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PROPOSAL

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Subject: Proposal for a Council Regulation fixing for 2012 the fishing opportunities available to Union vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements

Delegations will find attached a proposal from the Commission, submitted under a covering letter from Mr Jordi AYET PUIGARNAU, Director, to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

Encl.: COM(2011) 586 final



EUROPEAN COMMISSION

Brussels, 26.9.2011
COM(2011) 586 final

2011/0255 (NLE)

Proposal for a

COUNCIL REGULATION

**Fixing for 2012 the fishing opportunities available to Union vessels for certain fish stocks
and groups of fish stocks which are not subject to international negotiations or
agreements**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

Grounds and objectives

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

The key feature of the annual fishing opportunities exercise is in fact its short-term nature. This is due essentially to historical reasons, relating to the way in which the CFP provides for the sharing of the maritime space and the resources therein among national Union fleets. It is important to maintain an annually-renewed process for this Union-wide pact at the basis of the CFP.

However, this does not stand in the way of the introduction of long-term management approaches. The Union has made good progress in this regard and key stocks of commercial interest are now subject to multi-annual management plans that yearly TACs and effort ceilings must comply with.

Scope

In recent years, the Council of the EU has taken an annual decision on fishing opportunities for the stocks in the Atlantic, the North Sea and those international fisheries in which Union vessels participate. This was the main fishing opportunities regulation by number of regulated stocks, standing along the other regulations on fishing opportunities, namely the Baltic Sea, the Black Sea and the deep sea stocks (the latter every two years).

However, save a few exceptions, scientific advice on stocks on which the Union decides autonomously is already available by July. It is therefore possible to draw up a proposal for Union stocks only on which the Council could reach political agreement at its November session. In a move to streamline and facilitate fishing opportunities decisions, the Commission included in its Communication concerning a consultation on Fishing Opportunities(COM(2011)298 final)¹ its intention to table two proposals out of the content previously contained in one.

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

¹ COM(2011) 298 final

Splitting the proposal will allow moving to a simpler and more structured approach where decisions are taken on the basis of the advice and as soon as possible after the advice is provided. Following the model of the Baltic fishing opportunities regulation, it will make the process for adoption more manageable and will provide operators with earlier certainty regarding their activities for the next year.

Situation of the stocks

The Commission has, for six years now, published a Communication that reviews the state of the situation to which the fishing opportunities proposals must respond. This year, the Communication from the Commission on the Consultation on Fishing Opportunities, notes some good news, as the state of some stocks has improved. However, many fish stocks remain subject to an advice to reduce catches to zero or to the lowest possible level. Many stocks are outside safe biological limits. Despite conservation measures imposed under the CFP, too many stocks are in these vulnerable categories and far too few stocks have improved. The analysis confirms that we need reinforced conservation measures for overexploited fish stocks.

For 2011, the advice from the International Council for the Exploration of the Sea (ICES) and the Scientific, Technical and Economic Committee for Fisheries (STECF) once more underlines the poor state of many fish resources in Union waters. But it notes improvements in certain important stocks, such as Celtic Sea cod, haddock, and the southern anglerfish stock. In response to the Commission's request, ICES is providing advice on a strategy to reach management consistent with Maximum Sustainable Yield (MSY) in 2015. This is something the Union committed to do when it subscribed to the conclusions of the 2002 World Summit on Sustainable Development in Johannesburg and its related Plan of Implementation.

The proposed fishing opportunities regulation respond to the scientific advice received by the Commission as to the state of the stocks, on the basis of which catch limits compliant with multi-annual management plans are determined. For stocks not covered by such plans, the proposed TACs respond to the scientific advice in the manner outlined in Communication COM(2011)298 final.

Scientific advice is essentially dependent on data. Only stocks for which there is sufficient and reliable data can be assessed, so that size estimates are produced, as well as forecast of how they will react to the various exploitation scenarios (this is referred to as "catch options tables"). Such situation exists only for a number of regulated stocks. For the remainder, the approach to follow in management must still be the precautionary principle. In addition, it is crucial to work decisively towards overcoming the data deficiencies affecting these stocks. To this end, the proposed measures must be rigorous.

Consistency with other policies and objectives of the Union

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

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

Consultation of interested parties

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

The Commission has consulted stakeholders, in particular through the Regional Advisory Councils (RACs), and Member States on its proposed approach to its various fishing opportunities proposals on the basis of its Communication on a Consultation on Fishing Opportunities (COM(2011)298 final).

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

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

- Splitting: a non-paper to the Committee for Fisheries and Aquaculture on Splitting the main Fishing Opportunities Regulation in 2012.
- Annex IIB: a non-paper to the Committee for Fisheries and Aquaculture on a proposed revision of Annex IIB on fishing effort in the context of the recovery of certain southern hake and Norway lobster stocks.

These frontloading documents were submitted to Member States and also transmitted to the RACs to provide them with an opportunity for feedback. Furthermore, the Commission organised an open seminar (with participation of Member States, Members of the European Parliament, fisheries experts, stakeholders, the press and the public) on 8 September 2011, at which the outcomes of the scientific advice and its key implications were presented and discussed.

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

Whereas the frontloading process is focused on technical aspects, the response to the Commission's consultation on fishing opportunities reflects the views of Member States and stakeholders on the evaluation made by the Commission of the state of the resources and how to ensure the appropriate management response.

As regards Member States, three Member States sent their positions in the context of the open consultation.

As regards regional Advisory Councils, four of them have provided views in response to the consultation document. The points made by each of the RACs that responded can be summarised as follows:

South Western Waters RAC

- The South-Western Waters RAC supports the adoption of more long term management plans.

- The 25% reduction for data-poor stocks is too simplistic and sometimes unjust. A more case-by-case approach is required.
- The causes of the lack of data may be structural, and both the Commission and Member States should invest more in scientific research. The Commission, in particular, should develop a methodology to enhance cooperation between scientists and professionals in this domain.

North Western Waters RAC

- The North-Western Waters RAC asks how and when interspecies interactions can be incorporated in MSY considerations.
- The RAC disputes the statement that there is no evidence of a significant reduction of overcapacity, as there is, in its view, sufficient proof of significant effort reductions.
- The RAC opposes the 25% reductions in data-poor situations, and would prefer that the Commission take account of stock trends according to ICES advice.

Pelagic RAC

- The new Fishing Opportunities consultation document is too simplistic and cannot cater appropriately for the variety of stocks it covers.
- The PRAC is mainly concerned by the fact that a one-size-fits-all approach has been used for data-poor stocks.

North Sea RAC

- The North Sea RAC found the Commission's Communication too negative in tone.
- The RAC warned that the Council wanted a realistic and gradual path to MSY and not a direct implementation in 2012.
- Development of regional long-term management plans was the preferred option for the different fisheries in the North Sea, taking account of the mixed nature of the fisheries.
- The RAC opposed the 25% reductions for data-poor stocks as these would penalise the fishing industries while the responsibility for assessment lays mainly with Member States; it would also generate additional discards.

The Commission has considered all submissions mentioned above and, within the limits of what is compatible with the nature of a Council regulation on fishing opportunities, has tried to integrate them. Due to the many arguments for a more ad-hoc approach as regards data-poor stocks, the Commission has not applied a 25% reduction across the board, but 15% or 25% reductions depending on a number of factors, including in particular available information on stock trends and mixed fisheries considerations.

