COUNCIL OF THE EUROPEAN UNION

Brussels, 15 January 2014 (OR. en)

18118/13

Interinstitutional File: 2013/0366 (NLE)

PECHE 635

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL REGULATION fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters

COUNCIL REGULATION (EU) No …/2014

of

fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

(1) Article 43(3) of the Treaty provides that the Council, on a proposal from the Commission, is to adopt measures on the fixing and allocation of fishing opportunities.

(2) Regulation (EU) No 1380/2013 of the European Parliament and of the Council[1] requires that conservation measures be adopted taking into account available scientific, technical and economic advice, including, where relevant, reports drawn up by the Scientific, Technical and Economic Committee for Fisheries (STECF).

(3) It is incumbent upon the Council to adopt measures on the fixing and allocation of fishing opportunities, including certain conditions functionally linked thereto, as appropriate. Fishing opportunities should be allocated to Member States in such a way as to ensure relative stability of fishing activities of each Member State for each fish stock or fishery and having due regard to the objectives of the Common Fisheries Policy established in Regulation (EU) No 1380/2013.

(4) The total allowable catch (TACs) should be established on the basis of available scientific advice, taking into account biological and socio-economic aspects whilst ensuring fair treatment between fishing sectors, as well as in the light of the opinions expressed during the consultation of stakeholders, in particular at the meetings of the Regional Advisory Councils concerned.

[1] 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 Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

(5) For stocks subject to specific multiannual plans, the TACs should be established in accordance with the rules laid down in those plans. Consequently, the TACs for stocks of Southern hake and Norway lobster, of sole in the Western Channel, of plaice and sole in the North Sea, of herring to the west of Scotland, of cod in the Kattegat, to the west of Scotland, the Irish Sea, the North Sea, Skagerrak and the Eastern Channel and of bluefin tuna in the Eastern Atlantic and the Mediterranean should be established in accordance with the rules laid down in Council Regulations (EC) No 2166/2005[1], (EC) No 509/2007[2], (EC) No 676/2007[3], (EC) No 1300/2008[4], (EC) No 1342/2008[5] (the "Cod Plan") and (EC) No 302/2009[6].

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1 Council Regulation (EC) No 2166/2005 of 20 December 2005 establishing measures for the recovery of the Southern hake and Norway lobster stocks in the Cantabrian Sea and Western Iberian peninsula and amending Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms (OJ L 345, 28.12.2005, p. 5).

2 Council Regulation (EC) No 509/2007 of 7 May 2007 establishing a multi-annual plan for the sustainable exploitation of the stock of sole in the Western Channel (OJ L 122, 11.5.2007, p. 7).

3 Council Regulation (EC) No 676/2007 of 11 June 2007 establishing a multiannual plan for fisheries exploiting stocks of plaice and sole in the North Sea (OJ L 157, 19.6.2007, p. 1).

4 Council Regulation (EC) No 1300/2008 of 18 December 2008 establishing a multi-annual plan for the stock of herring distributed to the west of Scotland and the fisheries exploiting that stock (OJ L 344, 20.12.2008, p. 6).

5 Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks and repealing Regulation (EC) No 423/2004 (OJ L 348, 24.12.2008, p. 20).

6 Council Regulation (EC) No 302/2009 of 6 April 2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean, amending Regulation (EC) No 43/2009 and repealing Regulation (EC) No 1559/2007 (OJ L 96, 15.4.2009, p. 1).

With regard, however, to the stocks of northern hake (Council Regulation (EC) No 811/2004[1]) and sole in the Bay of Biscay (Council Regulation (EC) No 388/2006[2]), the minimum targets of the relevant recovery and management plans have been reached and, therefore, it is appropriate to follow scientific advice provided in order to achieve or maintain the TACs at maximum sustainable yield levels, as the case may be.

(6) For stocks for which there is no sufficient or reliable data in order to provide size estimates, management measures and TAC levels should follow the precautionary approach to fisheries management as defined in Article 4(1)(8) of Regulation (EU) No 1380/2013, while taking into account stock-specific factors, including, in particular, available information on stock trends and mixed fisheries considerations.

(7) In accordance with Article 2 of Council Regulation (EC) No 847/96[3], the stocks that are subject to the various measures referred to therein should be identified.

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1 Council Regulation (EC) No 811/2004 of 21 April 2004 establishing measures for the recovery of the northern hake stock (OJ L 150, 30.4.2004, p. 1).

2 Council Regulation (EC) No 388/2006 of 23 February 2006 establishing a multiannual plan for the sustainable exploitation of the stock of sole in the Bay of Biscay (OJ L 65, 7.3.2006, p. 1).

3 Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas (OJ L 115, 9.5.1996, p. 3).

(8) Where a TAC relating to a stock is allocated to one Member State only, it is appropriate to empower that Member State in accordance with Article 2(1) of the Treaty to determine the level of such TAC. Provisions should be made to ensure that, when fixing that TAC level, the Member State concerned acts in a manner fully consistent with the principles and rules of the Common Fisheries Policy.

(9) It is necessary to establish the fishing effort ceilings for 2014 in accordance with Article 8 of Regulation (EC) No 2166/2005, Article 5 of Regulation (EC) No 509/2007, Article 9 of Regulation (EC) No 676/2007, Articles 11 and 12 of Regulation (EC) No 1342/2008 and Articles 5 and 9 of Regulation (EC) No 302/2009, while taking into account Council Regulation (EC) No 754/2009[1].

[1] Council Regulation (EC) No 754/2009 of 27 July 2009 excluding certain groups of vessels from the fishing effort regime laid down in Chapter III of Regulation (EC) No 1342/2008 (OJ L 214, 19.8.2009, p. 16).

(10) In the light of the most recent scientific advice from International Council for the Exploration of the Sea (ICES) and in accordance with the international commitments in the context of the North East Atlantic Fisheries Convention (NEAFC), it is necessary to limit the fishing effort on certain deep-sea species.

(11) For certain species, such as certain species of sharks, even a limited fishing activity could result in a serious risk to their conservation. Fishing opportunities for such species should therefore be fully restricted through a general prohibition on fishing those species.

(12) The use of fishing opportunities available to Union vessels set out in this Regulation is subject to Council Regulation (EC) No 1224/2009[1], and in particular to Articles 33 and 34 of that Regulation, concerning the recording of catches and fishing effort and the notification of data on the exhaustion of fishing opportunities. It is therefore necessary to specify the codes to be used by Member States when sending data to the Commission relating to landings of stocks subject to this Regulation.

[1] 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).

(13) For certain TACs Member States should be allowed to grant additional allocations for vessels participating in trials on fully documented fisheries. The aim of those trials is to test a catch-quota system, i.e. a system where all catches should be landed and counted against quotas in order to avoid discards and the waste of otherwise usable fish resources they entail. Uncontrolled discards of fish are a threat to the long term sustainability of fish as a public good and thus to the Common Fisheries Policy objectives. By contrast, catch-quota systems inherently present the fishers with an incentive to optimise the catch selectivity of their operations. In order to achieve a rational management of discards, a fully documented fishery should cover every operation at sea, rather than what is landed at port. The conditions for Member States to grant such additional allocations should therefore include an obligation to ensure the use of close circuit television cameras (CCTV) associated to a system of sensors (jointly referred to as "CCTV system"). This should enable the recording, in detail, of all retained and discarded parts of catches. A system based on human observers operating in real time on board would be less efficient, more costly, and less reliable. Consequently, the use of CCTV systems is, at this time, a prerequisite for the achievement of discard reduction schemes such as fully documented fisheries. In the use of such system, the requirements of Directive 95/46/EC of the European Parliament and of the Council[1] should be complied with.

[1] Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

(14) In order to ensure that trials of fully documented fisheries can effectively evaluate the potential of catch-quota systems to control the absolute fishing mortality of the stocks concerned, it is necessary for all fish caught in those trials, including those under minimum landing size, to be counted against the total allocation assigned to the participating vessel, and for fishing operations to cease when that total allocation has been fully utilised by that vessel. It is also appropriate to allow transfers of allocations between vessels participating in the fully documented fisheries trials and non-participating vessels provided that it can be demonstrated that discards by non-participating vessels do not increase.

