of this Regulation, that ICES area shall be the area bounded by a line due east from the United Kingdom east coast along latitude 55°00' N to a point at longitude 1°00' W, from there due north to a point at latitude 55°30' N and from there due west to the United Kingdom coast;
- from 1 January to 31 March, and from 1 October to 31 December, within the inner waters of the Moray Firth west of longitude 3°30' W, and in the inner waters of the Firth of Forth west of longitude 3° 00' W,

- from 1 July to 31 October, within the geographical area bounded by the following coordinates:
 - the west coast of Denmark at latitude 55°30' N
 - latitude 55°30' N, longitude 7°00' E
 - latitude 57°00' N, longitude 7°00' E
 - the west coast of Denmark at latitude 57°00' N

5. Specific provisions for the Skagerrak and Kattegat in ICES division IIIa

5.1 It shall be prohibited to fish with beam trawls in the Kattegat.

5.2 It shall be prohibited for Union vessels to fish for, [...] retain on board, [...] tranship, [...] land, store, sell and display or offer for sale salmon and sea trout. [...]

5.3 It shall be prohibited to deploy towed gears with a codend mesh size of less than 32mm from 1 July to 15 September in the waters situated within three nautical miles of the baselines in the Skagerrak and Kattegat unless carrying out directed fishing for *Pandalus borealis*. [...] For [...] directed fishing for eelpout (*Zoarces viviparous*), gobies (*Gobiidae*) or scorpion fish (*Cottus spp.*) for use as bait, *nets with any mesh size may be used*.

6. Use of static nets in ICES divisions *IIIa and IVa*

6.1 *In accordance with Article 10(6), first indent of this Regulation and by derogation from Part B Point 2 of this Annex, it* shall be permitted to use the following gears in waters with a charted depth of less than 600 metres:

- Bottom set gillnets used for directed fishing for hake of a mesh size of at least 100mm and no more than 100 meshes deep, where the total length of all nets deployed does not exceed 25km per vessel and the maximum soak time is 24 hours;
- Entangling nets used for directed fishing for anglerfish of a mesh size of at least 250mm and no more than 15 meshes deep, where the total length of all nets deployed does not exceed 100km and the maximum soak time is 72 hours.

6.2 Directed fishing for deepwater sharks as listed in Annex I of Regulation (EC) No [...]2016/2336 in charted depths of less than 600 metres shall be prohibited. When accidentally caught, deepwater sharks *classified as prohibited in this and other Union legislation* shall [...] *be recorded, unharmed to the extent possible, and shall be promptly released. Deep water shark subject to catch limits shall be retained on board.* Such catches shall be landed and counted against quotas. *In situations where quota is not or not sufficiently available to the Member State concerned, the Commission may resort to the provisions laid down in Article 105(5) of Council Regulation (EC) No. 1224/2009.* Where accidental catches of deepwater sharks by the vessels of any Member State exceed 10 tonne then those vessels may no longer avail of the derogations set out in point 6.1.

[...]

Part E

[...]The use of electric pulse trawls in ICES divisions IVb and IVc

[...]

1. Fishing with electric pulse trawl shall be prohibited in all Union waters as of 1st July 2021.

2. During the transitional period ending 30 June 2021, fishing with electric pulse trawl in ICES divisions IVb and IVc shall continue to be allowed under the conditions set out in this Part and any conditions defined in accordance with second indent of Article 27(1) of this Regulation, regarding the characteristics of the pulse used and control monitoring measures in place south of a rhumb line joined by the following points, which shall be measured according to the WGS84 coordinate system:

- a point on east coast of the United Kingdom at latitude 55°N*
- east to latitude 55°N, longitude 5°E*
- north to latitude 56°N*
- east to a point on the west coast of Denmark at latitude 56°N*

The following conditions shall apply:

- (a) no more than 5% of the beam trawler fleet per Member State use the electric pulse trawl;*
- (b) the maximum electrical power in kW for each beam trawl is no more the length in metres of the beam multiplied by 1,25;*
- (c) the effective voltage between the electrodes is no more that 15 V;*
- (d) the vessel equipped with an automatic computer management system which records the maximum power used per beam and the effective voltage between electrodes for at least the last 100 tows. It is not possible for non-authorized personnel to modify this automatic computer management system;*
- (e) it is prohibited to use one or more tickler chains in front of the footrope.*

3. New licenses shall not be granted to any vessel during this period.

4. Until 30 June 2021 in the waters up to 12 nautical miles from baselines under their sovereignty or jurisdiction, Member States may take non discriminatory measures to restrict or prohibit the use of electric pulse trawl. Member States shall inform the Commission and the Members States concerned of the measures put in place under this paragraph.

5. If requested by the coastal Member State to the flag Member State, the master of a vessel using electric pulse trawl shall, in line with Article 12 of Regulation (EU) 2017/1004 , take on board an observer from the coastal Member State during the fishing operations.

ANNEX VI

North Western Waters

Part A

Minimum conservation reference sizes

Species	Whole area
Cod (<i>Gadus morhua</i>)	35 cm
Haddock (<i>Melanogrammus aeglefinus</i>)	30 cm
Saithe (<i>Pollachius virens</i>)	35 cm
Pollack (<i>Pollachius pollachius</i>)	30 cm
Hake (<i>Merluccius merluccius</i>)	27 cm
Megrim (<i>Lepidorhombus</i> spp.)	20 cm
Sole (<i>Solea</i> spp.)	24 cm
Plaice (<i>Pleuronectes platessa</i>)	27 cm
Whiting (<i>Merlangius merlangus</i>)	27 cm
Ling (<i>Molva molva</i>)	63 cm
Blue ling (<i>Molva dipterygia</i>)	70 cm
Norway lobster (<i>Nephrops norvegicus</i>)	Total length 85 mm,
Norway Lobster tails	Carapace length 25 mm ¹
	46 mm ²

Mackerel (<i>Scomber</i> spp.)	20 cm ^x
Herring (<i>Clupea harengus</i>)	20 cm ^x
Horse mackerel (<i>Trachurus</i> spp.)	15 cm ^{l...l} ^x
Anchovy (<i>Engraulis encrasicolus</i>)	12 cm or 90 individuals per kilo ^x
Bass (<i>Dicentrarchus labrax</i>)	42 cm
Sardine (<i>Sardina pilchardus</i>)	11 cm ^x
Red sea-bream (<i>Pagellus bogaraveo</i>)	33 cm
Lobster (<i>Hommarus gammarus</i>)	87 mm
Spinous spider crab (<i>Maia squinado</i>)	120 mm
Queen scallop (<i>Chlamys</i> spp.)	40 mm
Grooved carpetshell (<i>Ruditapes decussatus</i>)	40 mm
Carpetshell (<i>Venerupis pullastra</i>)	38 mm
Short-necked clam (<i>Venerupis philippinarum</i>)	35 mm
Clam (<i>Venus verrucosa</i>)	40 mm
Hard clam (<i>Callista chione</i>)	6 cm
Razor clam (<i>Ensis</i> spp.)	10 cm
Surf clams (<i>Spisula solida</i>)	25 mm
Donax clams (<i>Donax</i> spp.)	25 mm
Bean solen (<i>Pharus legumen</i>)	65 mm

Whelk (<i>Buccinum undatum</i> .)	45 mm
Octopus (<i>Octopus vulgaris</i>)	750 grammes
Crawfish (<i>Palinurus</i> spp.)	95 mm
Deepwater rose shrimp (<i>Parapenaeus longirostris</i>)	22mm (carapace length)
Edible crab (<i>Cancer pagurus</i>)	140 mm ^{1...14}
Scallop (<i>Pecten maximus</i>)	100 mm ⁵

¹ In ICES divisions VIa and VIIa a minimum conservation reference size of total length of 70 mm and a carapace length of 20 mm shall apply.

² In ICES divisions VIa and VIIa a minimum conservation reference size of 37 mm shall apply.

³ In Union waters in ICES sub-areas, V, VI south of 56° N and VII, except ICES divisions VIId, e, f, a minimum conservation reference size of 130 mm shall apply.

⁴ For edible crabs caught in pots or creels, a maximum of 1% by weight of the total catch of edible crab may consist of detached claws. For edible crabs caught with any other fishing gear, a maximum of 75kg of detached crab claws may be landed.

⁵ In ICES division VIIa north of 52° 30' N, and ICES division VIIId, a minimum conservation reference size of 110 mm shall apply.

^x *By way of derogation from Article 15 of Regulation (EU) No 1380/2013, the minimum conservation reference sizes of sardine, anchovy, herring, horse mackerel and mackerel shall not apply within a limit of 10 % by live weight of the total catches retained on board of each of those species.*

The percentage of undersized sardine, anchovy, herring, horse mackerel or mackerel shall be calculated as the proportion by live weight of all marine organisms on board after sorting or on landing.