Collection and use of expertise

As for the methodology used, the Commission consulted two main organisations/experts: ICES, an international independent scientific body, and STECF. Advice from ICES is based on an advice framework developed within ICES and used in accordance with requests from their clients, among which the Commission. The STECF gives its advice following terms of reference that it receives from the Commission.

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

(a) Summary of advice received and used

The ultimate objective of the Union is to achieve fishing mortality levels that allow the stock to be exploited at Maximum Sustainable Yield. The decision lies on how to ensure that this fishing mortality level is achieved in 2015 at the latest. In many cases, this means effecting a reduction in fishing mortality rates and therefore a reduction in catches. However, it remains within the remit of managers to decide how fast or how gradually these reductions must take place. The two basic options identified in this context are a) achieving fishing mortality rates at MSY level as soon as possible (i.e. in 2012) or b) achieving these rates in 2015 (i.e. a gradual reduction over the next 4 years). ICES refers to these two scenarios as, respectively, "MSY framework" advice and "MSY transition" advice. Relevant catch options are provided in the advice for each scenario, and also for intermediate values. For each stock, however, ICES marks a preference for one scenario or the other.

Against this background, this proposal makes use of the MSY advice, where available, by proposing TACs consistent with reductions in fishing mortality that go half-way towards the MSY objective in 2012. In its Communication COM(2011)298 final, the Commission considered the need for the EU to deliver on its commitment to reach MSY in 2015. It proposed to ensure this by taking a rigorous approach and drive fishing mortality rates down to the target value already in 2012. In light of the results of the consultation, the Commission is proposing TACs that provide for a more gradual approach, while remaining decisive in the pursuit of the objective. This is the rationale underlying the half-way fishing mortality cuts proposed here.

MSY advice, however, is only available for a minority of stocks. Whereas this proposal regulates the fishing opportunities for 83 biological stocks, about half of them remain at a level of assessment that is only qualitative, with no population size estimate and therefore no quantified catch options relative to possible fishing mortality targets. ICES is able in some cases to provide some indications as to whether the stock could be stable, increasing or decreasing in size, but in many cases, advice is entirely absent for lack of data. It is worth noting, however, that there are also many cases where ICES provides advice this year for the first time. This is good news as it implies that efforts are being made to improve the data on the basis of which advice can be delivered, and to make the best use of the data that is already available. Quantitative assessments require relatively long time series of data, so the efforts initiated this year must continue to build a robust basis for management over the mid-term.

For 13 stocks (widely distributed; sharks and rays) the advice is issued in the autumn and the proposal will need to be updated as appropriate at that time. For 9 stocks, the advice is used for the purpose of implementing applicable management plans or agreed harvest control rules.

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

- **Anglerfish south (VIIIc):** the stock is on the rise and it should be possible to reach MSY levels already in 2012 even with higher catches than at present.
- **Celtic Sea Cod:** the 2009 year-class was extremely successful and has driven the stock size up considerably.
- **Haddock West of Scotland and Celtic Sea:** Western waters haddock stocks are benefitting from a strong 2009 year-class, after many years of unfavourable conditions. Discarding, however, remains a serious problem for this species in both areas and in the Irish Sea.
- **Hake, north and south:** these stocks continue to maintain a relative good status, albeit the advice still signals worryingly high fishing mortality rates and possible misreporting of catches.
- **Herring Celtic Sea:** Another important stock that continues to show signs of good status, making it possible to envisage increased catches in 2012.

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

- **Sole Celtic Sea:** the stock is deemed fished at sustainable levels (MSY), but its size is smaller than previously thought, as scientists have revised their estimates this year. This means TAC reductions are required to keep fishing at MSY levels.
- **Whiting (various Western Waters stocks):** it would seem that 2009 was a good year for whitefish, as seen for haddock and Celtic Cod. There are signs that whiting may also be benefitting from this bounty year. However, whiting is the less valuable of the three whitefish species and is therefore suffering from very high discard rates. Landings data are therefore not a good basis for assessing how the stock is doing and scientists cannot provide proper advice. Clearly, unless action is taken to address the discarding problem, a great opportunity to rebuild these stocks from the West of Scotland to the Celtic Sea waters would be lost.
- **Cod West of Scotland, Irish Sea and Kattegat:** the data-poor situation continues to hamper the management of these stocks and there are no signs of rebuilding despite successive important TAC cuts in recent years (-25%).
- **Sole Eastern channel:** the stock is at historical lowest.
- **Norway Lobster:** There is a variable situation among the different stock units (functional units) managed under each TAC. In Area VII, and for the Porcupine Bank, ICES notes indications that the spatial and seasonality measures applied since 2009 could be helping protecting the depleted stock, but this means further efforts are needed to undo the damage caused in previous years. Other functional units in the area and also north in West of Scotland waters are giving signs of a positive trend, but all in all, too many functional units remain in a very data-poor state.

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

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

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

Impact assessment

The fishing opportunities regulation is no longer an instrument that allows the Council alone to adopt complex packages of measures, and must limit itself to the scope set by Article 43(3) of the Treaty. It is therefore well adapted to a management by results approach. If the policy, as a whole, works better, then the annual fishing opportunities will improve. This includes, in particular, fleet management, structural support, control and enforcement, markets regulation and integration of management tools into a comprehensive maritime policy. It remains, however, necessary to use this instrument to make adjustments necessary to conserve the resource base for the European harvesting and processing industry, and prevent or correct negative impacts of a too high fishing mortality on the marine environment.

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

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

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

The analysis shows that achieving MSY by the target date implies short term economic and social costs. However, such costs pay off clearly in the longer term. The analysis, however, also shows clearly the crucial and urgent need to improve the knowledge base if the CFP is to be successful. This need affects both the data required for scientific advice on the state of the stocks and the data required to assess and influence the economy and social aspects of the activity. It is in light of this analysis that the current proposal seeks already to move in the right direction with complementary and coherent approaches. First, the proposal pursues the MSY objective decisively when the science basis to do so is available, making thus the best use possible of the scientific advice. Second, for stocks for which data are missing thus preventing management by MSY to be implemented, the proposal takes a rigorous approach based on precautionary considerations. Reducing the need for precautionary measures means, in essence, reducing the uncertainty in the advice. This can only be addressed if the national administrations concerned and the stakeholders collect and provide to the scientists the necessary data.

3. LEGAL ELEMENTS OF THE PROPOSAL

(a) Legal basis

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

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

(b) Summary of the proposal

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

(c) Application

The provisions in the area of the proposal are applicable until 31 December 2012, with the exception of certain provisions on effort limitations which are applicable until 31 January 2013.

(d) Subsidiarity principle

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

(e) Proportionality principle

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

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

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

(f) Choice of instruments

Proposed instrument: Regulation.

4. BUDGETARY IMPLICATION

The proposal has no implication for the Union budget.

5. ADDITIONAL INFORMATION

(g) Simplification

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

(h) Review/revision/sunset clause

The proposal concerns an annual Regulation for the year 2012 and therefore does not include a revision clause.

(i) Detailed explanation of the proposal

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

For an increasing number of stocks, such as for example hake, sole, plaice and Norway lobster, the fishing opportunities have been established on the basis of the rules laid down in the relevant multi-annual plans. For those stocks for which new multi-annual plans have been proposed (the western stock of horse mackerel), as well as for those stocks for which the Council and Commission committed themselves by way of a statement adopted at the 2009 December Council (herring in the Celtic Sea and haddock in the waters West of Scotland), the proposal follows the rules laid down therein.