(15) In November 2013, STECF assessed positively the rebuilding management plan proposed by the Pelagic Regional Advisory Council (PELRAC) for the stock of herring in ICES VIaS, VIIb and VIIc. The distribution of this herring stock overlaps with that of its northern neighbouring stock in a mixing zone located between 56º N and 57º 30' N within ICES VIa. In order to ensure the correct assessment of these two stocks as regards their conservation state and to control the fishing mortality inflicted on each of them, it is necessary to exclude all catches taken in the mixing zone.

(16) It is appropriate, following advice from the ICES, to maintain and revise a system to manage sandeel in Union waters of ICES divisions IIa and IIIa and ICES subarea IV. Given that the ICES scientific advice is expected to become available only in February 2014, it is appropriate to set the TAC and quotas provisionally at zero until such advice is released.

(17) Since there is no scientific evidence that the TAC areas for pollack correspond to distinct biological stocks and the distribution of this species is continuous from the North of the British Isles to the South of the Iberian Peninsula, it is appropriate, in order to guarantee full use of fishing opportunities, to allow for the implementation of a flexible arrangement between some of these TAC areas. In the same vein, it is appropriate to allow a higher degree of flexibility arrangements between some management areas in respect of certain stocks whose distribution extends over several management areas and where the same biological stocks are concerned.

(18) In accordance with the procedure provided for in the agreements or protocols on fisheries relations with Norway[1], the Faroe Islands[2] and Iceland[3], the Union has held consultations on fishing rights with those partners. The consultations with Norway and the Faroe Islands on arrangements for 2014 have not been finalised. In order to avoid the interruption of Union fishing activities, whilst allowing for the necessary flexibility for the conclusion of those arrangements early in 2014, it is appropriate to establish the fishing opportunities for stocks subject to those arrangements on a provisional basis. It has not been possible to conclude consultations with Iceland on fisheries arrangements for 2014. In accordance with the procedure provided for in the agreement and protocol on fisheries relations with Greenland[4], the Joint Committee has established the concrete level of fishing opportunities available for the Union in Greenland waters in 2014.

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1 Agreement on fisheries between the European Economic Community and the Kingdom of Norway (OJ L 226, 29.8.1980, p. 48)

2 Agreement on fisheries between the European Economic Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part (OJ L 226, 29.8.1980, p. 12).

3 Agreement on fisheries and the marine environment between the European Economic Community and the Republic of Iceland (OJ L 161, 2.7.1993, p. 2).

4 Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand (OJ L 172, 30.6.2007, p. 4) and Protocol setting out the fishing opportunities and financial contribution provided for in that Agreement (OJ L 293, 23.10.2012, p. 5).

(19) At its Annual Meeting in 2013, the International Commission for the Conservation of Atlantic Tunas (ICCAT) adopted a one year extension of the existing TAC and quotas for bluefin tuna, and confirmed TACs and quotas for North-Atlantic swordfish, Southern-Atlantic swordfish and North-Atlantic Albacore at the current level for the 2014-2016 period. As a result, the Union quota for these stocks remains the same as in 2013. Although the TAC of Southern-Atlantic albacore was also maintained at the current level for the 2014-2016 period, individual quotas of Contracting Parties, including the Union, were slightly reduced in order to grant a quota to another Contracting Party. All these measures should be implemented in the law of the Union.

(20) Pursuant to the accession of the Republic of Croatia to the European Union in July 2013, provisions on fishing opportunities for Croatia are included in this Regulation.

(21) At its Annual Meeting in 2013, the Parties to the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) adopted catch limits for both target and by-catch species. Those measures should be implemented in the law of the Union.

(22) At its Annual Meeting in 2013, the Indian Ocean Tuna Commission (IOTC) adopted a resolution aiming at the protection of oceanic whitetip sharks and applicable to fishing vessels on the IOTC Record of Authorised Vessels by prohibiting, as an interim pilot measure, to retain on board, tranship, land or store any part or whole carcass of oceanic whitetip shark. The resolution provides for an exception for artisanal fisheries, namely fishing vessels engaged in fishing operations within the Exclusive Economic Zones of the Member State whose flag they fly.

(23) The second Annual Meeting of the South Pacific Regional Fisheries Management Organisation (SPRFMO) will be held from 27 to 31 January 2014. Until such Annual Meeting is held, it is appropriate that the current measures remain in place provisionally and that the TAC for jack mackerel in the SPRFMO Convention Area is provisionally established at the same level as in 2013.

(24) At its 84th Annual Meeting in 2013, the Inter-American Tropical Tuna Commission (IATTC) maintained its conservation measures for yellowfin tuna, bigeye tuna and skipjack tuna. IATTC also maintained its resolution on the conservation of oceanic whitetip sharks. Those measures should continue to be implemented in the law of the Union.

(25) At its Annual Meeting in 2013, the South East Atlantic Fisheries Organisation (SEAFO) adopted a recommendation for new bi-annual TACs for Patagonian toothfish and deep-sea red crab for 2014 and 2015, the existing TACs for orange roughy and alfonsinos agreed for 2013 and 2014 at its annual meeting in 2012 remained in force. The currently applicable measures on allocation of fishing opportunities adopted by SEAFO should be implemented in the law of the Union.

(26) The 10th Annual Meeting of the Western and Central Pacific Fisheries Commission (WCPFC) in 2013 modified its measures regarding fishing opportunities by setting a total amount of days that can be fished in the high seas and by adapting the closure concerning aggregation devices (FAD) fishing. The revision of the measure of FAD fishing requires that the Union as a Contracting Party to WCPFC decides on one of two available options, either to confirm the current period of FAD fishing closure or to opt for a reduction of FAD sets. Until such a decision is taken, the currently applicable closure adopted by the WCFPC should continue to be implemented in the law of the Union.

(27) At its Annual Meeting in 2013, the Parties to the Convention on the Conservation and Management of Pollock resources in the central Bering Sea did not modify its measures regarding fishing opportunities. Those measures should be implemented in the law of the Union.

(28) At its 35th Annual Meeting in 2013, the Northwest Atlantic Fisheries Organisation (NAFO) adopted a number of fishing opportunities for 2014 of certain stocks in Subareas 1-4 of the NAFO Convention Area. In that context, NAFO adopted a procedure for increasing the TAC for white hake in NAFO Subdivision 3NO fixed for 2014, if certain conditions related to the situation of this stock are met. A Contracting Party to NAFO may notify to the Executive Secretary of NAFO that higher than normal catches per unit of effort have been observed for the stock of white hake in NAFO Subdivision 3NO. If the in-year 2014 TAC increase is confirmed by a positive vote within NAFO, it should be implemented into the law of the Union and the quotas of the Member States concerned should be increased.

(29) Certain international measures which create or restrict fishing opportunities for the Union are adopted by the relevant Regional Fisheries Management Organisations (RFMOs) at the end of the year and become applicable before the entry into force of this Regulation. It is therefore necessary for the provisions that implement such measures in the law of the Union to apply retroactively. In particular, since the fishing season in CCAMLR Convention Area runs from 1 December to 30 November, and thus certain fishing opportunities or prohibitions in the CCAMLR Convention Area are laid down for a period of time starting from 1 December 2013, it is appropriate that the relevant provisions of this Regulation apply from that date. Such retroactive application will be without prejudice to the principle of legitimate expectations as CCAMLR members are forbidden to fish in the CCAMLR Convention Area without authorisation.

(30) In accordance with the declaration by the Union addressed to the Bolivarian Republic of Venezuela on the granting of fishing opportunities in EU waters to fishing vessels flying the flag of Bolivarian Republic of Venezuela in the exclusive economic zone off the coast of French Guyana[1], it is necessary to fix the fishing opportunities for snappers available to Venezuela in Union waters.