The percentage may be calculated on the basis of one or more representative samples. The limit of 10 % shall not be exceeded during trans- shipment, landing, transportation, storage, display or sale.

Part B

Mesh sizes

1. Baseline mesh sizes for towed gears

1.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 120mm¹, or at least 100 mm in ICES sub-area VIIb-k.

1.2. Without prejudice to the landing obligation, and notwithstanding paragraph 1.1, vessels may use smaller mesh sizes as listed in the following table for the North Western waters provided that:

(i) the associated conditions set out in that table are respected, and by-catches of cod, haddock and saithe do not exceed 20% of the total catch in live weight of all marine biological resources landed after each fishing trip; or

(ii) other selectivity modifications are used which are assessed by STECF upon request of one or more Member States and approved by the Commission. Those selectivity modifications shall which result in the same or better selectivity characteristics for cod, haddock and saithe as that of 120mm, or 100 mm in ICES sub-area VIIb-k respectively.

<i>Mesh Size</i>	<i>Geographical Areas</i>	<i>Conditions</i>
<i>At least 80mm^x</i>	<i>ICES sub-area VII</i>	<p><i>Directed fishing for hake, megrim and anglerfish or whiting, mackerel and species not subject to catch limits and which are not covered elsewhere in the table. A square mesh panel of 120mm shall be fitted^{xxx, xxxxx}.</i></p> <p><i>Directed fishing for sole using otter trawls or species not covered by catch-limits. A square mesh panel of at least 80mm shall be fitted^{xxx}.</i></p>
<i>At least 80mm</i>	<i>Whole area</i>	<i>Directed fishing for Nephrops norvegicus^{xx}. A square mesh panel of at least 120mm or sorting grid with a maximum bar spacing of 35mm or equivalent selectivity device shall be fitted.</i>
<i>At least 80mm</i>	<i>ICES divisions VIIa, b, d, e, f, g, h and j</i>	<i>Directed fishing for sole with beam trawls. A panel with a minimum mesh size of at least 180mm^{xxxx} fitted in the upper half of the anterior part of the net shall be fitted.</i>

<i>At least 80mm</i>	<i>ICES divisions VIIId and VIIe</i>	<i>Directed fishing of whiting, mackerel and species not subject to catch limits and which are not covered elsewhere in the table.</i>
<i>At least 40mm</i>	<i>Whole area</i>	<i>Directed fishing for squid (Lolignidae, Ommastrephidae)</i>
<i>At least 16mm</i>	<i>Whole area</i>	<i>Directed fishing for small pelagic species which are not covered elsewhere in the table.</i> <i>Directed fishing for common and Aesop shrimps. A separator trawl or sorting grid must be fitted in accordance with nationally established rules</i>
<i>Less than 16mm</i>	<i>Whole area</i>	<i>Directed fishing for sandeels</i>

¹ *To be phased-in over a 2-year period from the date of adoption.*

^x *This is without prejudice to Article 5 of Commission Regulation (EC) No 494/2002.*

^{xx} *At least 70mm mesh size shall apply for single rig vessels in ICES division VIIa.*

^{xxx} *This is without prejudice to Article 2 (5) of Implementing Regulation (EC) 737/2012.*

^{xxxx} *This provision shall not apply to ICES division VIIId.*

^{xxxxx} *This provision shall not apply when directed fishing for whiting, mackerel and species not subject to catch limits in ICES divisions VIIId and VIIe.*

2. Baseline mesh sizes for static nets and driftnets

2.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 120mm^x.

2.2. Without prejudice to the landing obligation, and notwithstanding paragraph 2.1, vessels may use smaller mesh sizes as listed in the following table for the North Western waters provided that the associated conditions set out in that table are respected, and by-catches of cod, haddock and saithe do not exceed 20% of the total catch in live weight of all marine biological resources landed after each fishing trip.

Mesh Size	Geographical Areas	Conditions
At least 100mm¹	Whole area	Directed fishing for flatfish or species not subject to catch limits and which are not covered elsewhere in the table Directed fishing for whiting, dab and bass
At least 50mm	Whole area	Directed fishing for small pelagic species which are not covered elsewhere in the table Directed fishing for red mullet

¹ In division VIIId, at least 90mm shall apply.

^x A mesh size of at least 220mm shall be used when fishing for anglerfish. A mesh size of at least 110mm shall be used when directed fishing for pollack and hake in ICES divisions VIIId and VIIe.

3. For fisheries covered by [reference to the specific articles of the forthcoming DA XX], the provisions in that delegated act shall prevail over those set out in Part B of this Annex.

Part C

Closed or restricted areas

1. Closed area for the conservation of cod in ICES division VIa

From 1 January to 31 March, and from 1 October to 31 December each year, it shall be prohibited to conduct any fishing activity using any towed gears or static nets in the area enclosed by sequentially joining with rhumb lines the following co-ordinates, measured according to the WGS84 coordinate system:

- 55°25' N, 7°07' W
- 55°25' N, 7°00' W
- 55°18' N, 6°50' W
- 55°17' N, 6°50' W
- 55°17' N, 6°52' W
- 55°25' N, 7°07' W

2. Closed area for the conservation of cod in ICES divisions VII f and g

2.1 From 1 February until 31 March, it shall be prohibited to conduct any fishing activity in the following ICES statistical rectangles: 30E4, 31E4, 32E3. This prohibition shall not apply within 6 nautical miles from the baseline.

2.2 It shall be permitted to conduct fishing activities using pots and creels within the specified areas and time periods, provided that:

(i) no fishing gear other than pots and creels are carried on board, and

(ii) bycatches of a species subject to the landing obligation shall be landed and counted against quotas.

2.3 Directed fishing for small pelagic species with towed gears with a mesh size less than [...] 55 mm shall be permitted, provided that:

(i) no net of mesh size greater than or equal to [...] 55 mm is carried on board, and

(ii) bycatches of a species subject to the landing obligation shall be landed and counted against quotas.

3. Closed area for the conservation of cod in ICES division VIIa

3.1 In the period from 14 February to 30 April it shall be prohibited to use any demersal trawl, seine or similar towed net, any gillnet, entangling net or trammel net or any fishing gear incorporating hooks within that part of ICES division VIIa enclosed by the east coast of Ireland and the east coast of Northern Ireland and straight lines sequentially joining the following geographical coordinates, measured according to the WGS84 coordinate system

- a point on the east coast of the Ards peninsula in Northern Ireland at 54°30'N
- 54°30' N, 04°50' W
- [...] 53°15' N, 04°50' W
- a point on the east coast of Ireland at 53° 15' N

3.2 By way of derogation from point 1, within the area and time period referred to therein the use of demersal trawls shall be permitted provided such trawls are fitted with selective devices that have been assessed by the Scientific, Technical and Economic Committee for Fisheries (STECF). [...]

4. Rockall haddock box in ICES sub-area VI

All fishing, except with longlines, shall be prohibited in the areas enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

- 57°00' N, 15°00' W
- 57°00' N, 14°00' W
- 56°30' N, 14°00' W
- 56°30' N, 15°00' W
- 57°00' N, 15°00' W

5. Closed area for the conservation of Norway lobster in ICES divisions VIIc and VIIk

5.1 Directed fishing for Norway lobster (*Nephrops norvegicus*) and associated species (i.e. cod, megrims, anglerfish, haddock, whiting, hake, plaice, pollack, saithe, skates and rays, common sole, tusk, blue ling, ling and spurdog) shall be prohibited from 1 May to 31 May annually within the geographical area enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 coordinate system:

- 52°27' N, 12°19' W
- 52°40' N, 12°30' W
- 52°47' N, 12°39,60[...] W
- 52°47' N, 12°56' W
- 52°13,5' N, 13°53,83[...] W
- 51°22' N, 14°24' W
- 51°22' N, 14°03' W
- 52°10' N, 13°25' W
- 52°32' N, 13°07,50[...] W
- 52°43' N, 12°55' W
- 52°43' N, 12°43' W
- [...]
- 52°38,80[...] N, 12°37' W
- 52°27' N, 12°23' W
- 52°27' N, 12°19' W

5.2 Transit through the Porcupine Bank while carrying on board the species referred to in point 5.1 shall be permitted in accordance with Article 50(3), (4) and (5) of Regulation (EC) No 1224/2009.