As regards cod stocks in the West of Scotland, the Irish Sea and the Kattegat, the advice received notes that they are still failing to recover. Like last year, the Commission proposes a stricter measure than the default TAC reduction imposed by the cod plan² harvest rules for data-poor stocks. This follows Article 10(2) of the cod plan, which, according to the advice received, applies in this situation. As announced in its proposal for 2011 already last year, the Commission is proposing 0 TAC. However, this is accompanied by a percentage of permitted by-catch per vessel trip: 1.5% in order to allow landing of unavoidable by-catches which would otherwise have to be discarded. This percentage responds to the realistic level of unavoidable catches that is expected, considering the selective gear for cod in most fisheries. In relation to effort management for cod fisheries, a system based on kilowatt days has been applied since 2009 and will be continued in 2012.

For the effort management for sole in the Western Channel and for southern hake and Norway lobster, the system of management of days at sea per type of vessel having a track record in the fishery, will continue to apply during 2012, but the proposed regulation will continue to allow Member States to apply a system by kilowatt days in order to make a more efficient use of fishing opportunities and to stimulate conservation practices in agreement with the fishing sector. With regard specifically to the effort rules for the southern hake and Norway lobster fishery, the proposal will rationalise the system applicable to exemptions from the use of allocated days-at-sea. Currently, vessels not catching more than 5 tons of hake or 2.5 of Norway lobster are exempted from the effort limits. Vessels whose hake catches are less than 3% of their overall catch are also exempted. Following the results of the frontloading exercise, the Commission proposes that this latter exemption criterion be revised to become an incentive to hake avoidance. In the proposal, hake catches per trip will be monitored, and if the vessel catches less than 3% of hake – within its overall catch – during a fishing trip, then the relevant Member State may decide not to count the days at sea spent on this trip against the total days-at-sea limits established in Annex IIB of the regulation. This system will incentivise operators to reduce their hake by-catches and in this way, help in reducing fishing mortality on the recovering stock.

² 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. 20–33

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

Proposal for a

COUNCIL REGULATION

Fixing for 2012 the fishing opportunities available to Union vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) According to Article 43(3) of the Treaty, the Council, on a proposal from the Commission, adopts measures on the fixing and allocation of fishing opportunities.
- (2) Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy¹ requires that measures governing access to waters and resources and the sustainable pursuit of fishing activities be established taking into account available scientific, technical and economic advice and in particular reports drawn up by the Scientific, Technical and Economic Committee for Fisheries (STECF).
- (3) It is incumbent upon the Council to adopt measures on the fixing and allocation of fishing opportunities by fishery or by group of fisheries, including certain conditions functionally linked thereto, as appropriate. Fishing opportunities should be distributed among Member States in such a way as to assure each Member State relative stability of fishing activities for each stock or fishery and having due regard to the objectives of the Common Fisheries Policy established in Regulation (EC) No 2371/2002.
- (4) As regards the scope of this regulation, in its recent Communication concerning a consultation on Fishing Opportunities² the Commission foresaw to split the main annual Fishing Opportunities Regulation for 2012 in two instruments. This document represents the first regulation of the two. The TACs for stocks regulated herein are all decided autonomously by the Union, and are available only to Union vessels.
- (5) Where a total allowable catch (TAC) relating to a stock is allocated to one Member State only, it is appropriate to empower the Member State concerned 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

¹ OJ L 358, 31.12.2002, p. 59.
² COM(2011) 298 final

consistent with the principles and rules of the Common Fisheries Policy and ensures that the stock in question is exploited at levels that shall, with as high a probability as possible, produce maximum sustainable yield from 2015 onwards, including by taking the necessary measures to collect relevant data, assess the stock concerned and determine maximum sustainable yield levels of that stock.

- (6) Certain TACs allow Member States 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 to avoid discards and the waste of otherwise usable fish resources it entails; 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 must cover every operation at sea, rather than what is landed at port. The conditions for Member States to grant such additional allocations must therefore include an obligation to ensure the use of close circuit television cameras (CCTVs) associated to a system of sensors; this will enable to record in detail all retained and discarded parts of catches. A system based on human observers operating in real time on board would be less efficient, more costly, and less reliable. Consequently, the use of CCTVs is a prerequisite for the achievement of discard reduction schemes such as fully documented fisheries, provided that the requirements of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data¹ are complied with.
- (7) The TACs should be established on the basis of the available scientific advice, by taking into account the 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 with the Advisory Committee for Fisheries and Aquaculture and the Regional Advisory Councils concerned.
- (8) 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 hake, of Norway lobster, of sole in the Bay of Biscay and the Western Channel, of herring to the west of Scotland and of cod in the Kattegat, to the west of Scotland and in the Irish Sea should be established in accordance with the rules laid down in: Council Regulation (EC) No 811/2004 of 21 April 2004 establishing measures for the recovery of the northern hake stock²; 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 peninsula³; 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 Biscay⁴; 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 Channel⁵; 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

¹ OJ L 281, 23.11.1995, p. 31.

² OJ L 150, 30.4.2004, p. 1.

³ OJ L 345, 28.12.2005, p. 5.

⁴ OJ L 65, 7.3.2006, p. 1.

⁵ OJ L 122, 11.5.2007, p. 7.

that stock¹; and Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks.²

- (9) The scientific advice for cod stocks in the West of Scotland, the Irish Sea and the Kattegat notes that those stocks are still failing to recover. A stricter TAC level than the default TAC reduction imposed by the cod plan³ harvest rules for data-poor stocks should be applied, in accordance with Article 10(2) of that plan.
- (10) For stocks for which there is not sufficient or reliable data in order to provide size estimates, management measures and TAC levels should follow the precautionary principle as defined in the Communication from the Commission on the Precautionary Principle⁴, as well as the approach outlined in the Communication from the Commission concerning a consultation on Fishing Opportunities, while taking into account stock-specific factors, including in particular available information on stock trends and mixed fisheries considerations.
- (11) In accordance with Article 2 of Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas⁵, the stocks that are subject to the various measures referred to therein should be identified.
- (12) For certain species, such as certain species of sharks, even a limited fishing activity could result in a serious risk to their conservation. Fishing opportunities for such species should therefore be fully restricted through a general fishing prohibition for those species.
- (13) Norway lobster is caught in mixed demersal fisheries together with various other species. In a zone to the west of Ireland known as the Porcupine Bank there is an urgent conservation need to reduce catches of Norway lobster as much as possible. It is therefore appropriate to limit the fishing opportunities in this area only to the catching of pelagic species with which Norway lobster is not caught.
- (14) It is necessary to establish the fishing effort ceilings for 2012 in accordance with Article 8 of Regulation (EC) No 2166/2005, Article 5 of Regulation (EC) No 509/2007, Articles 11 and 12 of Regulation (EC) No 1342/2008, while taking into account Council Regulation (EC) No 754/2009 of 27 July 2009 excluding certain groups of vessels from the fishing effort regime laid down in Chapter III of Regulation (EC) No 1342/2008⁶.
- (15) The use of fishing opportunities available to Union vessels set out in this Regulation is subject to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy⁷, and in particular to Articles 33 and 34 thereof concerning the recording of catches and fishing effort and the notification of data on the exhaustion of fishing opportunities. It is therefore necessary to specify the codes to be used by Member States when sending data to the Commission relating to landings of stocks subject to this Regulation.