(31) In order to ensure uniform conditions for granting an individual Member State an authorisation to benefit from the system of managing its fishing effort allocations in accordance with a kilowatt days system, implementing powers should be conferred on the Commission.

[1] OJ L 6, 10.1.2012, p. 9.

(32) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission relating to the granting of additional days at sea for permanent cessation of fishing activities and for enhanced scientific observer coverage as well as to establish the formats of spreadsheet for the collection and transmission of information concerning transfer of days at sea between fishing vessels flying the flag of a Member State. Those powers should be exercised in accordance with Regulation (EU) No 182/2011[1].

(33) In order to avoid the interruption of fishing activities and to ensure the livelihood of the fishermen of the Union, this Regulation should apply from 1 January 2014, except for the provisions concerning fishing effort limits, which should apply from 1 February 2014, and certain provisions in particular regions, which should have a specific date of application. For reasons of urgency, this Regulation should enter into force immediately after its publication.

(34) Fishing opportunities should be used in full compliance with the applicable law of the Union,

HAS ADOPTED THIS REGULATION:

[1] 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).

TITLE I
GENERAL PROVISIONS

Article 1

Subject matter

1. This Regulation fixes the fishing opportunities available in Union waters and, to Union vessels, in certain non-Union waters for certain fish stocks and groups of fish stocks.

2. The fishing opportunities referred to in paragraph 1 include:

   (a) catch limits for the year 2014 and, where specified in this Regulation, for the year 2015;

   (b) fishing effort limits for the period from 1 February 2014 to 31 January 2015;

   (c) fishing opportunities for the period from 1 December 2013 to 30 November 2014 for certain stocks in the CCAMLR Convention Area;

   (d) fishing opportunities for the periods set out in Article 32 for certain stocks in the IATTC Convention Area for the year 2014 and, where specified in this Regulation, for the year 2015.

3. This Regulation also fixes provisional fishing opportunities for certain fish stocks and groups of fish stocks subject to the bilateral fisheries arrangements with Norway and the Faroe Islands, pending the consultations on those arrangements for 2014.

Article 2

Scope

This Regulation shall apply to the following vessels:

(a) Union vessels;

(b) third-country vessels in Union waters.

Article 3

Definitions

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

(a) Union vessel' means a fishing vessel flying the flag of a Member State and registered in the Union;

(b) 'third-country vessel' means a fishing vessel flying the flag of, and registered in, a third country;

(c) Union waters' means waters under the sovereignty or jurisdiction of the Member States with the exception of waters adjacent to the overseas countries and territories listed in Annex II to the Treaty;

(d) 'international waters' means waters falling outside the sovereignty or jurisdiction of any State;

(e) 'total allowable catch' (TAC) means the quantity that can be taken and landed from each fish stock each year;

(f) 'quota' means a proportion of the TAC allocated to the Union or a Member State;

(g) 'analytical assessments' means a quantitative evaluation of trends in a given stock, based on data about the stock's biology and exploitation, which scientific review has indicated to be of sufficient quality to provide scientific advice on options for future catches.

(h) 'mesh size' means the mesh size of fishing nets as determined in accordance with Commission Regulation (EC) No 517/2008[1];

(i) 'Union fishing fleet register' means the register set up by the Commission in accordance with Article 24(3) of Regulation (EU) No 1380/2013;

(j) 'fishing logbook' means the logbook referred to in Article 14 of Regulation (EC) No 1224/2009;

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

Article 4

Fishing zones

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

(a) ICES (International Council for the Exploration of the Sea) zones are the geographical areas specified in Annex III to Regulation (EC) No 218/2009[1];

(b) 'Skagerrak' means the geographical area bounded on the west by a line drawn from the Hanstholm lighthouse to the Lindesnes lighthouse and on the south by a line drawn from the Skagen lighthouse to the Tistlarna lighthouse and from this point to the nearest point on the Swedish coast;

(c) 'Kattegat' means the geographical area bounded on the north by a line drawn from the Skagen lighthouse to the Tistlarna lighthouse and from this point to the nearest point on the Swedish coast and on the south by a line drawn from Hasenøre to Gnibens Spids, from Korshage to Spodsbjerg and from Gilbjerg Hoved to Kullen;

(d) 'Functional Unit 16 of ICES subarea VII' means the geographical area bounded by rhumb lines sequentially joining the following positions:

– 53° 30' N 15° 00' W,

– 53° 30' N 11° 00' W,

– 51° 30' N 11° 00' W,

[1] 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).

– 51° 30' N 13° 00' W,

– 51° 00' N 13° 00' W,

– 51° 00' N 15° 00' W,

– 53° 30' N 15° 00' W;

(e) 'Gulf of Cádiz' means the geographical area of ICES division IXa east of longitude 7º 23' 48″ W;

(f) CECAF (Committee for Eastern Central Atlantic Fisheries) areas are the geographical areas specified in Annex II to Regulation (EC) No 216/2009 of the European Parliament and of the Council[1];

(g) NAFO (Northwest Atlantic Fisheries Organisation) areas are the geographical areas specified in Annex III to Regulation (EC) No 217/2009 of the European Parliament and of the Council[2];

(h) 'SEAFO (South East Atlantic Fisheries Organisation) Convention Area' is the geographical area defined in the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean[3];

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1 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).

2 Regulation (EC) No 217/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of catch and activity statistics by Member States fishing in the north-west Atlantic (OJ L 87, 31.3.2009, p. 42).

3 Concluded by Council Decision 2002/738/EC (OJ L 234, 31.8.2002, p. 39).

(i) 'ICCAT (International Commission for the Conservation of Atlantic Tunas) Convention Area' is the geographical area defined in the International Convention for the Conservation of Atlantic Tunas[1];

(j) 'CCAMLR (Commission for the Conservation of Antarctic Marine Living Resources) Convention Area' is the geographical area defined in point (a) of Article 2 of Regulation (EC) No 601/2004[2];

(k) 'IATTC (Inter–American Tropical Tuna Commission) Convention Area' is the geographical area defined in the Convention for the Strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica ("the Antigua Convention")[3];

(l) 'IOTC (Indian Ocean Tuna Commission) Convention Area' is the geographical area defined in the Agreement for the establishment of the Indian Ocean Tuna Commission[4];

(m) 'SPRFMO (South Pacific Regional Fisheries Management Organisation) Convention Area' is the high seas geographical area south of 10^{o} N, north of the CCAMLR Convention Area, east of the SIOFA Convention Area as defined in the Southern Indian Ocean Fisheries Agreement[5], and west of the areas of fisheries jurisdictions of South American States;

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1 The Union acceded by Council Decision 86/238/EEC (OJ L 162, 18.6.1986, p. 33).

2 Council Regulation (EC) No 601/2004 of 22 March 2004 laying down certain control measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources and repealing Regulations (EEC) No 3943/90, (EC) No 66/98 and (EC) No 1721/1999 (OJ L 97, 1.4.2004, p. 16).

3 Concluded by Council Decision 2006/539/EC (OJ L 224, 16.8.2006, p. 22).

4 The Union acceded by Council Decision 95/399/EC (OJ L 236, 5.10.1995, p. 24).

5 Concluded by Council Decision 2008/780/EC (OJ L 268, 9.10.2008, p. 27).

(n) 'the WCPFC (Western and Central Pacific Fisheries Commission) Convention Area' is the geographical area defined in the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean[1];

(o) 'high seas of the Bering Sea' is the geographical area of the high seas of the Bering Sea beyond 200 nautical miles from the baselines from which the breadth of the territorial sea of the coastal States of the Bering Sea is measured.

(p) 'overlap area between IATTC and WCPFC' is the geographical area defined by the following limits:

– longitude 150º W,

– longitude 130º W,

– latitude 4º S,

– latitude 50º S.

[1] The Union acceded by Council Decision 2005/75/EC (OJ L 32, 4.2.2005, p. 1).