6. Special rules for the protection of blue ling in ICES division VIa

6.1 From 1 March to 31 May each year directed fishing for blue ling shall be prohibited in the areas of ICES division VIa enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

Edge of Scottish continental shelf

- 59°58' N, 07°00' W
- 59°55' N, 06°47' W
- 59°51' N, 06°28' W
- 59°45' N, 06°38' W
- 59°27' N, 06°42' W
- 59°22' N, 06°47' W
- 59°15' N, 07°15' W
- 59°07' N, 07°31' W
- 58°52' N, 07°44' W
- 58°44' N, 08°11' W
- 58°43' N, 08°27' W

- 58°28' N, 09°16' W
- 58°15' N, 09°32' W
- 58°15' N, 09°45' W
- 58°30' N, 09°45' W
- 59°30' N, 07°00' W
- 59°58' N, 07°00' W

Edge of Rosemary bank

- 60°00' N, 11°00' W
- 59°00' N, 11°00' W
- 59°00' N, 09°00' W
- 59°30' N, 09°00' W
- 59°30' N, 10°00' W
- 60°00' N, 10°00' W
- 60°00' N, 11°00' W

Not including the area enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

- 59°15' N, 10°24' W
- 59°10' N, 10°22' W
- 59°08' N, 10°07' W
- 59°11' N, 09°59' W
- 59°15' N, 09°58' W
- 59°22' N, 10°02' W
- 59°23' N, 10°11' W
- 59°20' N, 10°19' W
- 59°15' N, 10°24' W

6.2 A bycatch of blue ling up to a threshold of 6 tonnes may be retained on board and landed.

Once a vessel reaches this 6 tonne threshold of blue ling:

- (c) it shall immediately cease fishing and exit the area in which it is present;
- (d) it may not re-enter either of the areas until its catch has been landed;
- (e) it may not return to the sea any quantity of blue ling.

6.3 From 15 February to 15 April each year, it shall be prohibited to use bottom trawls, longlines and static nets within an area enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

- 60°58.76' N, 27°27.32' W
- 60°56.02' N, 27°31.16' W
- 60°59.76' N, 27°43.48' W
- 61°03.00' N, 27°39.41' W
- 60°58.76' N, 27°27.32' W

7. Restrictions on fishing for mackerel in ICES divisions VII e,f,g,h

7.1 Directed fishing for mackerel with towed gears with a codend mesh size of less than 80mm or with purse seines [...] shall be prohibited, *except where the weight of the mackerel does not exceed 15 % by live weight of the total quantities of mackerel and other marine organisms on board which have been caught*, within the area enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

- a point on the south coast of the United Kingdom at 02°00' W
- 49° 30' N, 2° 00' W
- 49° 30' N, 7° 00' W
- 52° 00' N, 7° 00' W
- a point on the west coast of the United Kingdom at 52° 00' N.

7.2 It shall be permitted to fish within the area defined in point 1 with:

- static nets and/or hand lines;
- demersal trawls, Danish seines or other similar towed nets, with a mesh size greater than 80mm;

7.3 Vessels which are not equipped for fishing and to which mackerel are being transhipped shall be permitted within the area defined in point 7.1.

8. Restrictions on the use of beam trawls within 12 miles of the coast of the United Kingdom and Ireland

8.1 The use of any beam trawl of mesh size less than 100mm shall be prohibited in ICES sub-area Vb and ICES sub-area VI north of latitude 56°N.

8.2. Vessels shall be prohibited from using any beam trawl inside the areas within 12 miles of the coasts of the United Kingdom and Ireland, measured from the baselines from which the territorial waters are measured.

8.3. Fishing with beam trawls within the specified area shall be permitted provided:

- The engine power of the vessels does not exceed 221Kw and whose length does not exceed 24 metres; and the
- The beam length or aggregated beam length, measured as the sum of each beam is no more than 9 metres, or cannot be extended to a length greater than 9 metres, except when directed fishing for *Crangon crangon* with a codend mesh size of less than 31 millimetres.

9. Use of static nets in ICES divisions Vb, VIa, VIb, VII b,c,h, j,k

9.1. *In accordance with Article 10, paragraph 6, first indent of this Regulation and by derogation from Part B, Point 2 of this Annex*, it shall be permitted to use the following gears in waters with a charted depth of less than 600 metres:

- Bottom set gillnets used for directed fishing for hake with a mesh size of at least [...] **100** mm and no more than 100 meshes deep, where the total length of all nets deployed does not exceed 25km per vessel and the maximum soak time is 24 hours.
- Entangling nets used for directed fishing for anglerfish with a mesh size of at least 250mm and no more than 15 meshes deep, where the total length of all nets deployed does not exceed 100km and the maximum soak time is 72 hours.

9.2. Directed fishing for deepwater sharks as listed in Annex I of Regulation (EC) No [...] **2016/2336** in charted depths of less than 600 metres shall be prohibited. When accidentally caught, deepwater sharks *classified as prohibited in this and other Union legislation* shall, *be recorded, unharmed to the extent possible, and shall be promptly released [...]. Deep water shark subject to catch limits shall be retained on board.* Such catches shall be landed and counted against quotas. *In situations where quota is not or not sufficiently available to the Member State concerned, the Commission may resort to the provisions laid down in Article 105(5) of Council Regulation (EC) No 1224/2009.* Where accidental catches of deepwater sharks by the vessels of any Member State exceed 10 tonnes then those vessels may no longer avail of the derogations set out in point 9.1.

[...]

ANNEX VII

South Western Waters

Part A

Minimum conservation reference sizes

Species	Whole area
Cod (<i>Gadus morhua</i>)	35 cm
Haddock (<i>Melanogrammus aeglefinus</i>)	30 cm
Saithe (<i>Pollachius virens</i>)	35 cm
Pollack (<i>Pollachius pollachius</i>)	30 cm
Hake (<i>Merluccius merluccius</i>)	27 cm
Megrim (<i>Lepidorhombus</i> spp.)	20 cm
Sole (<i>Solea</i> spp.)	24 cm
Plaice (<i>Pleuronectes platessa</i>)	27 cm
Whiting (<i>Merlangius merlangus</i>)	27 cm
Ling (<i>Molva molva</i>)	63 cm
Blue ling (<i>Molva dipterygia</i>)	70 cm

Norway lobster (<i>Nephrops norvegicus</i>)	Total length 70 mm, Carapace length 20 mm
Norway Lobster tails	37 mm
Mackerel (<i>Scomber</i> spp.)	20 cm ^x
Herring (<i>Clupea harengus</i>)	20 cm ^x
Horse mackerel (<i>Trachurus</i> spp.)	15 cm ^{1.x,xx}
Anchovy (<i>Engraulis encrasicolus</i>)	12 cm or 90 individuals per kilo ^{2x}
Bass (<i>Dicentrarchus labrax</i>)	36 [...] cm
Sardine (<i>Sardina pilchardus</i>)	11 cm ^x
Red sea-bream (<i>Pagellus bogaraveo</i>)	33 cm
Lobster (<i>Hommarus gammarus</i>)	87 mm
Spinous spider crab (<i>Maia squinado</i>)	120 mm
Queen scallop (<i>Chlamys</i> spp.)	40 mm
Grooved carpetshell (<i>Ruditapes decussatus</i>)	40 mm
Carpetshell (<i>Venerupis pullastra</i>)	38 mm
Short-necked clam (<i>Venerupis philippinarum</i>)	35 mm

Clam (<i>Venus verrucosa</i>)	40 mm
Hard clam (<i>Callista chione</i>)	6 cm
Razor clam (<i>Ensis</i> spp.)	10 cm
Surf clams (<i>Spisula solida</i>)	25 mm
Donax clams (<i>Donax</i> spp.)	25 mm
Bean solen (<i>Pharus legumen</i>)	65 mm
Whelk (<i>Buccinum undatum.</i>)	45 mm
Octopus (<i>Octopus vulgaris</i>)	750 grammes ³
Crawfish (<i>Palinurus</i> spp.)	95 mm
Deepwater rose shrimp (<i>Parapenaeus longirostris</i>)	22mm (carapace length)
Edible crab (<i>Cancer pagurus</i>)	140 mm [...] ^{4,5}
Scallop (<i>Pecten maximus</i>)	100 mm

¹ No minimum conservation reference size shall apply to horse mackerel (*Trachurus pictaratus*) caught in waters adjacent to the Azores islands and under the sovereignty or jurisdiction of Portugal.

² In ICES IX and CECAF area 34.1.2 a minimum conservation reference size of 9 cm shall apply.

³ In all waters in that part of the eastern central Atlantic comprising divisions 34.1.1, 34.1.2 and 34.1.3 and sub-area 34.2.0 of fishing zone 34 of the CECAF region a gutted weight of 450 grammes shall apply.

⁴ In Union waters in ICES sub-areas VIII and IX a minimum conservation reference size of 130 mm shall apply.

⁵ For edible crabs caught in pots or creels, a maximum of 1% by weight of the total catch of edible crab may consist of detached claws. For edible crabs caught with any other fishing gear, a maximum of 75kg of detached crab claws may be landed.