¹ OJ L 344, 20.12.2008, p. 6.

² OJ L 348, 24.12.2008, p. 20.

³ 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. 20–33.

⁴ COM(2000) 1 final.

⁵ OJ L 115, 9.5.1996, p. 3.

⁶ OJ L 214, 19.8.2009, p. 16.

⁷ OJ L 343, 22.12.2009, p. 1.

- (16) In order to avoid the interruption of fishing activities and to ensure the livelihood of the fishermen of the Union, this Regulation should apply from 1 January 2012, except for the provisions concerning fishing effort limits, which should apply from 1 February 2012. For reasons of urgency, this Regulation should enter into force immediately after its publication.
- (17) Fishing opportunities should be used in full compliance with the applicable law of the Union,

HAS ADOPTED THIS REGULATION:

TITLE I

SCOPE AND DEFINITIONS

Article 1 Subject matter

- (1) This Regulation fixes the fishing opportunities available to Union vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements.
- (2) The fishing opportunities referred to in paragraph 1 include:
 - (a) catch limits for the year 2012; and
 - (b) fishing effort limits for the period from 1 February 2012 to 31 January 2013.

Article 2 Scope

This Regulation shall apply to Union vessels.

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) 'Union waters' means waters under the sovereignty or jurisdiction of the Member States with the exception of waters adjacent to the territories mentioned in Annex II to the Treaty;
- (c) 'total allowable catch' (TAC) means the quantity that can be taken and landed from each fish stock each year;
- (d) 'quota' means a proportion of the TAC allocated to the Union or a Member State;
- (e) 'international waters' means waters falling outside the sovereignty or jurisdiction of any State;
- (f) 'mesh size' means the mesh size of fishing nets as determined in accordance with Regulation (EC) No 517/2008 ;
- (g) 'Union fishing fleet register' means the register set up by the Commission in accordance with Article 15(3) of Regulation (EC) No 2371/2002;
- (h) 'fishing logbook' means the logbook referred to in Article 14 of Regulation (EC) No 1224/2009.

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 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;
- (b) 'Skagerrak' means the 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 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 Gníbens Spids, from Korshage to Spodsbjerg and from Gilbjerg Hoved to Kullen;
- (d) 'VII (Porcupine Bank – Unit 16)' means the 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,
 - 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 area of ICES division IXa east of longitude 7° 23' 48" W;
- (f) CECAF (Committee for Eastern Central Atlantic Fisheries) areas are as defined in Annex I to 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.¹

¹ OJ L 87, 31.3.2009, p. 1.

TITLE II

FISHING OPPORTUNITIES

Article 5 *TACs and allocations*

The TACs for Union vessels in Union waters or in 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.

Article 6 *Special provisions on certain TACs*

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, with the highest probability, in the exploitation of the stock consistent with maximum sustainable yield from 2015 onwards.
3. By 28 February 2012, 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 on which the TACs are based; and
 - (c) details on how the adopted TACs comply with paragraph 2.

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

1. For certain stocks, Member States may grant an additional allocation to vessels participating in trials on fully documented fisheries. Those stocks are identified in Annex I. The additional allocations shall not exceed an overall limit set out in Annex I as a percentage of the quota allocated to the Member State concerned.
2. The additional allocations referred to in paragraph 1 may be granted only in accordance with the following conditions:

- (a) the vessels use close circuit television cameras (CCTV) associated to a system of sensors to record all fishing and processing activities on board the vessels;
- (b) the amount of the additional allocation granted to a vessel must be no more than 75 % of the discards estimated for the vessel type to which it belongs, and in any case shall not represent more than a 30 % increase of the vessel's basic allocation; and
- (c) all catches of the stocks subject to the additional allocation by that vessel must be counted against the vessel's total allocation.

To the extent that the recordings obtained in accordance with point (a) involve the processing of personal data within the meaning of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data,¹ the Directive shall apply to the processing of such data.

3. Where a Member State detects that a vessel participating in trials on fully documented fisheries fails to comply with the conditions set out in paragraph 2, 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 2012.
4. Prior to granting additional allocations, Member States shall submit to the Commission the following information:
 - (a) the list of vessels 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 the vessels participating in the trials;
 - (d) the estimated discard rates of each vessel type participating in the trials; and
 - (e) the amount of catches of the stock subject to the relevant TAC made in 2011 by the vessels participating in the trials.
5. The Commission may request that the assessment of the estimated discards for vessels mentioned in paragraph (2)(b) be submitted to a scientific advisory body for review. In the absence of a confirming assessment, the Member State concerned shall not grant or, if already granted, withdraw the additional allocation to the vessels concerned.

Article 8 Conditions for landing catches and by-catches

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

¹ OJ L 281, 23.11.1995, p. 31.

- (a) the catches have been taken by vessels 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 9
Fishing effort limits

From 1 February 2012 to 31 January 2013, the fishing effort measures laid down in:

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

Article 10
Special provisions on allocations of fishing opportunities

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

Article 11
Closed fishing season

1. It shall be prohibited to fish or retain onboard any of the following species in the Porcupine Bank during the period from 1 May to 31 July 2012: cod, megrims, anglerfish, haddock, whiting, hake, Norway lobster, plaice, pollack, skates and rays, common sole and spurdog.
2. For the purposes of this Article, the Porcupine Bank shall comprise the area bounded by rhumb lines sequentially joining the following positions:

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

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

*Article 12
Prohibited species*

- (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 Union and non Union waters;
 - (b) porbeagle (*Lamna nasus*) in international waters;
 - (c) angel shark (*Squatina squatina*) in Union waters;
 - (d) common skate (*Dipturus batis*) in Union waters of ICES division IIa and ICES subareas III, IV, VI, VII, VIII, IX and X;
 - (e) undulate ray (*Raja undulata*) and white skate (*Rostroraja 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.
- (2) When accidentally caught, species referred to in paragraph 1 shall not be harmed. They shall be promptly released.

Article 13
Data transmission

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

TITLE III

FINAL PROVISIONS

Article 14
Entry into force and application

The 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 2012.

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 (in tonnes live weight, except where otherwise specified).
 - Part A: General provisions
 - Part B: Kattegat, ICES subareas I, II, III, IV, V, VI, VII, VIII, IX, X, XII and XIV, Union waters of CECAF, French Guyana waters.
- ANNEX IIA: Fishing effort for vessels in the context of the management of cod stocks in the Kattegat, ICES divisions VIIa and VIa, and Union waters of ICES division Vb
- ANNEX IIB: Fishing effort for vessels in the context of the recovery of certain Southern hake and Norway lobster stocks in ICES divisions VIIIC and IXa excluding the Gulf of Cadiz
- ANNEX IIC Fishing effort for vessels in the context of the management of Western Channel sole stocks in ICES division VIIe

ANNEX I

TACS APPLICABLE TO UNION VESSELS IN AREAS WHERE TACs EXIST BY SPECIES AND BY AREA IN TONNES LIVE WEIGHT, EXCEPT WHERE OTHERWISE SPECIFIED