TITLE II
FISHING OPPORTUNITIES FOR UNION VESSELS

Chapter I
General provisions

Article 5

TACs and allocations

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

2. Union vessels are authorised to make catches, within the TACs set out in Annex I, in waters falling within the fisheries jurisdiction of the Faroe Islands, Greenland, Iceland and Norway, and the fishing zone around Jan Mayen, subject to the condition set out in Article 14 of and Annex III to this Regulation and in Regulation (EC) No 1006/2008[1] and its implementing provisions.

3. For the purposes of the special condition laid down in Annex IA for the stock of sandeel in Union waters of ICES zones IIa, IIIa and IV, the management areas defined in Annex IID shall apply.

[1] Council Regulation (EC) No 1006/2008 of 29 September 2009 concerning authorisations for fishing activities of Community fishing vessels outside Community waters and the access of third-country vessels to Community waters, amending Regulations (EEC) No 2847/93 and (EC) No 1627/94 and repealing Regulation (EC) No 3317/94 (OJ L 286, 29.10.2008, p. 33).

Article 6

TACs to be determined by Member States

1. The TACs for certain fish stocks shall be determined by the Member State concerned. Those stocks are identified in Annex I.

2. The TACs to be determined by a Member State shall:

   (a) be consistent with the principles and rules of the Common Fisheries Policy, in particular the principle of sustainable exploitation of the stock; and

   (b) result:

      (i) if analytical assessments are available, in the exploitation of the stock consistent with maximum sustainable yield from 2015 onwards, with as high a probability as possible;

      (ii) if analytical assessments are unavailable or incomplete, in the exploitation of the stock consistent with the precautionary approach to fisheries management.

3. By 15 March 2014, each Member State concerned shall submit to the Commission the following information:

   (a) the TACs adopted;

(b) the data collected and assessed by the Member State concerned on which the TACs adopted are based;

(c) details on how the TACs adopted comply with paragraph 2.

Article 7

Conditions for landing catches and by-catches

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

(a) the catches have been taken by vessels flying the flag of a Member State having a quota and that quota is not exhausted; or

(b) the catches consist of a share in a Union quota which has not been allocated by quota among Member States, and that Union quota has not been exhausted.

Article 8

Fishing effort limits

From 1 February 2014 to 31 January 2015, the following fishing effort measures shall apply:

(a) Annex IIA for the management of certain cod, sole, and plaice stocks in the Kattegat, the Skagerrak, that part of ICES division IIIa not covered by the Skagerrak and the Kattegat, ICES subarea IV and ICES divisions VIa, VIIa and VIId and Union waters of ICES divisions IIa and Vb;

(b) Annex IIB for the recovery of hake and Norway lobster in ICES divisions VIIIc and IXa, with the exception of the Gulf of Cádiz;

(c) Annex IIC for the management of the sole stock in ICES division VIIe.

Article 9

Catch and effort limits for deep-sea fisheries

1. Article 3(1) of Regulation (EC) No 2347/2002[1] establishing the requirement of holding a deep-sea fishing permit shall apply to Greenland halibut. The catching, retaining on board, transhipping and landing of Greenland halibut shall be subject to the conditions referred to in that Article.

2. Member States shall ensure that for 2014 the fishing effort levels, measured in kilowatt days absent from port, by vessels holding deep-sea fishing permits referred to in Article 3(1) of Regulation (EC) No 2347/2002, do not exceed 65 % of the average annual fishing effort deployed by the vessels of the Member State concerned in 2003 on trips when deep-sea fishing permits were held or deep-sea species, as listed in Annexes I and II to that Regulation, were caught. This paragraph shall apply only to fishing trips on which more than 100 kg of deep-sea species, other than greater silver smelt, were caught.

[1] Council Regulation (EC) No 2347/2002 of 16 December 2002 establishing specific access requirements and associated conditions applicable to fishing for deep-sea stocks (OJ L 351, 28.12.2002, p. 6).

Article 10

Special provisions on allocations of fishing opportunities

1. The allocation of fishing opportunities among Member States as set out in this Regulation shall be without prejudice to:

   (a) exchanges made pursuant to Article 16(8) of Regulation (EU) No 1380/2013;

   (b) deductions and reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009;

   (c) reallocations made pursuant to Article 10(4) of Regulation (EC) No 1006/2008;

   (d) additional landings allowed under Article 3 of Regulation (EC) No 847/96;

   (e) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96;

   (f) deductions made pursuant to Articles 105, 106 and 107 of Regulation (EC) No 1224/2009;

   (g) quota transfers and exchanges pursuant to Article 20 of this Regulation.

2. Except where otherwise specified in Annex I to this Regulation, Article 3 of Regulation (EC) No 847/96 shall apply to stocks subject to precautionary TAC and Article 3(2) and (3) and Article 4 of that Regulation shall apply to stocks subject to analytical TAC.

Article 11

Closed fishing seasons

1. It shall be prohibited to fish or retain on board any of the following species in the Porcupine Bank during the period from 1 May to 31 May 2014: cod, megrims, anglerfish, haddock, whiting, hake, Norway lobster, plaice, pollack, saithe, skates and rays, common sole, tusk, blue ling, ling and spurdog.

For the purposes of this paragraph, the Porcupine Bank shall comprise the geographical area bounded by rhumb lines sequentially joining the following positions:

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

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

2. Commercial fishing for sandeel with demersal trawl, seine or similar towed gears with a mesh size of less than 16 mm shall be prohibited in ICES divisions IIa, IIIa and ICES subarea IV from 1 January to 31 March 2014 and from 1 August to 31 December 2014**.**

The prohibition set out in the first subparagraph shall also apply to third-country vessels authorised to fish for sandeel in Union waters of ICES subarea IV unless otherwise specified.

Article 12

Prohibitions

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

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

(b) porbeagle (*Lamna nasus*) in all waters, except where it is otherwise provided in Annex IA;

(c) angel shark (*Squatina squatina*) in Union waters;

(d) common skate (*Dipturus batis*) complex (*Dipturus* cf. *flossada* and *Dipturus* cf. *intermedia*) in Union waters of ICES division IIa and ICES subareas III, IV, VI, VII, VIII, IX and X;

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

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

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

2. When accidentally caught, species referred to in paragraph 1 shall not be harmed. Specimens shall be promptly released.

Article 13

Data transmission

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

Chapter II
Additional allocations for vessels participating in trials on fully documented fisheries

Article 14

Additional allocations

1. For certain stocks, a Member State may grant an additional allocation to vessels flying its flag and participating in trials on fully documented fisheries. Those stocks are identified in Annex I.

2. The additional allocation referred to in paragraph 1 shall not exceed the overall limit set out in Annex I as a percentage of the quota allocated to that Member State.

Article 15

Conditions for additional allocations

1. The additional allocation referred to in Article 14 shall comply with the following conditions:

   (a) the vessel makes use of close circuit television cameras (CCTV) associated to a system of sensors (jointly referred to as "the CCTV system") to record all on board fishing and processing activities;

(b) the additional allocation granted to an individual vessel that participates in trials on fully documented fisheries shall not exceed any of the following limits:

(i) 75 % of the discards of the stock, as estimated by the relevant Member State, produced by the type of vessel to which the individual vessel that has been granted the additional allocation belongs.

(ii) 30 % of the vessel's individual allocation prior to participating in the trials.

(c) all catches by the vessel from the stock subject to the additional allocation, including fish that are under minimum landing size as defined in Annex XII of Council Regulation (EC) No 850/98[1], shall be counted against the individual allocation of the vessel, as resulting from any additional allocation granted under Article 14.

(d) once the individual allocation for any stock subject to the additional allocation has been fully utilised by a vessel, the vessel in question must cease all fishing activity in the relevant TAC area.

(e) in respect of the stocks for which this Article may be used, the Member States may allow transfers of the individual allocation or any part thereof from vessels not participating in trials on fully documented fisheries to vessels participating in those trials provided that it can be demonstrated that discards by the non-participating vessels do not increase.