^x By way of derogation from Article 15 of Regulation (EU) No 1380/2013, the minimum conservation reference sizes of sardine, anchovy, herring, horse mackerel and mackerel shall not apply within a limit of 10 % by live weight of the total catches retained on board of each of those species.

The percentage of undersized sardine, anchovy, herring, horse mackerel or mackerel shall be calculated as the proportion by live weight of all marine organisms on board after sorting or on landing.

The percentage may be calculated on the basis of one or more representative samples. The limit of 10 % shall not be exceeded during trans- shipment, landing, transportation, storage, display or sale.

^{xx} No more than 5 % may consist of horse mackerel between 12 and 15 cm. For the purposes of the control of that quantity, the conversion factor to be applied to the weight of the catches shall be 1,20. These provisions shall not apply for catches subject to the landing obligation.

Part B

Mesh sizes

1. Baseline mesh sizes for towed gears

[...]

1.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 70 mm^{x, xx}, or at least 55 mm in ICES division IXa east of longitude 7°23'48"W.

1.2. Without prejudice to the landing obligation and notwithstanding paragraph 2.1, vessels may use smaller mesh sizes as listed in the following table for South Western waters provided that:

- (i) the associated conditions set out in that table are respected, and by-catches of hake do not exceed 20% of the total catch in live weight of all marine biological resources landed after each fishing trip; or*
- (ii) other selectivity modifications are used which are assessed by STECF upon request of one or more Member States and approved by the Commission. Those selectivity modifications shall result in the same or better selectivity characteristics for hake as that of 70 mm, or 55mm in ICES division IXa east of longitude 7°23'48"W respectively.*

<i>Mesh Size</i>	<i>Geographical Areas</i>	<i>Conditions</i>
<i>At least 55mm</i>	<i>Whole area excluding ICES division IXa east of longitude 7°23'48"W</i>	<i>Directed fishing for species not subject to catch limits and which are not covered elsewhere in the table</i> <i>Directed fishing for red sea bream</i> <i>Directed fishing for mackerel, horse mackerel and blue whiting</i>
<i>At least 35mm</i>	<i>Whole area</i>	<i>Directed fishing for wedge sole</i>
<i>At least 55mm</i>	<i>ICES division IXa west of longitude 7°23'48"W</i>	<i>Directed fishing for crustaceans</i>
<i>At least 16mm</i>	<i>Whole area</i>	<i>Directed fishing for small pelagic species which are not covered elsewhere in the table</i> <i>Directed fishing for shrimps (<i>Palaemon serratus</i>, <i>Crangron crangon</i>), and crab (<i>Polybius henslowi</i>)</i>
<i>Less than 16mm</i>	<i>Whole area</i>	<i>Directed fishing for sandeels</i>

^x *This provision is without prejudice to Article 2 of Commission Regulation (EC) No 494/2002.*

^{xx} *For directed fishing for *Nephrops norvegicus*, a square mesh panel of at least 100mm or equivalent selectivity device shall be fitted when fishing in ICES divisions VIII a, b, d and e. For directed fishing for sole with beam trawls, a panel with a minimum mesh size of at least 180mm fitted in the upper half of the anterior part of the net shall be fitted.*

2. Baseline mesh sizes for static nets and drifnets

[...]

2.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 100mm^x, or at least 80mm in ICES divisions VIIIc and IX.

2.2. Without prejudice to the landing obligation, and notwithstanding paragraph 2.1, vessels may use smaller mesh sizes as listed in the following table for the South Western waters provided that the associated conditions set out in that table are respected, and by-catches of hake do not exceed 20% of the total catch in live weight of all marine biological resources landed after each fishing trip.

Mesh Size	Geographical Areas	Conditions
At least 80mm	Whole area except VIIIc and IX	Directed fishing for sea bass, whiting, turbot, flounder and pollack
At least 60mm	Whole area	Directed fishing for species not subject to catch limits and which are not covered elsewhere in the table
At least 50mm	Whole area	Directed fishing for small pelagic species^{xx} which are not covered elsewhere in the table
At least 40mm	Whole area	Directed fishing for red mullet, shrimps (<i>Penaeus spp</i>), mantis shrimp, wedge sole and wrasse

^x For directed fishing for anglerfish a mesh size of at least 220mm shall be used.

^{xx} A mesh size of less than 40mm may be used for sardines.

Part C

Closed or restricted areas

1. Closed area for the conservation of hake in ICES division IXa

Fishing with any trawl, Danish seine or similar towed net shall be prohibited within the geographical areas enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

- (a) from 1 October to 31 January in the following year, within the geographical area bounded by straight lines sequentially joining the following coordinates:
 - 43°46,5'N, 07°54,4'W
 - 44°01,5'N, 07°54,4'W
 - 43°25,0'N, 09°12,0'W
 - 43°10,0'N, 09°12,0'W
- (b) from 1 December to the last day of February in the following year, within the geographical area bounded by straight lines sequentially joining the following coordinates:
 - a point on the west coast of Portugal at 37°50'N
 - 37°50'N, 09°08'W
 - 37°00'N, 9°07'W
 - a point on the west coast of Portugal at 37°00'N

2. Closed areas for the conservation of Norway lobster in ICES division IXa

2.1. Directed fishing for Norway lobster (*Nephrops norvegicus*) with any bottom trawl, Danish seine or similar towed net or with creels shall be prohibited, within the geographical areas enclosed by sequentially joining with rhumb lines the following coordinates, measured according to the WGS84 system:

(c) from 1 June to 31 August:

- 42°23' N, 08°57' W
- 42°00' N, 08°57' W
- 42°00' N, 09°14' W
- 42°04' N, 09°14' W
- 42°09' N, 09°09' W
- 42°12' N, 09°09' W
- 42°23' N, 09°15' W
- 42°23' N, 08°57' W

(d) from 1 May to 31 August:

- 37°45' N, 09°00' W
- 38°10' N, 09°00' W
- 38°10' N, 09°15' W
- 37°45' N, 09°20' W

2.2. It shall be permitted to fish with bottom trawls or similar towed nets or creels in the geographical areas and during the period as described in point 2.1(b) provided that all bycatches of Norway lobster (*Nephrops norvegicus*) shall be landed and counted against quotas.

2.3. Directed fishing for Norway lobster (*Nephrops norvegicus*) in the geographical areas and outside the periods referred to in point 2.1, shall be prohibited. Bycatches of Norway lobster (*Nephrops norvegicus*) shall be landed and counted against quotas.

3. Restrictions on directed fishing for anchovy in ICES division VIIIc

3.1. Directed fishing for anchovy using pelagic trawls in ICES division VIIIc shall be prohibited.

3.2. The carrying on board of pelagic trawls and purse seines simultaneously within ICES division VIIIc shall be prohibited.

4. Use of static nets in ICES sub-areas VIII, IX, X, and XII east of 27°W

4.1. *In accordance with Article 10, paragraph 6, first indent of this Regulation and by derogation from Part B, Point 2 of this Annex, it shall be permitted to use the following gears in waters with a charted depth of less than 600 metres:*

- Bottom set gillnets used for directed fishing for hake of a mesh size of at least [...] **80mm in ICES division VIIIc and sub-area IX** and is [...] **100mm in all remaining areas** and no more than 100 meshes deep, where the total length of all nets deployed does not exceed 25km per vessel and the maximum soak time is 24 hours.
- Entangling nets used for directed fishing for anglerfish of a mesh size of at least 250mm and no more than 15 meshes deep, where the total length of all nets deployed does not exceed 100km and the maximum soak time is 72 hours.
- Trammel nets in ICES sub-area IX used for directed fishing for anglerfish of a mesh size of at least 220mm and no more than 30 meshes deep, where the total length of nets deployed does not exceed 20km per vessel and the maximum soak time is 72 hours.

4.2. Directed fishing for deepwater sharks as listed in Annex I of Regulation (EU) No **2016/2336** in charted depths of less than 600 metres shall be prohibited. When accidentally caught, deepwater sharks *classified as prohibited in this and other Union legislation* shall, *be recorded, unharmed to the extent possible, and shall be promptly released* [...]. *Deep water shark subject to catch limits shall be retained on board.* Such catches shall be landed and counted against quotas. *In situations where quota is not or not sufficiently available to the Member State concerned, the Commission may resort to the provisions laid down in Article 105(5) of Council Regulation (EC) No 1224/2009.* Where accidental catches of deepwater sharks by the vessels of any Member State exceed 10 tonne then those vessels may no longer avail of the derogations set out in point 4.1.

4.2a. Conditions for fisheries using certain towed gears authorised in the Bay of Biscay.