PART A GENERAL PROVISIONS

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

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

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

Scientific name	Alpha-3 code	Common name
<i>Amblyraja radiata</i>	RJR	Starry ray
<i>Ammodytes</i> spp.	SAN	Sandeels
<i>Argentina silus</i>	ARU	Greater silver smelt
<i>Beryx</i> spp.	ALF	Alfonsinos
<i>Brosme brosme</i>	USK	Tusk
<i>Caproidae</i>	BOR	Boarfish
<i>Centrophorus squamosus</i>	GUQ	Leafscale gulper shark
<i>Centroscymnus coelolepis</i>	CYO	Portuguese dogfish
<i>Chaceon maritae</i>	CGE	Deep sea red crab

Scientific name	Alpha-3 code	Common name
<i>Champsocephalus gunnari</i>	ANI	Antarctic icefish
<i>Chionoecetes</i> spp.	PCR	Snow crab
<i>Clupea harengus</i>	HER	Herring
<i>Coryphaenoides rupestris</i>	RNG	Roundnose grenadier
<i>Dalatias licha</i>	SCK	Kitefin shark
<i>Deania calcea</i>	DCA	Birdbeak dogfish
<i>Dipturus batis</i>	RJB	Common skate
<i>Dissostichus eleginoides</i>	TOP	Patagonian toothfish
<i>Engraulis encrasiculus</i>	ANE	Anchovy
<i>Etomopterus princeps</i>	ETR	Great lanternshark
<i>Etomopterus pusillus</i>	ETP	Smooth lanternshark
<i>Euphausia superba</i>	KRI	Krill
<i>Gadus morhua</i>	COD	Cod
<i>Galeorhinus galeus</i>	GAG	Tope shark
<i>Glyptocephalus cynoglossus</i>	WIT	Witch flounder
<i>Hippoglossoides platessoides</i>	PLA	American plaice
<i>Hippoglossus hippoglossus</i>	HAL	Atlantic halibut
<i>Hoplostethus atlanticus</i>	ORY	Orange roughy
<i>Illex illecebrosus</i>	SQI	Shortfin squid
<i>Lamna nasus</i>	POR	Porbeagle

Scientific name	Alpha-3 code	Common name
<i>Lepidonotothen squamifrons</i>	NOS	Grey rockcod
<i>Lepidorhombus</i> spp.	LEZ	Megrims
<i>Leucoraja circularis</i>	RJI	Sandy ray
<i>Leucoraja fullonica</i>	RJF	Shagreen ray
<i>Leucoraja naevus</i>	RJN	Cuckoo ray
<i>Limanda ferruginea</i>	YEL	Yellowtail flounder
<i>Limanda limanda</i>	DAB	Dab
<i>Lophiidae</i>	ANF	Anglerfish
<i>Macrourus</i> spp.	GRV	Grenadiers
<i>Makaira nigricans</i>	BUM	Blue marlin
<i>Mallotus villosus</i>	CAP	Capelin
<i>Martialia hyadesi</i>	SQS	Squid
<i>Melanogrammus aeglefinus</i>	HAD	Haddock
<i>Merlangius merlangus</i>	WHG	Whiting
<i>Merluccius merluccius</i>	HKE	Hake
<i>Micromesistius poutassou</i>	WHB	Blue whiting
<i>Microstomus kitt</i>	LEM	Lemon sole
<i>Molva dypterygia</i>	BLI	Blue ling
<i>Molva molva</i>	LIN	Ling
<i>Nephrops norvegicus</i>	NEP	Norway lobster

Scientific name	Alpha-3 code	Common name
<i>Pandalus borealis</i>	PRA	Northern prawn
<i>Paralomis</i> spp.	PAI	Crabs
<i>Penaeus</i> spp.	PEN	"Penaeus" shrimps
<i>Platichthys flesus</i>	FLE	Flounder
<i>Pleuronectes platessa</i>	PLE	Plaice
<i>Pleuronectiformes</i>	FLX	Flatfish
<i>Pollachius pollachius</i>	POL	Pollack
<i>Pollachius virens</i>	POK	Saithe
<i>Psetta maxima</i>	TUR	Turbot
<i>Raja brachyura</i>	RJH	Blonde ray
<i>Raja clavata</i>	RJC	Thornback ray
<i>Raja (Dipturus) nidorosiensis</i>	JAD	Norwegian skate
<i>Raja microocellata</i>	RJE	Small-eyed ray
<i>Raja montagui</i>	RJM	Spotted ray
<i>Raja undulata</i>	RJU	Undulate ray
<i>Rajiformes</i>	SRX	Skates and rays
<i>Reinhardtius hippoglossoides</i>	GHL	Greenland halibut
<i>Rostroraja alba</i>	RJA	White skate
<i>Scomber scombrus</i>	MAC	Mackerel
<i>Scophthalmus rhombus</i>	BLL	Brill

Scientific name	Alpha-3 code	Common name
<i>Sebastes</i> spp.	RED	Redfish
<i>Solea solea</i>	SOL	Common sole
<i>Solea</i> spp.	SOX	Sole
<i>Sprattus sprattus</i>	SPR	Sprat
<i>Squalus acanthias</i>	DGS	Spurdog/dogfish
<i>Tetrapturus albidus</i>	WHM	White marlin
<i>Thunnus maccoyii</i>	SBF	Southern bluefin tuna
<i>Thunnus obesus</i>	BET	Bigeye tuna
<i>Thunnus thynnus</i>	BFT	Bluefin tuna
<i>Trachurus</i> spp.	JAX	Horse mackerel
<i>Trisopterus esmarkii</i>	NOP	Norway pout
<i>Urophycis tenuis</i>	HKW	White hake
<i>Xiphias gladius</i>	SWO	Swordfish

The following table of correspondences of common names and Latin names is given exclusively for explanatory purposes:

Alfonsinos	ALF	<i>Beryx</i> spp.
American plaice	PLA	<i>Hippoglossoides platessoides</i>
Anchovy	ANE	<i>Engraulis encrasiculus</i>
Anglerfish	ANF	<i>Lophiidae</i>
Antarctic icefish	ANI	<i>Champscephalus gunnari</i>
Atlantic halibut	HAL	<i>Hippoglossus hippoglossus</i>

Bigeye tuna	BET	<i>Thunnus obesus</i>
Birdbeak dogfish	DCA	<i>Deania calcea</i>
Blonde ray	RJH	<i>Raja brachyura</i>
Blue ling	BLI	<i>Molva dypterygia</i>
Blue marlin	BUM	<i>Makaira nigricans</i>
Blue whiting	WHB	<i>Micromesistius poutassou</i>
Bluefin tuna	BFT	<i>Thunnus thynnus</i>
Boarfish	BOR	<i>Caproidae</i>
Brill	BLL	<i>Scophthalmus rhombus</i>
Capelin	CAP	<i>Mallotus villosus</i>
Cod	COD	<i>Gadus morhua</i>
Common skate	RGB	<i>Dipturus batis</i>
Common sole	SOL	<i>Solea solea</i>
Crabs	PAI	<i>Paralomis</i> spp.
Cuckoo ray	RJN	<i>Leucoraja naevus</i>
Dab	DAB	<i>Limanda limanda</i>
Deep sea red crab	CGE	<i>Chaceon maritae</i>
Flatfish	FLX	<i>Pleuronectiformes</i>
Flounder	FLE	<i>Platichthys flesus</i>
Great lanternshark	ETR	<i>Etomopterus princeps</i>
Greater silver smelt	ARU	<i>Argentina silus</i>