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

2. Notwithstanding paragraph 1(b)(i), a Member State may exceptionally grant to a vessel flying its flag an additional allocation exceeding 75 % of the estimated discards of the stock produced by the type of vessel to which the individual vessel that has been granted the additional allocation belongs, provided that:

(a) the rate of stock discards, as estimated for the relevant type of vessel, is less than 10 %;

(b) the inclusion of that type of vessel is important to evaluate the potential of the CCTV system for control purposes;

(c) an overall limit of 75 % of the estimated stock discards produced by all vessels participating in the trials is not exceeded.

3. Prior to granting the additional allocation referred to in Article 14, a Member State shall submit the following information to the Commission:

(a) the list of vessels flying its flag and participating in trials on fully documented fisheries;

(b) the specifications of the remote electronic monitoring equipment installed on board those vessels;

(c) the capacity, type and specification of gears used by those vessels;

(d) the estimated discards for each type of vessel participating in the trials;

(e) the amount of catches of the stock subject to the relevant TAC made in 2013 by the vessels participating in the trials.

Article 16

Processing of personal data

To the extent that the recordings obtained in accordance with Article 15(1)(a) involve the processing of personal data within the meaning of Directive 95/46/EC, that Directive shall apply to the processing of such data.

Article 17

Withdrawal of additional allocations

Where a Member State detects that a vessel participating in trials on fully documented fisheries fails to comply with the conditions set out in Article 15, it shall immediately withdraw the additional allocation granted to that vessel and exclude it from participation in those trials for the remainder of the year 2014.

Article 18

Scientific review of discard assessments

The Commission may request any Member State that avails itself of this Chapter to submit its assessment of the discards produced per type of vessel to a scientific advisory body for review, in order to monitor the implementation of the requirement set out in Article 15(1)(b)(i). In the absence of an assessment confirming such discards, the Member State concerned shall take any appropriate measure to ensure compliance with that requirement and shall inform the Commission thereof.

Chapter III

Fishing authorisations in third-country waters

Article 19

Fishing authorisations

1. The maximum number of fishing authorisations for Union vessels fishing in waters of a third country is set out in Annex III.

2. Where one Member State transfers quota to another Member State ("swap") in the fishing areas set out in Annex III on the basis of Article 16(8) of Regulation (EU) No 1380/2013, the transfer shall include an appropriate transfer of fishing authorisations and shall be notified to the Commission. However, the total number of fishing authorisations for each fishing area, as set out in Annex III, shall not be exceeded.

Chapter IV

Fishing opportunities in waters of regional fisheries management organisations

Article 20

Quota transfers and exchanges

1. Where, under the rules of a regional fisheries management organisation ("RFMO"), quota transfers or exchanges between the Contracting Parties to the RFMO are permitted, a Member State ("the Member State concerned") may discuss with a Contracting Party to the RFMO and, as appropriate, establish a possible outline of an intended quota transfer or exchange.

2. Upon notification to the Commission by the Member State concerned, the Commission may endorse the outline of the intended quota transfer or exchange that the Member State has discussed with the relevant Contracting Party to the RFMO. Thereupon, the Commission shall exchange, without undue delay, the consent to be bound by such quota transfer or exchange with the relevant Contracting Party to the RFMO. The Commission shall then give notification of the agreed quota transfer or exchange to the secretariat of the RFMO in accordance with the rules of that organisation.

3. The Commission shall inform the Member States of the agreed quota transfer or exchange.

4. The fishing opportunities received from or transferred to the relevant Contracting Party to the RFMO under the quota transfer or exchange shall be deemed to be quotas allocated to, or deducted from, the allocation of the Member State concerned, as of the moment that the quota transfer or exchange takes effect in accordance with the terms of the agreement reached with the relevant Contracting Party to the RFMO or in accordance with the rules of the relevant RFMO, as appropriate. Such allocation shall not change the existing distribution key for the purpose of allocating fishing opportunities among Member States in accordance with the principle of relative stability of fishing activities.

SECTION 1
ICCAT CONVENTION AREA

Article 21

Fishing, farming and fattening capacity limitations for bluefin tuna

1. The number of Union bait boats and trolling boats authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm in the Eastern Atlantic shall be limited as set out in point 1 of Annex IV.

2. The number of Union coastal artisanal fishing vessels authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm in the Mediterranean shall be limited as set out in point 2 of Annex IV.

3. The number of Union vessels fishing for bluefin tuna in the Adriatic Sea for farming purposes authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm shall be limited as set out in point 3 of Annex IV.

4. The number and total capacity in gross tonnage of fishing vessels authorised to fish for, retain on board, tranship, transport, or land bluefin tuna in the eastern Atlantic and Mediterranean shall be limited as set out in point 4 of Annex IV.

5. The number of traps engaged in the eastern Atlantic and Mediterranean bluefin tuna fishery shall be limited as set out in point 5 of Annex IV.

6. The bluefin tuna farming capacity, the fattening capacity and the maximum input of wild caught bluefin tuna allocated to the farms in the eastern Atlantic and Mediterranean shall be limited as set out in point 6 of Annex IV.

Article 22

Recreational and sport fisheries

Member States shall allocate a specific quota of bluefin tuna for recreational and sport fisheries from their quotas allocated in Annex ID.

Article 23

Sharks

1. Retaining on board, transhipping or landing any part or whole carcass of bigeye thresher sharks (*Alopias superciliosus*) in any fishery shall be prohibited.

2. It shall be prohibited to undertake a directed fishery for species of thresher sharks of the *Alopias* genus.

3. Retaining on board, transhipping or landing any part or whole carcass of hammerhead sharks of the *Sphyrnidae* family (except for the *Sphyrna tiburo*) in association with fisheries in the ICCAT Convention Area shall be prohibited.

4. Retaining on board, transhipping or landing any part or whole carcass of oceanic whitetip sharks (*Carcharhinus longimanus*) taken in any fishery shall be prohibited.

5. Retaining on board silky sharks (*Carcharhinus falciformis*) taken in any fishery shall be prohibited.

SECTION 2
CCAMLR CONVENTION AREA

Article 24

Prohibitions and catch limitations

1. Direct fishing of the species set out in Part A of Annex V, shall be prohibited in the zones and during the periods set out therein.

2. For exploratory fisheries, the TACs and by-catch limits set out in Part B of Annex V, shall apply in the subareas set out therein.

Article 25

Exploratory fisheries

1. Only those Member States which are members of the CCAMLR Commission may participate in longline exploratory fisheries for Dissostichus spp. in FAO subareas 88.1 and 88.2 as well as in divisions 58.4.1, 58.4.2 and 58.4.3a outside areas of national jurisdiction in 2014. If such a Member State intends to participate in such fisheries, it shall notify the CCAMLR Secretariat in accordance with Articles 7 and 7a of Regulation (EC) No 601/2004 and in any case no later than 1 June 2014.

2. With regard to FAO subareas 88.1 and 88.2 as well as divisions 58.4.1,58.4.2 and 58.4.3a TACs and by-catch limits per subarea and division, and their distribution among Small Scale Research Units (SSRUs) within each of them, shall be as set out in Part B of Annex V. Fishing in any SSRU shall cease when the reported catch reaches the specified TAC, and the SSRU shall be closed to fishing for the remainder of the season.

3. Fishing shall take place over as large a geographical and bathymetric range as possible to obtain the information necessary to determine fishery potential and to avoid over-concentration of catch and fishing effort. However, fishing in FAO subareas 88.1 and 88.2 as well as in divisions 58.4.1, 58.4.2 and 58.4.3a shall be prohibited in depths less than 550 m.

Article 26

Krill fishery during the 2014/2015 fishing season

1. Only those Member States which are members of the CCAMLR Commission may fish for krill (*Euphausia superba*) in the CCAMLR Convention Area during the 2014/2015 fishing season. If such a Member State intends to fish for krill in the CCAMLR Convention Area, it shall notify, no later than 1 June 2014, the CCAMLR Secretariat, in accordance with Article 5a of Regulation (EC) No 601/2004, and the Commission, using the format laid down in Part C of Annex V of this Regulation of its intention to fish for krill.