By way of derogation from the provisions laid down in Article 5(2) of Commission Regulation (EC) No. 494/2002 establishing additional technical measures for the recovery of the stock of hake in ICES sub-areas III, IV, V, VI and VII and ICES Divisions VIIIa, b d and e, it shall be permitted to conduct fishing activity using trawls, Danish seines and similar gears, with the exception of beam trawls, with a mesh size range of 70-99mm in the area defined in Article 5(1)(b) of Regulation (EC) 494/2002 if the gear is fitted with a 100mm square mesh panel.

[...]

ANNEX VIII

Baltic Sea

Part A

Minimum conservation reference sizes

Species	Geographical Areas	Minimum Conservation Reference Size
Cod (<i>Gadus morhua</i>)	Sub-divisions 22-32	35cm
Plaice (<i>Pleuronectes platessa</i>)	Subdivisions 22 to 32	25 cm
Salmon (<i>Salmo salar</i>)	Subdivisions 22 to 30 and 32	60 cm
	Subdivision 31	50 cm
Flounder (<i>Platichthys flesus</i>)	Subdivisions 22 to 25	23 cm
	Subdivisions 26 to 28	21 cm
	Subdivisions 29 to 32, south of 59°	18 cm
Turbot (<i>Psetta maxima</i>)	Subdivision 22 to 32	30 cm
Brill (<i>Scophthalmus rhombus</i>)	Subdivisions 22 to 32	30 cm
Eel (<i>Anguilla Anguilla</i>)	Subdivisions 22 to 32	35 cm
Sea trout (<i>Salmo trutta</i>)	Subdivisions 22 to 25 and 29 to 32	40 cm
	Subdivision 26 to 28	50 cm

Part B

Mesh sizes

1. Baseline mesh sizes for towed gears

[...]

- 1.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 120mm constructed from T90 or at least 105mm fitted with a BACOMA exit window of 120mm.*
- 1.2. Without prejudice to the landing obligation and notwithstanding paragraph 2.1, vessels may use smaller mesh sizes as listed in the following table for the Baltic Sea provided that:*
- (i) the associated conditions set out in that table are respected, and by-catches of cod do not exceed 10% of the total catch in live weight of all marine biological resources landed after each fishing trip; or*
 - (ii) other selectivity modifications are used which are assessed by STECF upon request of one or more Member States and approved by the Commission. Those selectivity modifications shall result in the same or better selectivity characteristics for cod as that of 120mm T90, or 105mm fitted with a 120mm BACOMA exit window respectively.*

<i>Mesh Size</i>	<i>Geographical Areas</i>	<i>Conditions</i>
<i>At least 90mm</i>	<i>In sub-divisions 22 and 23</i>	<i>Directed fishing for flatfish^{xx}</i> <i>Directed fishing for whiting</i>
<i>At least 32mm</i>	<i>In sub-divisions 22-27</i>	<i>Directed fishing for herring, mackerel, horse mackerel and blue whiting</i>
<i>At least 16mm</i>	<i>In sub-divisions 22-27</i>	<i>Directed fishing for sprat^x</i>
<i>At least 16mm</i>	<i>Whole area</i>	<i>Directed fishing for species other than flatfish and which are not subject to catch limits and not covered elsewhere in the table</i>
<i>At least 16mm</i>	<i>In sub-division 28-32</i>	<i>Directed fishing for small pelagic species which are not covered elsewhere in the table</i>
<i>Less than 16mm</i>	<i>Whole area</i>	<i>Directed fishing for sandeels</i>

^x *The catch may consist of up to 45% of herring by live weight*

^{xx} *The use of beam trawl shall not be authorised.*

2. Baseline mesh sizes for static nets

[...]

2.1 Without prejudice to the landing obligation, vessels shall use a mesh size of at least 110mm or 157 mm when fishing for salmon.

2.2 Without prejudice to the landing obligation and notwithstanding paragraph 2.1, vessels may use smaller mesh sizes as listed in the following table for the Baltic Sea provided that the associated conditions set out in that table are respected, and by-catches of cod do not exceed 10% of the total catch live weight of all marine biological resources landed after each fishing trip or 5 specimens of salmon.

<i>Mesh Size</i>	<i>Geographical Areas</i>	<i>Conditions^{1,2}</i>
<i>At least 90mm</i>	<i>Whole area</i>	<i>Directed fishing for flatfish species</i>
<i>Less than 90mm</i>	<i>Whole area</i>	<i>Directed fishing for small pelagic species</i>
<i>At least 16mm</i>	<i>Whole area</i>	<i>Directed fishing for species which are not subject to catch limits and not covered elsewhere in the table</i>

¹ *The use of gillnets, entangling nets or trammel nets of more than 9km by vessels with an overall length of less than 12 meters and 21km for vessels of overall length more than 12 meters shall be prohibited.*

² *The maximum immersion time for the gears referred to in point 1 is 48 hours except when fishing under ice cover.*

Part C

Closed or restricted areas

1. Restrictions on fishing with towed gears

It shall be prohibited throughout the year, to fish with any towed gear in the geographical area enclosed by sequentially joining with rhumb lines the following positions, measured according to the WGS84 coordinate system:

- 54°23' N, 14°35' E
- 54°21' N, 14°40' E
- 54°17' N, 14°33' E
- 54°07' N, 14°25' E
- 54°10' N, 14°21' E
- 54°14' N, 14°25' E
- 54°17' N, 14°17' E
- 54°24' N, 14°11' E
- 54°27' N, 14°25' E
- 54°23' N, 14°35' E

2. Restrictions on fishing for salmon and sea trout

2.1 Directed fishing for salmon (*Salmo salar*) or sea trout (*Salmo trutta*) shall be prohibited:

(e) from 1 June to 15 September in waters of subdivisions 22 to 31;

(f) from 15 June to 30 September in waters of subdivision 32.

2.2. The area of prohibition during the closed season shall be beyond four nautical miles measured from the baselines.

2.3. The retention on board of salmon (*Salmo salar*) or sea trout (*Salmo trutta*) caught with trap-nets shall be permitted.

3. Specific measures for the Gulf of Riga

3.1. In order to fish in subdivision 28-1, vessels shall hold a fishing authorisation issued in accordance with Article 7 of Regulation (EC) No 1224/2009.

3.2. Member States shall ensure that vessels, to which the fishing authorisations referred to in point 3.1 has been issued, are included in a list, containing their name and internal registration number, made publicly available via an Internet website, the address of which shall be provided to the Commission and Member States by each Member State.

3.3. Vessels included in the list shall satisfy the following conditions:

(g) the total engine power (kW) of the vessels within the lists must not exceed that observed for each Member State in the years 2000-2001 in subdivision 28-1; and

(h) the engine power of a vessel must not exceed 221 kilowatts (kW) at any time.

3.4. Any individual vessel on the list referred to in point 3.2 may be replaced by another vessel or vessels, provided that:

- (i) such replacement does not lead to an increase in the total engine power as indicated in point 3.3(a) for the Member State concerned; and
- (j) the engine power of any replacement vessel does not exceed 221 kW at any time.

3.5. An engine of any individual vessel included in the list referred to in point 3.2 may be replaced, provided that:

- (k) the replacement of an engine does not lead to the vessel's engine power exceeding 221 kW at any time; and
- (l) the power of the replacement engine is not such that replacement leads to an increase in the total engine power as indicated in point 3.3(a) for the Member State concerned.

3.6. In subdivision 28-1, fishing with trawls shall be prohibited in waters of less than 20 metres in depth.

[...]

5. Area restrictions on fishing

5.1. It shall be prohibited to conduct any fishing activity from 1 May to 31 October within the areas enclosed by sequentially joining with rhumb lines the following positions, measured according to the WGS84 coordinate system:

(a) Area 1:

- 55°45' N, 15°30' E
- 55°45' N, 16°30' E
- 55°00' N, 16°30' E
- 55°00' N, 16°00' E
- 55°15' N, 16°00' E
- 55°15' N, 15°30' E
- 55°45' N, 15°30' E

(b) Area 2:

- 55°00' N, 19°14' E
- 54°48' N, 19°20' E
- 54°45' N, 19°19' E
- 54°45' N, 18°55' E
- 55°00' N, 19°14' E

(c) Area 3:

- 56°13' N, 18°27' E
- 56°13' N, 19°31' E
- 55°59' N, 19°13' E
- 56°03' N, 19°06' E
- 56°00' N, 18°51' E
- 55°47' N, 18°57' E
- 55°30' N, 18°34' E
- 56°13' N, 18°27' E

5.2. Directed fishing for salmon with gillnets, entangling nets and trammel nets of a mesh size equal to or larger than 157 mm or with drifting lines shall be permitted. No other gear shall be kept on board.