Greenland halibut	GHL	<i>Reinhardtius hippoglossoides</i>
Grenadiers	GRV	<i>Macrourus</i> spp.
Grey rockcod	NOS	<i>Lepidonotothen squamifrons</i>
Haddock	HAD	<i>Melanogrammus aeglefinus</i>
Hake	HKE	<i>Merluccius merluccius</i>
Herring	HER	<i>Clupea harengus</i>
Horse mackerel	JAX	<i>Trachurus</i> spp.
Kitefin shark	SCK	<i>Dalatias licha</i>
Krill	KRI	<i>Euphausia superba</i>
Leafscale gulper shark	GUQ	<i>Centrophorus squamosus</i>
Lemon sole	LEM	<i>Microstomus kitt</i>
Ling	LIN	<i>Molva molva</i>
Mackerel	MAC	<i>Scomber scombrus</i>
Megrims	LEZ	<i>Lepidorhombus</i> spp.
Northern prawn	PRA	<i>Pandalus borealis</i>
Norway lobster	NEP	<i>Nephrops norvegicus</i>
Norway pout	NOP	<i>Trisopterus esmarkii</i>
Norwegian skate	JAD	<i>Raja (Dipturus) nidarosiensis</i>
Orange roughy	ORY	<i>Hoplostethus atlanticus</i>
Patagonian toothfish	TOP	<i>Dissostichus eleginoides</i>
"Penaeus" shrimps	PEN	<i>Penaeus</i> spp.

Plaice	PLE	<i>Pleuronectes platessa</i>
Pollack	POL	<i>Pollachius pollachius</i>
Porbeagle	POR	<i>Lamna nasus</i>
Portuguese dogfish	CYO	<i>Centroscymnus coelolepis</i>
Redfish	RED	<i>Sebastes</i> spp.
Roundnose grenadier	RNG	<i>Coryphaenoides rupestris</i>
Saithe	POK	<i>Pollachius virens</i>
Sandeels	SAN	<i>Ammodytes</i> spp.
Sandy ray	RIJ	<i>Leucoraja circularis</i>
Shagreen ray	RJF	<i>Leucoraja fullonica</i>
Shortfin squid	SQI	<i>Illex illecebrosus</i>
Skates and rays	SRX	<i>Rajiformes</i>
Small-eyed ray	RJE	<i>Raja microocellata</i>
Smooth lanternshark	ETP	<i>Etomopterus pusillus</i>
Snow crab	PCR	<i>Chionoecetes</i> spp.
Sole	SOX	<i>Solea</i> spp.
Southern bluefin tuna	SBF	<i>Thunnus maccoyii</i>
Spotted ray	RJM	<i>Raja montagui</i>
Sprat	SPR	<i>Sprattus sprattus</i>
Spurdog/dogfish	DGS	<i>Squalus acanthias</i>
Squid	SQS	<i>Martialia hyadesi</i>

Starry ray	RJR	<i>Amblyraja radiata</i>
Swordfish	SWO	<i>Xiphias gladius</i>
Thornback ray	RJC	<i>Raja clavata</i>
Tope shark	GAG	<i>Galeorhinus galeus</i>
Turbot	TUR	<i>Psetta maxima</i>
Tusk	USK	<i>Brosme brosme</i>
Undulate ray	RJU	<i>Raja undulata</i>
White hake	HKW	<i>Urophycis tenuis</i>
White marlin	WHM	<i>Tetrapturus albidus</i>
White skate	RJA	<i>Rostroraja alba</i>
Whiting	WHG	<i>Merlangius merlangus</i>
Witch flounder	WIT	<i>Glyptocephalus cynoglossus</i>
Yellowtail flounder	YEL	<i>Limanda ferruginea</i>

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

Species:	Greater silver smelt <i>Argentina silus</i>	Zone:	Union and international waters of I and II (ARU/1/2.)
Germany	21	Analytical TAC	
France	7		
The Netherlands	17		
United Kingdom	32		
Union	77		
TAC	77		

Species:	Greater silver smelt <i>Argentina silus</i>	Zone:	Union waters of III and IV (ARU/3/4.)
Denmark	781	Analytical TAC	
Germany	8		
France	6		
Ireland	6		
The Netherlands	37		
Sweden	30		
United Kingdom	14		
Union	882		
TAC	882		

Species:	Greater silver smelt <i>Argentina silus</i>	Zone:	Union and international waters of V, VI and VII (ARU/567.)
Germany	268	Analytical TAC	
France	6		
Ireland	248		
The Netherlands	2 799		
United Kingdom	197		
Union	3 518		
TAC	3 518		

Species:	Tusk <i>Brosme brosme</i>	Zone:	IIIa; Union waters of Subdivisions 22-32 (USK/3A/BCD)
Denmark	10	Analytical TAC	
Sweden	5		
Germany	5		
Union	20		
TAC	20		

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

Union	pm
TAC	pm

Species:	Herring <i>Clupea harengus</i>	Zone:	VIIb, VIIc; VIaS ⁽¹⁾ (HER/6AS7BC)
Ireland	3 048	Analytical TAC	
The Netherlands	305		
Union	3 353		
TAC	3 353		

(1) Reference is to the herring stock in VIa south of 56° 00' N and west of 07° 00' W.

Species:	Herring <i>Clupea harengus</i>	Zone:	VI Clyde ⁽¹⁾ (HER/06ACL.)
United Kingdom	To be established	⁽²⁾	Precautionary TAC
Union	To be established	⁽³⁾	
TAC	To be established	⁽³⁾	

(1) Clyde stock: reference is to the herring stock in the maritime area situated to the north-east of a line drawn between the Mull of Kintyre and Corsewall Point.
(2) Article 6 of this Regulation applies.
(3) Fixed at the same quantity as determined in accordance with footnote 2.

Species:	Herring <i>Clupea harengus</i>	Zone:	VIIa ⁽¹⁾ (HER/07A/MM)
Ireland	1 031	Analytical TAC	
United Kingdom	2 929		
Union	3 960		
TAC	3 960		

(1) This zone is reduced by the area added to VIIg, VIIh, VIIj and VIIk bounded:
– to the north by latitude 52° 30' N,
– to the south by latitude 52° 00' N,
– to the west by the coast of Ireland,
– to the east by the coast of the United Kingdom.

Species:	Herring <i>Clupea harengus</i>	Zone:	VIIe and VIIf (HER/7EF.)
France	416	Precautionary TAC	
United Kingdom	416		
Union	833		
TAC	833		

Species:	Herring <i>Clupea harengus</i>	Zone:	VIIg ⁽¹⁾ , VIIh ⁽¹⁾ , VIIj ⁽¹⁾ and VIIk ⁽¹⁾ (HER/7G-K.)
Germany	234	Analytical TAC	
France	1 302		
Ireland	18 236		
The Netherlands	1 302		
United Kingdom	26		
Union	21 100		

TAC 21 100

- (1) This zone is increased by the area bounded:
- to the north by latitude 52° 30' N,
 - to the south by latitude 52° 00' N,
 - to the west by the coast of Ireland,
 - to the east by the coast of the United Kingdom.
-

Species:	Anchovy <i>Engraulis encrasiculus</i>	Zone: IX and X; Union waters of CECAF 34.1.1 (ANE/9/3411)
Spain	3 090	Analytical TAC
Portugal	3 370	
Union	6 460	
TAC	6 460	

Species:	Cod <i>Gadus morhua</i>	Zone: Kattegat (COD/03AS.)
Denmark	0	Analytical TAC
Germany	0	
Sweden	0	
Union	0	
TAC	0	⁽¹⁾

(1) By-catch of cod in the area covered by this TAC may be landed provided that it does not comprise more than 1.5 % of the live weight of the total catch retained on board per fishing trip.