2. The notification referred to in paragraph 1 of this Article shall include the information provided for in Article 3 of Regulation (EC) No 601/2004 for each vessel to be authorised by the Member State to participate in the krill fishery.

3. A Member State intending to fish for krill in the CCAMLR Convention Area shall only notify its intention to do so in respect of authorised vessels either flying its flag at the time of the notification or flying the flag of another CCAMLR member that are expected, at the time the fishery takes place, to be flying the flag of that Member State.

4. Member States shall be entitled to authorise participation in a krill fishery by vessels other than those notified to CCAMLR Secretariat in accordance with paragraphs 1, 2 and 3 of this Article, if an authorised vessel is prevented from participation due to legitimate operational reasons or *force majeure*. In such circumstances the Member States concerned shall immediately inform the CCAMLR Secretariat and the Commission, providing:

   (a) full details of the intended replacement vessel(s), including information provided for in Article 3 of Regulation (EC) No 601/2004;

   (b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.

5. Member States shall not authorise a vessel on any CCAMLR illegal, unreported and unregulated (IUU) Vessel List to participate in krill fisheries.

SECTION 3
IOTC CONVENTION AREA

Article 27
Limitation of fishing capacity of vessels fishing in the IOTC Convention Area

1. The maximum number of Union vessels fishing for tropical tunas in the IOTC Convention Area and the corresponding capacity in gross tonnage shall be as set out in point 1 of Annex VI.

2. The maximum number of Union vessels fishing for swordfish (*Xiphias gladius*) and albacore (*Thunnus alalunga*) in the IOTC Convention Area and the corresponding capacity in gross tonnage shall be as set out in point 2 of Annex VI.

3. Member States may re-allocate vessels assigned to one of the two fisheries referred to in paragraphs 1 and 2 to the other fishery, provided that they can demonstrate to the Commission that this change does not lead to an increase of fishing effort on the fish stocks involved.

4. Member States shall ensure that, where there is a proposed transfer of capacity to their fleet, vessels to be transferred are on the IOTC Record of Vessels or on the record of vessels of other tuna regional fisheries organisations. Furthermore, no vessels featuring on the list of vessels engaged in IUU fishing activities (IUU vessels) of any RFMO may be transferred.

5. In order to take into account the implementation of the development plans submitted to the IOTC, Member States may only increase their fishing capacity beyond the ceilings referred to in paragraphs 1 and 2 within the limits set out in those plans.

Article 28

Sharks

1. Retaining on board, transhipping or landing any part or whole carcass of thresher sharks of all the species of the *Alopiidae* family in any fishery shall be prohibited.

2. Retaining on board, transshipping or landing any part or whole carcass of oceanic whitetip sharks (*Carcharhinus longimanus*) in any fishery shall be prohibited, except for vessels under 24 metres overall length engaged solely in fishing operations within the Exclusive Economic Zone (EEZ) of the Member State whose flag they fly, and provided that their catch is destined solely for local consumption.

3. When accidentally caught, species referred to in paragraph 1 and 2 shall not be harmed. Specimens shall be promptly released.

SECTION 4
SPRFMO CONVENTION AREA

Article 29

Pelagic fisheries - capacity limitation

Member States having actively exercised pelagic fisheries activities in the SPRFMO Convention Area in 2007, 2008 or 2009 shall limit the total level of gross tonnage of vessels flying their flag and fishing for pelagic stocks in 2014 to the total Union level of 78 600 gross tonnage in that area.

Article 30

Pelagic fisheries – TACs

1. Only Member States having actively exercised pelagic fisheries activities in the SPRFMO Convention Area in 2007, 2008 or 2009, as specified in Article 29, may fish for pelagic stocks in that area in accordance with the TACs set out in Annex IJ.

2. The fishing opportunities set out in Annex IJ may only be fished under the condition that Member States send to the Commission, in order to communicate them to the SPRFMO Secretariat, the list of vessels actively fishing or engaged in transhipment in the SPRFMO Convention Area, records from vessel monitoring systems (VMS), monthly catch reports and, where available, port calls at the latest by the fifth day of the following month.

Article 31

Bottom fisheries

Member States with a track record in bottom fishing effort or catch in the SPRFMO Convention Area over the period from 1 January 2002 to 31 December 2006 shall limit their effort or catch to:

(a) the average level of catches or effort parameters over that period; and

(b) only those parts of the SPRFMO Convention Area where bottom fisheries have occurred in any previous fishing season.

SECTION 5
IATTC CONVENTION AREA

Article 32

Purse-seine fisheries

1. The fishing by purse-seine vessels for yellowfin tuna (*Thunnus albacares*), bigeye tuna (*Thunnus obesus*) and skipjack tuna (*Katsuwonus pelamis*) shall be prohibited:

   (a) from 29 July to 28 September 2014 or from 18 November 2014 to 18 January 2015 in the area defined by the following limits:

   – the Pacific coastlines of the Americas,

   – longitude 150º W,

   – latitude 40º N,

   – latitude 40º S;

   (b) from 29 September to 29 October 2014 in the area defined by the following limits:

   – longitude 96º W,

   – longitude 110º W,

   – latitude 4º N,

   – latitude 3º S.

2. The Member States concerned shall notify the Commission of the selected period of closure referred to in paragraph 1 before 1 April 2014. All the purse-seine vessels of the Member States concerned shall stop purse-seine fishing in the areas defined in paragraph 1 during the selected period.

3. Purse-seine vessels fishing for tuna in the IATTC Convention Area shall retain on board and then land or tranship all yellowfin, bigeye and skipjack tuna caught.

4. Paragraph 3 shall not apply in the following cases:

   (a) where the fish is considered unfit for human consumption for reasons other than size; or

   (b) during the final set of a trip when there may be insufficient well space remaining to accommodate all the tuna caught in that set.

5. It shall be prohibited to fish for oceanic whitetip sharks (*Carcharhinus longimanus*) in the IATTC Convention Area, and to retain on board, to tranship, to store, to offer to sell, to sell or to land any part or whole carcass of oceanic whitetip sharks in that area.

6. When accidentally caught, the species referred to in paragraph 5 shall not be harmed. Specimens shall be promptly released by vessel operators, who shall also:

   (a) record the number of releases with indication of status (dead or alive);

(b) report the information specified in paragraph (a) to the Member State of which they are nationals. Member States shall transmit this information to the Commission by 31 January 2014.

SECTION 6
SEAFO CONVENTION AREA

Article 33

Prohibition of fishing for deep water sharks

Directed fishing for the following deep water sharks in the SEAFO Convention Area shall be prohibited:

– skates (*Rajidae*),

– spiny dogfish (*Squalus acanthias*),

– blurred smooth lanternshark (*Etmopterus bigelowi*),

– shorttail lanternshark (*Etmopterus brachyurus*),

– great lanternshark (*Etmopterus princeps*),

– smooth lanternshark (*Etmopterus pusillus*),

– ghost catshark (*Apristurus manis*),

– velvet dogfish (*Scymnodon squamulosus*),

– deep-sea sharks of the *Selachimorpha* super-order.

SECTION 7
WCPFC CONVENTION AREA

Article 34

Conditions for bigeye tuna, yellowfin tuna, skipjack tuna and south Pacific albacore fisheries

1. Member States shall ensure that the number of fishing days allocated to purse-seine vessels fishing for bigeye tuna (*Thunnus obesus*), yellowfin tuna (*Thunnus albacares*) and skipjack tuna (*Katsuwonus pelamis*) in the part of the WCPFC Convention Area in the high seas and located between 20º N and 20º S does not exceed 403 days.

2. Union vessels shall not target south Pacific albacore (*Thunnus alalunga*) in the WCPFC Convention Area south of 20°S.