5.3. Directed fishing for cod with the gears specified in point 5.2 shall be prohibited.

6. Restrictions on fishing for flounder and turbot

6.1. The retention on board of the following species of fish shall be prohibited where they are caught within the geographical areas and during the periods mentioned below:

Species	Geographical Areas	Period
Flounder	Subdivisions 26, 27, 28 and 29 south of 59° 30' N Subdivision 32	15 February to 15 May 15 February to 31 May
Turbot	Subdivisions 25, 26 and 28 south of 56° 50' N	1 June to 31 July

6.2. Directed fishing with trawls, Danish seines or similar gears with a codend mesh size equal to or greater than [...] 90mm or with gillnets, entangling nets or trammel nets with a mesh size equal to or greater than [...] 90mm shall be prohibited. By-catches of flounder and turbot may be retained on board and landed within a limit of 10 % by live weight of the total catch retained on board *during the periods referred to in paragraph 6.1.*

[...]

7. Restrictions on fishing for eel

The retention on board of eels caught with any active gear shall be prohibited. When accidentally caught, eels shall not be harmed and shall be promptly released.

ANNEX IX

Mediterranean Sea

Part A

Minimum conservation reference sizes

Species	Whole Area
Bass (<i>Dicentrarchus labrax</i>)	25 cm
Annular sea bream (<i>Diplodus annularis</i>)	12 cm
Sharpsnout sea-bream (<i>Diplodus puntazzo</i>)	18 cm
White sea-bream (<i>Diplodus sargus</i>)	23 cm
Two-banded sea-bream (<i>Diplodus vulgaris</i>)	18 cm
European anchovy (<i>Engraulis encrasicolus</i>)	9 cm ¹
Groupers (<i>Epinephelus</i> spp.)	45 cm
Stripped sea-bream (<i>Lithognathus mormyrus</i>)	20 cm
Hake (<i>Merluccius merluccius</i>)	20 cm

Red mullets (<i>Mullus</i> spp.)	11 cm
Spanish sea-bream (<i>Pagellus acarne</i> .)	17 cm
Red sea-bream (<i>Pagellus bogaraveo</i>)	33 cm
Common Pandora (<i>Pagellus erythrinus</i>)	15 cm
Common sea bream (<i>Pagrus pagrus</i>)	18 cm
Wreckfish (<i>Polyprion americanus</i> .)	45 cm
European sardine (<i>Sardina pilchardus</i>)	11 cm ^{2X}
Mackerel (<i>Scomber</i> spp.)	18 cm
Common sole (<i>Solea vulgaris</i>)	20 cm
Gilt-head sea-bream (<i>Sparus aurata</i> .)	20 cm
Horse mackerel (<i>Trachurus</i> spp.)	15 cm
Norway lobster (<i>Nephrops norvegicus</i>)	20 mm CL ³ 70 mm TL ³
Lobster (<i>Homarus gammarus</i>)	105 mm CL ³ 300 mm TL ³
Crawfish (<i>Palinuridae</i>)	90 mm CL ³

Deep water rose shrimp (<i>Parapenaeus longirostris</i>)	20 mm CL ³
Scallop (<i>Pecten jacobaeus</i>)	10 cm
Carpet Clams (<i>Venerupis spp.</i>)	25 mm
Venus shells (<i>Venus spp.</i>)	25 mm

¹ Member States may convert the minimum conservation reference size into 110 specimens per kg.

² Member States may convert the minimum conservation reference size into 55 specimens per kg.

³ CL – carapace length; TL – total length.

^x *This minimum conservation reference size shall not apply to fries of sardine landed for human consumption if caught by boat seines or shore seines and authorised in accordance with national provisions established in a management plan as referred to in Article 19 of Council Regulation 1967/2006, provided that the stock of sardine concerned is within safe biological limits.*

Part B

Mesh sizes

1. Baseline mesh sizes for towed gears

The following [...] mesh sizes shall apply in the Mediterranean.

[...] Mesh Size ¹	Geographical Areas	Conditions
At least 40mm square mesh codend ²	Whole area	A diamond mesh codend of 50mm ² may be used as an alternative to the 40 mm square mesh cod end at the duly justified request of the vessel owner
At least 20mm	Whole area	Directed fishing for sardine and anchovy
[...]		

¹ It shall be prohibited to use netting with a twine thickness greater than 3mm or with multiple twines; or netting with a twine thickness of greater than 6mm in any part of a bottom trawl.

² Only one type of net (either 40mm square mesh or 50mm diamond mesh) is allowed to be kept on board or deployed.

1a. Baseline mesh size for surrounding nets

<i>Mesh Size</i>	<i>Geographical Areas</i>	<i>Conditions</i>
<i>At least 14mm</i>	<i>Whole area</i>	<i>None</i>

2. Baseline mesh sizes for static nets

The following mesh sizes [...] *for bottom set gillnets* shall apply in the Mediterranean.

Mesh Size	Geographical Areas	Conditions
At least 16mm	Whole area	None

xx1. Existing derogations from the provisions set out in paragraphs 1, XX and 2 for boat seines and shore seines which are affected by a management plan as referred to in Article 19 of Council Regulation 1967/2006 and issued within the framework of its Article 9 shall continue to apply unless otherwise determined through Article 18 of this Regulation.

Part C

Restrictions on the use of fishing gears

1. Restrictions on the use of dredges

The maximum breadth of dredges shall be 3 metres, except for dredges used for directed fishing of sponges.

2. Restrictions on the use of purse seines

The length of purse seines and seines without purse lines shall be restricted to 800 metres with a drop of 120 metres, except in the case of purse seines used for directed fishing of tuna.

3. Restrictions on the use of static nets

3.1. It shall be prohibited to use the following static nets:

- (m) A trammel net with a drop of more than 4 metres
- (n) A bottom set gillnet or combined trammel and gillnet with a drop of more than 10 metres except when such nets are shorter than 500 metres, where a drop of not more than 30 metres is permitted.

3.2. It shall be prohibited to use any gillnet, entangling net or trammel net constructed with a twine thickness greater than 0,5mm.

3.3. It shall be prohibited to have on board or set more than 2,500 metres of combined gillnets and trammel nets and 6,000 metres of any gillnet, entangling net or trammel net.

4. Restrictions on the use of longlines

4.1. It shall be prohibited for vessels fishing with bottom-set longlines to have on board or deploy more than 5,000 hooks except for vessels undertaking fishing trips of more than 3 days which may have on board or deploy no more than 7,000 hooks.

4.2. It shall be prohibited for vessels fishing with surface-set longlines to have on board or deploy more than the number of hooks per vessel as follows:

(o) [...];

(p) [...] **2,500** hooks when directed fishing for swordfish; and

(q) 5,000 hooks when directed fishing for albacore tuna.

4.3. Each vessel undertaken fishing trips longer than 2 days may have on board an equivalent number of spare hooks.

5. Restrictions on the use of pots and creels

It shall be prohibited to have on board or set more than 250 pots or creels per vessel to catch deepwater crustacean [...].

6. Restrictions on the directed fishing for red sea bream

The directed fishing for red sea bream (*Pagellus bogaraveo*) with the following gears shall be prohibited:

- gillnets, entangling nets or trammel nets having a mesh size of less than 100mm;
- longlines with hooks of a total length of less than 3,95cm and a width of less than 1,65 cm.

7. Restrictions on fishing with spear guns

It shall be prohibited to fish with spear guns if used in conjunction with underwater breathing apparatus (aqualung) or at night from sunset to dawn.

[...]

ANNEX X

Black Sea

Part A

Minimum conservation reference sizes

Species	Minimum Conservation Reference Size
Turbot (<i>Psetta maxima</i>)	45 cm

Part B

Mesh sizes

1. Baseline mesh sizes for towed gears for demersal stocks

The following [...] mesh sizes shall apply in the Black Sea:

[...] Mesh Size	Geographical Areas	Conditions
At least [...]40 mm	Whole area	[...] <i>A diamond mesh codend of 50mm¹ may be used as an alternative to the 40 mm square mesh cod end at the duly justified request of the vessel owner</i>

¹ *Only one type of net (either 40mm square mesh or 50mm diamond mesh) is allowed to be kept on board or deployed.*

2. Baseline mesh sizes for static nets

The following mesh sizes for static nets shall apply in the Black Sea:

Mesh Size	Geographical Areas	Conditions
At least 400mm	Whole area	[...] <i>Bottom set gillnets when used to catch turbot</i>

[...]

2. Restrictions on the use of trawls and dredges

The use of trawls or dredges at depths beyond 1000 metres shall be prohibited.

ANNEX XI

[...] *Union waters in the Indian Ocean and the West Atlantic*

Part A

X. Baseline mesh sizes for towed gears

The following mesh sizes shall apply in the [...] *Union waters in the Indian Ocean and the West Atlantic*.