Species:	Cod <i>Gadus morhua</i>	Zone: VIb; Union and international waters of Vb west of 12° 00' W and of XII and XIV (COD/5W6-14)
Belgium	0	Precautionary TAC
Germany	2	
France	19	
Ireland	7	
United Kingdom	31	
Union	59	
TAC	59	

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

(1) By-catch of cod in the area covered by this TAC may be landed provided that it does not comprise more than 1.5 % of the live weight of the total catch retained on board per fishing trip.

Species:	Cod <i>Gadus morhua</i>	Zone:	VIIa (COD/07A.)
Belgium	0	Analytical TAC	
France	0		
Ireland	0		
The Netherlands	0		
United Kingdom	0		
Union	0		
TAC	0	(1)	

(1) By-catch of cod in the area covered by this TAC may be landed provided that it does not comprise more than 1.5 % of the live weight of the total catch retained on board per fishing trip.

Species:	Cod <i>Gadus morhua</i>	Zone:	VIIb, VIIc, VIIe-k, VIII, IX and X; Union waters of CECAF 34.1.1 (COD/7XAD34)
Belgium	432	Analytical TAC	
France	7 080	Article 11 of this Regulation applies.	
Ireland	1 403		
The Netherlands	1		
United Kingdom	763		
Union	9 679		
TAC	9 679		

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

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

Species:	Megrim <i>Lepidorhombus</i> spp.	Zone:	Union waters of IIa and IV (LEZ/2AC4-C)
Belgium	5	Analytical TAC	
Denmark	4		
Germany	4		
France	26		
The Netherlands	20		
United Kingdom	1 509		
Union	1 568		

Species:	Megrim <i>Lepidorhombus</i> spp.	Zone:	VI; Union and international waters of Vb; international waters of XII and XIV (LEZ/56-14)
Spain	327	Analytical TAC	
France	1 276		
Ireland	373		
United Kingdom	903		
Union	2 879		
TAC	2 879		

Species:	Megrim <i>Lepidorhombus</i> spp.	Zone:	VII (LEZ/07.)
Belgium	371	Analytical TAC	
Spain	4 118	Article 11 of this Regulation applies.	
France	4 996		
Ireland	2 272		
United Kingdom	1 968		
Union	13 725		
TAC	13 725		

Species:	Megrim <i>Lepidorhombus</i> spp.	Zone:	VIIIa, VIIIb, VIIId and VIIIe (LEZ/8ABDE.)
Spain	750	Analytical TAC	
France	605		
Union	1 355		
TAC	1 355		

Species:	Megrim <i>Lepidorhombus</i> spp.	Zone:	VIIIC, IX and X; Union waters of CECAF 34.1.1 (LEZ/8C3411)
Spain	1 091	Analytical TAC	
France	55		
Portugal	36		
Union	1 182		
TAC	1 182		

Species:	Anglerfish <i>Lophiidae</i>	Zone:	VI; Union and international waters of Vb; international waters of XII and XIV (ANF/56-14)
Belgium	147	Analytical TAC	
Germany	168		
Spain	157		
France	1 810		
Ireland	409		
The Netherlands	142		
United Kingdom	1 259		
Union	4 092		

Species:	Anglerfish <i>Lophiidae</i>	Zone:	VII (ANF/07.)
Belgium	2 238	⁽¹⁾	Analytical TAC
Germany	250	⁽¹⁾	Article 11 of this Regulation applies.
Spain	889	⁽¹⁾	
France	14 362	⁽¹⁾	
Ireland	1 835	⁽¹⁾	
The Netherlands	290	⁽¹⁾	
United Kingdom	4 355	⁽¹⁾	
Union	24 219	⁽¹⁾	
TAC	24 219	⁽¹⁾	
(1)	Special condition: of which up to 5 % may be fished in VIIIa, VIIIb, VIIId and VIIIe (ANF/*8ABDE).		

Species:	Anglerfish <i>Lophiidae</i>	Zone:	VIIIa, VIIIb, VIIId and VIIIe (ANF/8ABDE.)
Spain	989	Analytical TAC	
France	5 501		
Union	6 490		
TAC	6 490		

Species:	Anglerfish <i>Lophiidae</i>	Zone:	VIIIC, IX and X; Union waters of CECAF 34.1.1 (ANF/8C3411)
Spain	2 750	Analytical TAC	
France	3		
Portugal	547		
Union	3 300		
TAC	3 300		

Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	Union and international waters of Vb and VIa (HAD/5BC6A.)
Belgium	6	Analytical TAC	
Germany	7		
France	276		
Ireland	197		
United Kingdom	2 020		
Union	2 506		
TAC	2 506		

Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	VIIib-k, VIII, IX and X; Union waters of CECAF 34.1.1 (HAD/7X7A34)
Belgium	111	Analytical TAC	
France	6 658	Article 11 of this Regulation applies.	
Ireland	2 219		
United Kingdom	999		
Union	9 987		

TAC

9 987

Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	VIIa (HAD/07A.)
Belgium	16	Analytical TAC	
France	71		
Ireland	428		
United Kingdom	473		
Union	988		
TAC	988		
Species:	Whiting <i>Merlangius merlangus</i>	Zone:	VI; Union and international waters of Vb; international waters of XII and XIV (WHG/56-14)
Germany	1	Analytical TAC	
France	30		
Ireland	72		
United Kingdom	139		
Union	242		
TAC	242		
Species:	Whiting <i>Merlangius merlangus</i>	Zone:	VIIa (WHG/07A.)
Belgium	0	Analytical TAC	
France	6		
Ireland	35		
The Netherlands	0		
United Kingdom	48		
Union	89		
TAC	89		
Species:	Whiting <i>Merlangius merlangus</i>	Zone:	VIIb, VIIc, VIId, VIIe, VIIf, VIIg, VIIh, VIIj and VIIk (WHG/7X7A-C)
Belgium	121	Analytical TAC	
France	7 455	Article 11 of this Regulation applies.	
Ireland	3 455		
The Netherlands	61		
United Kingdom	1 334		
Union	12 426		
TAC	12 426		
Species:	Whiting <i>Merlangius merlangus</i>	Zone:	VIII (WHG/08.)
Spain	1 080	Precautionary TAC	
France	1 619		
Union	2 699		
TAC	2 699		

Species:	Whiting <i>Merlangius merlangus</i>	Zone:	IX and X; Union waters of CECAF 34.1.1 (WHG/9/3411)
Portugal	To be established ⁽¹⁾	Precautionary TAC	
Union	To be established ⁽²⁾		
TAC	To be established ⁽²⁾		

(1) Article 6 of this Regulation applies.

(2) Fixed at the same quantity as determined in accordance with footnote 1.

Species:	Hake <i>Merluccius merluccius</i>	Zone:	IIIa; Union waters of Subdivisions 22-32 (HKE/3A/BCD)
Denmark	1 366	Analytical TAC	
Sweden	116		
Union	1 482		
TAC	1 482 ⁽¹⁾		

(1) Within an overall TAC of 49 175 tonnes for the northern stock of hake.