Article 35

Closed area for FAD fishing

1. In the part of the WCPFC Convention Area located between 20º N and 20º S, fishing activities of purse-seine vessels making use of fish aggregating devices (FADs) shall be prohibited between 00:00 hours of 1 July 2014 and 24:00 hours of 31 October 2014. During that period, a purse-seine vessel may only engage in fishing operations within that part of the WCPFC Convention Area if it carries onboard an observer to monitor that at no time does the vessel:

   (a) deploy or service a FAD or associated electronic device;

(b) fish on schools in association with FADs.

2. All purse- seine vessels fishing in the part of the WCPFC Convention Area referred to in paragraph 1 shall retain onboard and land or tranship all bigeye, yellowfin and skipjack tuna caught.

3. Paragraph 2 shall not apply in the following cases:

(a) in the final set of a trip, if the vessel has insufficient well space left to accommodate all fish;

(b) where the fish is unfit for human consumption for reasons other than size; or

(c) when a serious malfunction of freezer equipment occurs.

Article 36

Overlap area between IATTC and WCPFC

1. Vessels listed exclusively in the WCPFC register shall apply the measures set out in Articles 34 to 37 when fishing in the overlap area between IATTC and WCPFC as defined in Article 4(p).

2. Vessels listed in both the WCPFC register and the IATTC register and vessels listed exclusively in the IATTC register shall apply the measures set out in Article 32(1)(a) and (2) to (6) when fishing in the overlap area between IATTC and WCPFC as defined in Article 4(p).

Article 37

Limitations to the number of Union vessels authorised to fish swordfish

The maximum number of Union vessels authorised to fish for swordfish (*Xiphias gladius*) in areas south of 20º S of the WCPFC Convention Area shall be as indicated in Annex VII.

SECTION 8
BERING SEA

Article 38

Prohibition on fishing in the high seas of the Bering Sea

Fishing for pollock (*Theragra chalcogramma*) in the high seas of the Bering Sea shall be prohibited.

TITLE III
FISHING OPPORTUNITIES
FOR THIRD-COUNTRY VESSELS IN UNION WATERS

Article 39

TACs

Fishing vessels flying the flag of Norway and fishing vessels registered in the Faroe Islands shall be authorised to make catches in Union waters within the TACs set out in Annex I to this Regulation and subject to the conditions provided for in this Regulation and Chapter III of Regulation (EC) No 1006/2008.

Article 40

Fishing authorisations

1. The maximum number of fishing authorisations for third-country vessels fishing in Union waters is laid down in Annex VIII.

2. Fish from stocks for which TACs are fixed shall not be retained on board or landed unless the catches have been taken by third-country vessels having a quota and that quota is not exhausted.

Article 41

Prohibitions

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

   (a) basking shark (*Cetorhinus maximus*) and white shark (*Carcharodon carcharias*) in Union waters;

   (b) angel shark (*Squatina squatina*) in Union waters;

   (c) common skate (*Dipturus batis*) complex (*Dipturus* cf. *flossada* and *Dipturus* cf. *intermedia*) in Union waters of ICES division IIa and ICES subareas III, IV, VI, VII, VIII, IX and X;

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

   (e) porbeagle (*Lamna nasus*) in Union waters;

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

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

2. When accidentally caught, the species referred to in paragraph 1 shall not be harmed. Specimens shall be promptly released.

TITLE IV
FINAL PROVISIONS

Article 42

Committee procedure

1. The Commission shall be assisted by the Committee for Fisheries and Aquaculture established by 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 Regulation (EU) No 182/2011 shall apply.

Article 43

Entry into force

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

It shall apply from 1 January 2014.

However, Article 8 shall apply from 1 February 2014.

The provisions on fishing opportunities set out in Articles 24, 25 and 26 and Annexes IE and V for the CCAMLR Convention Area shall apply from the dates specified therein.

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

Done at Brussels,

For the Council
The President

LIST OF ANNEXES

ANNEX I:	TACs applicable to Union vessels in areas where TACs exist by species and by area
ANNEX IA:	Skagerrak, Kattegat, ICES subareas I, II, III, IV, V, VI, VII, VIII, IX, X, XII and XIV, Union waters of CECAF, French Guiana waters
ANNEX IB:	North East Atlantic and Greenland, ICES subareas I, II, V, XII and XIV and Greenland waters of NAFO 1
ANNEX IC:	North West Atlantic - NAFO Convention Area
ANNEX ID:	Highly migratory fish – all areas
ANNEX IE:	Antarctic – CCAMLR Convention Area
ANNEX IF:	South-East Atlantic Ocean – SEAFO Convention Area
ANNEX IG:	Southern bluefin tuna – all areas
ANNEX IH:	WCPFC Convention Area
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ANNEX IIA:	Fishing effort for vessels in the context of the management of certain cod, plaice and sole stocks in ICES divisions IIIa, VIa, VIIa, VIId, ICES subarea IV and Union waters of ICES divisions IIa and Vb

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

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

ANNEX IID: Management areas for sandeel in ICES divisions IIa, IIIa and ICES subarea IV

ANNEX III: Maximum number of fishing authorisations for Union vessels in third-country waters

ANNEX IV: ICCAT Convention Area

ANNEX V: CCAMLR Convention Area

ANNEX VI: IOTC Convention Area

ANNEX VII: WCPFC Convention Area

ANNEX VIII: Quantitative limitations of fishing authorisations for third-country vessels fishing in Union waters

ANNEX I

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

The tables in Annexes IA, IB, IC, ID, IE, IF, IG, IJ set out the TACs and quotas (in tonnes live weight, except where otherwise specified) by stock, and conditions functionally linked thereto, where appropriate.

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

The references to fishing zones are references to ICES zones, unless otherwise specified. Within each area, fish stocks are referred to following the alphabetical order of the Latin names of the species. Only Latin names identify species for regulatory purposes; vernacular names are provided for ease of reference.

For the purposes of this Regulation, the following comparative table of Latin names and common names is provided:

Scientific name	Alpha-3 code	Common name
Amblyraja radiata	RJR	Starry ray
Ammodytes spp.	SAN	Sandeels
Argentina silus	ARU	Greater silver smelt
Beryx spp.	ALF	Alfonsinos
Brosme brosme	USK	Tusk

Scientific name	Alpha-3 code	Common name
Caproidae	BOR	Boarfish
Centrophorus squamosus	GUQ	Leafscale gulper shark
Centroscymnus coelolepis	CYO	Portuguese dogfish
Chaceon spp.	GER	Deep sea red crab
Chaenocephalus aceratus	SSI	Blackfin icefish
Champsocephalus gunnari	ANI	Mackerel icefish
Channichthys rhinoceratus	LIC	Unicorn icefish
Chionoecetes spp.	PCR	Snow crab
Clupea harengus	HER	Herring
Coryphaenoides rupestris	RNG	Roundnose grenadier
Dalatias licha	SCK	Kitefin shark
Deania calcea	DCA	Birdbeak dogfish
Dipturus batis (*Dipturus* cf. *flossada* and *Dipturus* cf. *intermedia*)	RJB	Common skate complex
Dissostichus eleginoides	TOP	Patagonian toothfish
Dissostichus mawsoni	TOA	Antarctic toothfish
Dissostichus spp.	TOT	Toothfish
Engraulis encrasicolus	ANE	Anchovy
Etmopterus princeps	ETR	Great lanternshark
Etmopterus pusillus	ETP	Smooth lanternshark
Euphausia superba	KRI	Krill
Gadus morhua	COD	Cod
Galeorhinus galeus	GAG	Tope shark
Glyptocephalus cynoglossus	WIT	Witch flounder
Gobionotothen gibberifrons	NOG	Humped rockcod
Hippoglossoides platessoides	PLA	American plaice
Hippoglossus hippoglossus	HAL	Atlantic halibut
Hoplostethus atlanticus	ORY	Orange roughy