[...] Mesh Size	Geographical Areas	Conditions
At least 100mm	All waters off the coast of the French department of Guyana that come under the sovereignty or jurisdiction of France	None
At least 45mm	All waters off the coast of the French department of Guyana that come under the sovereignty or jurisdiction of France	Directed fishing for shrimp (<i>Penaeus subtilis</i> , <i>Penaeus brasiliensis</i> , <i>Xiphopenaeus kroyeri</i>).

[...]

XX. Baseline mesh size for surrounding nets

<i>Mesh Size</i>	<i>Geographical Areas</i>	<i>Conditions</i>
<i>At least 14mm</i>	<i>Whole area</i>	<i>None</i>

Part B

Closed or restricted areas

Restrictions on fishing activities in the 24-mile zone around Mayotte

Vessels shall be prohibited from using any purse-seine on tuna and tuna-like schools of fish within 24 miles of the coasts of Mayotte, measured from the baselines from which territorial waters are measured.

ANNEX XII (new)

North East Atlantic Fisheries Commission

Part A

Minimum conservation reference sizes

<i>Species</i>	<i>NEAFC</i>
<i>Haddock (Melanogrammus aeglefinus)</i>	<i>30 cm</i>
<i>Ling (Molva molva)</i>	<i>63 cm</i>
<i>Blue ling (Molva dipterygia)</i>	<i>70 cm</i>
<i>Mackerel (Scomber spp.)</i>	<i>30 cm</i>
<i>Herring (Clupea harengus)</i>	<i>20 cm</i>

Part B

Mesh sizes

1. Baseline mesh sizes for towed gears

The following codend mesh sizes shall apply in the NEAFC Regulatory Area.

<i>Codend Mesh Size</i>	<i>Geographical Areas</i>	<i>Conditions</i>
<i>At least 100mm</i>	<i>Whole area</i>	<i>None</i>
<i>At least 35mm</i>	<i>Whole area</i>	<i>Directed fishing for blue whiting</i>
<i>At least 32mm</i>	<i>ICES Sub- Area I & II</i>	<i>Directed fishing for shrimp A sorting grid with a maximum bar spacing of 22 shall be fitted</i>
<i>At least 16mm</i>	<i>Whole area</i>	<i>Directed fishing for mackerel, capelin and argentine</i>

2. Baseline mesh sizes for static nets

The following mesh sizes for static nets shall apply in the NEAFC Regulatory Area.

<i>Mesh Size</i>	<i>Geographical Areas</i>	<i>Conditions</i>
<i>At least 220mm</i>	<i>Whole area</i>	<i>None</i>

Part C

Closed or restricted areas

Measures for the redfish fishery in the Irminger Sea and adjacent waters

1. It shall be prohibited to catch redfish in international waters of ICES sub-area V and Union waters of ICES sub-areas XII and XIV.

By way of derogation from the first subparagraph, it shall be permitted to catch redfish from 11 May to 31 December in the area enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system (the 'Redfish Conservation Area'):

— 64°45' N, 28°30' W

— 62°50' N, 25°45' W

— 61°55' N, 26°45' W

— 61°00' N, 26°30' W

- 59°00' N, 30°00' W
- 59°00' N, 34°00' W
- 61°30' N, 34°00' W
- 62°50' N, 36°00' W
- 64°45' N, 28°30' W.

2. Notwithstanding paragraph 1, a fishery for redfish may be permitted, by a Union legal act, outside the Redfish Conservation Area in the Irminger Sea and adjacent waters from 11 May to 31 December each year on the basis of scientific advice and provided that NEAFC has established a recovery plan in respect of redfish in that geographical area. Only Union vessels that have been duly authorised by their respective Member State and notified to the Commission as required under Article 5 of Regulation (EU) No 1236/2010 shall participate in this fishery.

3. It shall be prohibited to use trawls with a mesh size of less than 100 millimetres.

4. The conversion factor to be applied to the gutted and headed presentation, including the Japanese cut presentation, of redfish caught in this fishery shall be 1,70.

5. Masters of fishing vessels engaged in the fishery outside the Redfish Conservation Area shall transmit the catch report provided for in Article 9(1)(b) of Regulation (EU) No 1236/2010 on a daily basis after the fishing operations of that calendar day have been completed. It shall indicate the catches on board taken since the last communication of catches.

6. In addition to the provisions of Article 5 of Regulation (EU) No 1236/2010, an authorisation to fish for redfish shall only be valid if the reports transmitted by vessels are in accordance with Article 9(1) of that Regulation and are recorded in accordance with Article 9(3) thereof.

7. The reports referred to in paragraph 6 shall be made in accordance with the relevant rules.

Special rules for the protection of blue ling

1. From 1 March to 31 May each year it shall be prohibited to retain on board any quantity of blue ling in excess of 6 tonnes per fishing trip in the areas of ICES division VIa enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

(a) Edge of Scottish continental shelf

- 59°58' N, 07°00' W*
- 59°55' N, 06°47' W*
- 59°51' N, 06°28' W*
- 59°45' N, 06°38' W*
- 59°27' N, 06°42' W*
- 59°22' N, 06°47' W*
- 59°15' N, 07°15' W*
- 59°07' N, 07°31' W*
- 58°52' N, 07°44' W*
- 58°44' N, 08°11' W*
- 58°43' N, 08°27' W*
- 58°28' N, 09°16' W*
- 58°15' N, 09°32' W*
- 58°15' N, 09°45' W*
- 58°30' N, 09°45' W*
- 59°30' N, 07°00' W*
- 59°58' N, 07°00' W;*

(b) Edge of Rosemary bank

— 60°00' N, 11°00' W

— 59°00' N, 11°00' W

— 59°00' N, 09°00' W

— 59°30' N, 09°00' W

— 59°30' N, 10°00' W

— 60°00' N, 10°00' W

— 60°00' N, 11°00' W

Not including the area enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

— 59°15' N, 10°24' W

— 59°10' N, 10°22' W

— 59°08' N, 10°07' W

— 59°11' N, 09°59' W

— 59°15' N, 09°58' W

— 59°22' N, 10°02' W

— 59°23' N, 10°11' W

— 59°20' N, 10°19' W

— 59°15' N, 10°24' W.

1a. Where blue ling is subject to the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013, paragraph 1 of this Article shall not apply.

Fishing for blue ling using any fishing gear within the period and areas referred to in paragraph 1 shall be prohibited.

2. When entering and exiting the areas referred to in paragraph 1, the master of a fishing vessel shall record the date, time and place of entry and exit in the logbook.

3. In either of the two areas referred to in paragraph 1, if a vessel reaches the 6 tonnes of blue ling:

(a) it shall immediately cease fishing and exit the area in which it is present;

(b) it may not re-enter either of the areas until its catch has been landed;

(c) it may not return to the sea any quantity of blue ling.

4. The observers referred to in Article 8 of Council Regulation (EC) No 2347/2002 of 16 December 2002 establishing specific access requirements and associated conditions applicable to fishing for deep-sea stocks (¹⁹) who are assigned to fishing vessels present in one of the areas referred to in paragraph 1 shall, in addition to the tasks referred to in paragraph 4 of that Article, for appropriate samples of the catches of blue ling, measure the fish in the samples and determine the stage of sexual maturity of subsampled fish. On the basis of advice from STECF, Member States shall establish detailed protocols for sampling and for the collation of results.

5. From 15 February to 15 April each year, it shall be prohibited to use bottom trawls, longlines and gillnets within an area enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

— 60°58.76' N, 27°27.32' W

— 60°56.02' N, 27°31.16' W

— 60°59.76' N, 27°43.48' W

— 61°03.00' N, 27°39.41' W

— 60°58.76' N, 27°27.32' W.

Measures for the redfish fishery in international waters of ICES sub-areas I and II

- 1. Directed fishing for redfish in the international waters of ICES sub-areas I and II shall only be permitted within the period from 1 July to 31 December each year by vessels which have previously been engaged in the redfish fishery in the NEAFC Regulatory Area, as defined in Article 3(3) of Regulation (EU) No 1236/2010 of the European Parliament and of the Council of 15 December 2010 laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries.*
- 2. Vessels shall limit their by-catches of redfish in other fisheries to a maximum of 1 % of the total catch retained on board.*
- 3. The conversion factor to be applied to the gutted and headed presentation, including the Japanese cut presentation, of redfish caught in this fishery shall be 1,70.*
- 4. By way of derogation from Article 9(1)(b) of Regulation (EU) No 1236/2010, masters of fishing vessels engaged in this fishery shall report their catches on a daily basis.*
- 5. In addition to the provisions of Article 5 of Regulation (EU) No 1236/2010, an authorisation to fish for redfish shall only be valid if the reports transmitted by vessels are in accordance with Article 9(1) of that Regulation and are recorded in accordance with Article 9(3) thereof.*
- 6. Member States shall ensure that scientific information is collected by scientific observers on board vessels flying their flag. As a minimum, the information collected shall include representative data on sex, age and length composition by depths. This information shall be reported to ICES by the competent authorities in the Member States.*

7. The Commission shall inform Member States of the date on which the NEAFC Secretariat notifies the NEAFC Contracting Parties that the total allowable catch (TAC) has been fully utilised. Member States shall prohibit directed fishery for redfish by vessels flying their flag from that date.

Rockall haddock box in ICES sub-area VI

All fishing, except with longlines, shall be prohibited in the areas enclosed by sequentially joining with rhumb lines the following coordinates, which shall be measured according to the WGS84 system:

— 57°00' N, 15°00' W

— 57°00' N, 14°00' W

— 56°30' N, 14°00' W

— 56°30' N, 15°00' W

— 57°00' N, 15°00' W.

- **3. New Recommendations from NEAFC to add additional vulnerable marine habitats which are binding on the Union and have not yet been transposed into Union law**

South-West Rockall (Empress of Britain Bank):

(new)

Area 2

55°56.90 -16°11.30

55°58.20 -16°11.30

55°58.30 -16°02.80

55°56.90 -16°02.80

55°56.90 -16°11.30

Area 3

55°49.90 -15°56.00

55°48.50 -15°56.00

55°48.30 -15°50.60

55°49.60 -15°50.60

55°49.90 -15°56.00

Edora's bank

(new)

56°26.00 -22°26.00

56°28.00 -22°04.00

56°16.00 -21°42.00

56°05.00 -21°40.00

55°55.00 -21°47.00

55°45.00 -22°00.00

55°43.00 -23°14.00

55°50.00 -23°16.00

56°05.00 -23°06.00

56°18.00 -22°43.00

56°26.00 -22°26.00

Southwest Rockall Bank

(new)

Area 1

55°58.16 -16°13.18

55°58.24 -16°02.56

55°54.86 -16°05.55

55°58.16 -16°13.18

Area 2

55°55.86 -15°40.84

55°51.00 -15°37.00

55°47.86 -15°53.81

55°49.29 -15°56.39

55°55.86 -15°40.84

Hatton-Rockall Basin

(new)

Area 1

58°00.15 -15°27.23

58°00.15 -15°38.26

57°54.19 -15°38.26

57°54.19 -15°27.23

58°00.15 -15°27.23

Area 2

58° 06.46 -16° 37.15

58° 15.93 -16° 28.46

58° 06.77 -16° 10.40

58° 03.43 -16° 10.43

58° 01.49 -16° 25.19

58° 02.62 -16° 36.96

58° 06.46 -16° 37.15

Hatton Bank 2

(new)

Area 1

57°51.76 -18°05.87

57°55.00 -17°30.00

58°03.00 -17°30.00

57°53.10 -16°56.33

57°35.11 -18°02.01

57°51.76 -18°05.87

Area 2

57°59.96 -19°05.05

57°45.00 -19°15.00

57°50.07 -18°23.82

57°31.13 -18°21.28

57°14.09 -19°28.43

57°02.21 -19°27.53

56°53.12 -19°28.97

56°50.22 -19°33.62

56°46.68 -19°53.72

57°00.04 -20°04.22

57°10.31 -19°55.24

57°32.67 -19°52.64

57°46.68 -19°37.86

57°59.96 -19°05.05

Annex XIII (new)

Mitigation measures to reduce incidental catches of sensitive species

The following measures to monitor and reduce incidental catches of sensitive species shall apply:

x. The measures set out in Parts A, B and C.

xx. Member States shall take the necessary steps to collect scientific data on incidental catches of sensitive species.

xxx. As a result of scientific evidence, validated by ICES, STECF, or in the framework of GFCM, of negative impacts of fishing gears on sensitive species, Member States shall submit joint recommendations for additional mitigation measures for the reduction of incidental catches of the concerned species or in a concerned area on the basis of Article 18 of this Regulation.

xxxx. Member States shall monitor and assess the effectiveness of the mitigation measures established under this Annex.

Part A

Cetaceans

1. Fisheries in which the use of acoustic deterrent devices is mandatory

1.1. It shall be prohibited for vessels of 12m or over in overall length to use the fishing gear in specific areas as defined below without the simultaneous use of active acoustic deterrent devices.

Area	Gear
Baltic Sea Area delimited by a line running from the Swedish coast at the point at longitude 13°E, thence due south to latitude 55° N, thence due east to longitude 14° E, thence due north to the coast of Sweden; and, Area delimited by a line running from the eastern coast of Sweden at the point at latitude 55° 30' N, thence due east to longitude 15 E, thence due north to latitude 56° N, thence due east to longitude 16° E thence due north to the coast of Sweden	Any bottom-set gill net or entangling net
Baltic Sea sub-division 24 (except for the area covered above)	Any bottom-set gill net or entangling net

ICES sub area IV and division IIIa (only from 1 August to 31 October)	Any bottom-set gill net or entangling net, or combination of these nets, the total length of which does not exceed 400 meters
	Any bottom-set gillnet or entangling net ≥ 220 mm
ICES divisions VII e, f, g, h and j	Any bottom-set gillnet or entangling net
ICES division VIId	Any bottom-set gillnet or entangling net

- 1.2. This shall not apply to fishing operations conducted solely for the purpose of scientific investigation which are carried out with the authorisation and under the authority of the Member States or Member States concerned and which aim at developing new technical measures to reduce the incidental capture or killing of cetaceans.
- 1.3. Member States shall take necessary steps to monitor and assess by means of scientific studies or pilot projects, the effects of acoustic deterrent device use over time in the fisheries and areas concerned.

2. Fisheries to be monitored

2.1. Monitoring schemes shall be undertaken on an annual basis and established for vessels flying their flag and with an overall length of 15m or over to monitor cetacean bycatch, for the fisheries and under the conditions defined below.

Area	Gear
ICES sub areas VI, VII and VIII	Pelagic trawls (single and pair)
Mediterranean Sea (of the east of line 5° 36' west	Pelagic trawls (single and pair)
ICES divisions VIa, VIIa and b, VIIIa, b and c, and IXa	Bottom-set gillnet or entangling nets using mesh sizes equal to or greater than 80mm
ICES sub area IV, division VIa, and sub area VII with the exception of divisions VIIc and VIIk	Driftnets
ICES sub areas IIIa,b, IIIc south of 59° N IIIc north of 59 ° (only from 1 June to 30 September), IV and IX	Pelagic trawls (single and pair)
ICES sub areas VI, VII and VIII and IX	High-opening trawls
ICES sub area IIIb, c, and d	Bottom-set gillnet or entangling nets using mesh sizes equal to or greater than 80mm

2.2. Point 2.1 shall not apply to fishing operations conducted solely for the purpose of scientific investigation which are carried out with the authorisation and under the authority of the Member States or Member States concerned and which aim at developing new technical measures to reduce the incidental capture or killing of cetaceans.

Part B

Seabirds

Where the data referred to in point xx of this Annex indicates a level of by-catches of seabirds in specific fisheries which constitutes a serious threat to the conservation status of those seabirds, Member States shall use bird scaring lines and/or weighted lines, if it is scientifically proven that such use has a conservation benefit in that area, and where practical and beneficial shall set longline gear during the hours of darkness with the minimum of deck lighting necessary for safety.

Part C

Marine turtles

1. Fisheries in which the use of turtle excluder device is mandatory.

1.1. It shall be prohibited for vessels to use the fishing gear in specific areas as defined below without the simultaneous use of turtle excluder device.

Area	Species	Gear
Union waters in the Indian Ocean and the West Atlantic	Shrimps (<i>Penaeus</i> spp., <i>Xiphopenaeus kroyeri</i>)	Any shrimp trawl

1.2 The Commission may adopt implementing acts establishing detailed rules for the specification of the device referred to in paragraph 1.1.

Annex XIV (new)

Species for selectivity performance indicators

<u>North Sea</u>	<u>North Western Waters</u>	<u>South Western Waters</u>	<u>Baltic Sea</u>	<u>Mediterranean</u>
<u>Cod</u>	<u>Cod</u>	<u>Hake</u>	<u>Cod</u>	<u>Hake</u>
<u>Haddock</u>	<u>Haddock</u>	<u>Whiting</u>	<u>Plaice</u>	<u>Red Mullet</u>
<u>Saithe</u>	<u>Saithe</u>	<u>Megrim</u>		
<u>Whiting</u>	<u>Whiting</u>			
<u>Plaice</u>	<u>Plaice</u>			