Scientific name	Alpha-3 code	Common name
Illex illecebrosus	SQI	Shortfin squid
Lamna nasus	POR	Porbeagle
Lepidonotothen squamifrons	NOS	Grey rockcod
Lepidorhombus spp.	LEZ	Megrims
Leucoraja naevus	RJN	Cuckoo ray
Limanda ferruginea	YEL	Yellowtail flounder
Limanda limanda	DAB	Common dab
Lophiidae	ANF	Anglerfish
Macrourus spp.	GRV	Grenadiers
Makaira nigricans	BUM	Blue marlin
Mallotus villosus	CAP	Capelin
Manta birostris	RMB	Giant manta ray
Martialia hyadesi	SQS	Squid
Melanogrammus aeglefinus	HAD	Haddock
Merlangius merlangus	WHG	Whiting
Merluccius merluccius	HKE	Hake
Micromesistius poutassou	WHB	Blue whiting
Microstomus kitt	LEM	Lemon sole
Molva dypterygia	BLI	Blue ling
Molva molva	LIN	Ling
Nephrops norvegicus	NEP	Norway lobster
Notothenia rossii	NOR	Marbled rockcod
Pandalus borealis	PRA	Northern prawn
Paralomis spp.	PAI	Crabs
Penaeus spp.	PEN	"Penaeus" shrimps
Platichthys flesus	FLE	European flounder
Pleuronectes platessa	PLE	Plaice
Pleuronectiformes	FLX	Flatfish

Scientific name	Alpha-3 code	Common name
Pollachius pollachius	POL	Pollack
Pollachius virens	POK	Saithe
Psetta maxima	TUR	Turbot
Pseudochaenichthys georgianus	SGI	South Georgia icefish
Raja alba	RJA	White skate
Raja brachyura	RJH	Blonde ray
Raja circularis	RJI	Sandy ray
Raja clavata	RJC	Thornback ray
Raja fullonica	RJF	Shagreen ray
Raja (Dipturus) nidarosiensis	JAD	Norwegian skate
Raja microocellata	RJE	Small-eyed ray
Raja montagui	RJM	Spotted ray
Raja undulata	RJU	Undulate ray
Rajiformes	SRX	Skates and rays
Reinhardtius hippoglossoides	GHL	Greenland halibut
Scomber scombrus	MAC	Mackerel
Scophthalmus rhombus	BLL	Brill
Sebastes spp.	RED	Redfish
Solea solea	SOL	Common sole
Solea spp.	SOO	Sole
Sprattus sprattus	SPR	Sprat
Squalus acanthias	DGS	Spurdog/dogfish
Tetrapturus albidus	WHM	White marlin
Thunnus maccoyii	SBF	Southern bluefin tuna
Thunnus obesus	BET	Bigeye tuna
Thunnus thynnus	BFT	Bluefin tuna
Trachurus murphyi	CJM	Jack mackerel
Trachurus spp.	JAX	Horse mackerel

Scientific name	Alpha-3 code	Common name
Trisopterus esmarkii	NOP	Norway pout
Urophycis tenuis	HKW	White hake
Xiphias gladius	SWO	Swordfish

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

Alfonsinos	ALF	*Beryx* spp.
American plaice	PLA	*Hippoglossoides platessoides*
Anchovy	ANE	*Engraulis encrasicolus*
Anglerfish	ANF	*Lophiidae*
Antarctic toothfish	TOA	*Dissostichus mawsoni*
Atlantic halibut	HAL	*Hippoglossus hippoglossus*
Bigeye tuna	BET	*Thunnus obesus*
Birdbeak dogfish	DCA	*Deania calcea*
Blackfin icefish	SSI	*Chaenocephalus aceratus*
Blonde ray	RJH	*Raja brachyura*
Blue ling	BLI	*Molva dypterygia*
Blue marlin	BUM	*Makaira nigricans*
Blue whiting	WHB	*Micromesistius poutassou*
Bluefin tuna	BFT	*Thunnus thynnus*
Boarfish	BOR	*Caproidae*
Brill	BLL	*Scophthalmus rhombus*
Capelin	CAP	*Mallotus villosus*
Cod	COD	*Gadus morhua*
Common dab	DAB	*Limanda limanda*
Common skate complex	RJB	*Dipturus batis (Dipturus* cf. *flossada* and *Dipturus* cf. *intermedia)*

Common sole	SOL	*Solea solea*
Crabs	PAI	*Paralomis* spp.
Cuckoo ray	RJN	*Leucoraja naevus*
Deep sea red crab	GER	*Chaceon* spp.
European flounder	FLE	*Platichthys flesus*
Flatfish	FLX	*Pleuronectiformes*
Giant manta ray	RMB	*Manta birostris*
Great lanternshark	ETR	*Etmopterus princeps*
Greater silver smelt	ARU	*Argentina silus*
Greenland halibut	GHL	*Reinhardtius hippoglossoides*
Grenadiers	GRV	*Macrourus* spp.
Grey rockcod	NOS	*Lepidonotothen squamifrons*
Haddock	HAD	*Melanogrammus aeglefinus*
Hake	HKE	*Merluccius merluccius*
Herring	HER	*Clupea harengus*
Horse mackerel	JAX	*Trachurus* spp.
Humped rockcod	NOG	*Gobionotothen gibberifrons*
Jack mackerel	CJM	*Trachurus murphyi*
Kitefin shark	SCK	*Dalatias licha*
Krill	KRI	*Euphausia superba*
Leafscale gulper shark	GUQ	*Centrophorus squamosus*
Lemon sole	LEM	*Microstomus kitt*
Ling	LIN	*Molva molva*
Mackerel	MAC	*Scomber scombrus*
Mackerel icefish	ANI	*Champsocephalus gunnari*
Marbled rockcod	NOR	*Notothenia rossii*
Megrims	LEZ	*Lepidorhombus* spp.
Northern prawn	PRA	*Pandalus borealis*
Norway lobster	NEP	*Nephrops norvegicus*

Norway pout	NOP	*Trisopterus esmarkii*
Norwegian skate	JAD	*Raja (Dipturus) nidarosiensis*
Orange roughy	ORY	*Hoplostethus atlanticus*
Patagonian toothfish	TOP	*Dissostichus eleginoides*
"Penaeus" shrimps	PEN	*Penaeus* spp.
Plaice	PLE	*Pleuronectes platessa*
Pollack	POL	*Pollachius pollachius*
Porbeagle	POR	*Lamna nasus*
Portuguese dogfish	CYO	*Centroscymnus coelolepis*
Redfish	RED	*Sebastes* spp.
Roundnose grenadier	RNG	*Coryphaenoides rupestris*
Saithe	POK	*Pollachius virens*
Sandeels	SAN	*Ammodytes* spp.
Sandy ray	RJI	*Raja circularis*
Shagreen ray	RJF	*Raja fullonica*
Shortfin squid	SQI	*Illex illecebrosus*
Skates and rays	SRX	*Rajiformes*
Small-eyed ray	RJE	*Raja microocellata*
Smooth lanternshark	ETP	*Etmopterus pusillus*
Snow crab	PCR	*Chionoecetes* spp.
Sole	SOO	*Solea* spp.
South Georgia icefish	SGI	*Pseudochaenichthys georgianus*
Southern bluefin tuna	SBF	*Thunnus maccoyii*
Spotted ray	RJM	*Raja montagui*
Sprat	SPR	*Sprattus sprattus*
Spurdog/dogfish	DGS	*Squalus acanthias*
Squid	SQS	*Martialia hyadesi*
Starry ray	RJR	*Amblyraja radiata*
Swordfish	SWO	*Xiphias gladius*

Thornback ray	RJC	*Raja clavata*
Toothfish	TOT	*Dissostichus* spp.
Tope shark	GAG	*Galeorhinus galeus*
Turbot	TUR	*Psetta maxima*
Tusk	USK	*Brosme brosme*
Undulate ray	RJU	*Raja undulata*
Unicorn icefish	LIC	*Channichthys rhinoceratus*
White hake	HKW	*Urophycis tenuis*
White marlin	WHM	*Tetrapturus albidus*
White skate	RJA	*Raja alba*
Whiting	WHG	*Merlangius merlangus*
Witch flounder	WIT	*Glyptocephalus cynoglossus*
Yellowtail flounder	YEL	*Limanda ferruginea*