Species:	Hake <i>Merluccius merluccius</i>	Zone:	Union waters of IIa and IV (HKE/2AC4-C)
Belgium	25	Analytical TAC	
Denmark	997		
Germany	115		
France	221		
The Netherlands	57		
United Kingdom	311		
Union	1 726		
TAC	1 726 ⁽¹⁾		

(1) Within an overall TAC of 49 175 tonnes for the northern stock of hake.

Species:	Hake <i>Merluccius merluccius</i>	Zone:	VI and VII; Union and international waters of Vb; international waters of XII and XIV (HKE/571214)
Belgium	253 ⁽¹⁾	Analytical TAC	
Spain	8 129	Article 11 of this Regulation applies.	
France	12 552 ⁽¹⁾		
Ireland	1 521		
The Netherlands	164 ⁽¹⁾		
United Kingdom	4 956 ⁽¹⁾		
Union	27 575		
TAC	27 575 ⁽²⁾		

(1) Transfers of this quota may be effected to Union waters of IIa and IV. However, such transfers must be notified in advance to the Commission.

(2) Within an overall TAC of 49 175 tonnes for the northern stock of hake.

Special condition:

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

	VIIIa, VIIIb, VIIId and VIIIE (HKE/*8ABDE)
Belgium	33
Spain	1 311
France	1 311
Ireland	164
The Netherlands	16
United Kingdom	738
Union	3573

Species:	Hake <i>Merluccius merluccius</i>	Zone:	VIIIa, VIIIb, VIIId and VIIIE (HKE/8ABDE.)
Belgium	8	⁽¹⁾	Analytical TAC
Spain	5 659		
France	12 708		
The Netherlands	16	⁽¹⁾	
Union	18 391		

TAC 18 391 ⁽²⁾

(1) Transfers of this quota may be effected to IV and Union waters of IIa. However, such transfers must be notified in advance to the Commission.

(2) Within an overall TAC of 49 175 tonnes for the northern stock of hake.

Special condition:

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

VI and VII; Union and
international waters of Vb;
international waters of XII
and XIV
(HKE/*57-14)

Belgium	2
Spain	1 639
France	2 950
The Netherlands	5
Union	4596

Species:	Hake <i>Merluccius merluccius</i>	Zone:	VIIIC, IX and X; Union waters of CECAF 34.1.1 (HKE/8C3411)
Spain	7 870		Analytical TAC
France	756		
Portugal	3 673		
Union	12 299		

TAC 12 299

Species:	Blue ling <i>Molva dypterygia</i>	Zone:	International waters of XII (BLI/12INT-) ⁽¹⁾
Estonia	1		Analytical TAC
Spain	582		
France	14		
Lithuania	5		

United Kingdom	5	
Others	1	(1)
Union	611	

TAC 611

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

Species:	Ling <i>Molva molva</i>	Zone:	IIIa; Union waters of IIIbcd (LIN/3A/BCD)
Belgium	6	(1)	Analytical TAC
Denmark	43		
Germany	6	(1)	
Sweden	17		
United Kingdom	6	(1)	
Union	78		

TAC 78

(1) Quota may be fished in Union waters of IIIa and Union waters of IIIbcd only.

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	Union waters of IIa and IV (NEP/2AC4-C)
Belgium	1 091		Analytical TAC
Denmark	1 091		
Germany	16		
France	32		
The Netherlands	561		
United Kingdom	18 058		
Union	20 849		
TAC	20 849		

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	VI; Union and international waters of Vb (NEP/5BC6.)
Spain	28		Analytical TAC
France	113		
Ireland	189		
United Kingdom	13 620		
Union	13 950		
TAC	13 950		

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	VII (NEP/07.)
Spain	1 053	(1)	Analytical TAC
France	4 268	(1)	Article 11 of this Regulation applies
Ireland	6 473	(1)	
United Kingdom	5 757	(1)	
Union	17 551	(1)	
TAC	17 551	(1)	

(1) Special condition: of which no more than the following quotas may be taken in VII (Porcupine Bank – Unit 16) (NEP/*07U16):

Spain		285
France		179
Ireland		342
United Kingdom		139
Union		945

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	VIIIA, VIIIB, VIIId and VIIIE (NEP/8ABDE.)
Spain	199	Analytical TAC	
France	3 115		
Union	3 314		
TAC	3 314		

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	VIIIC (NEP/08C.)
Spain	79	Analytical TAC	
France	3		
Union	82		
TAC	82		

Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	IX and X; Union waters of CECAF 34.1.1 (NEP/9/3411)
Spain	68	Analytical TAC	
Portugal	205		
Union	273		
TAC	273		

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

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	VI; Union and international waters of Vb; international waters of XII and XIV (PLE/56-14)
France	16	Precautionary TAC	
Ireland	215		
United Kingdom	358		
Union	589		
TAC	589		

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	VIIa (PLE/07A.)
Belgium	62	Analytical TAC	
France	27		
Ireland	488		
The Netherlands	19		
United Kingdom	624		
Union	1 220		
TAC	1 220		

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	VIIb and VIIc (PLE/7BC.)
France	13	Precautionary TAC	
Ireland	53	Article 11 of this Regulation applies.	
Union	66		
TAC	66		

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	VIId and VIIe (PLE/7DE.)
Belgium	684	Analytical TAC	
France	2 279		
United Kingdom	1 216		
Union	4 179		
TAC	4 179		

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	VIIf and VIIg (PLE/7FG.)
Belgium	76	Analytical TAC	
France	139		
Ireland	21		
United Kingdom	72		
Union	308		
TAC	308		

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	VIIh, VIIj and VIIk (PLE/7HJK.)
Belgium	9	Analytical TAC	
France	17	Article 11 of this Regulation applies.	
Ireland	61		
The Netherlands	35		
United Kingdom	17		
Union	139		
TAC	139		

Species:	Plaice <i>Pleuronectes</i> <i>platessa</i>	Zone:	VIII, IX and X; Union waters of CECAF 34.1.1 (PLE/8/3411)
Spain	56	Precautionary TAC	
France	224		
Portugal	56		
Union	336		
TAC	336		

Species:	Pollack <i>Pollachius</i> <i>pollachius</i>	Zone:	VI; Union and international waters of Vb; international waters of XII and XIV (POL/56-14)
Spain	4	Precautionary TAC	
France	143		
Ireland	42		
United Kingdom	109		
Union	298		
TAC	298		

Species:	Pollack <i>Pollachius</i> <i>pollachius</i>	Zone:	VII (POL/07.)
Belgium	315	Precautionary TAC	
Spain	19	Article 11 of this Regulation applies.	
France	7 249		
Ireland	773		
United Kingdom	1 765		
Union	10 121		
TAC	10 121		

Species:	Pollack <i>Pollachius</i> <i>pollachius</i>	Zone:	VIIia, VIIib, VIIId and VIIIE (POL/8ABDE.)
Spain	214	Precautionary TAC	
France	1 046		
Union	1 260		
TAC	1 260		

Species:	Pollack <i>Pollachius</i> <i>pollachius</i>	Zone:	VIIIC (POL/08C.)
Spain	176	Precautionary TAC	
France	20		
Union	196		
TAC	196		

Species:	Pollack <i>Pollachius</i> <i>pollachius</i>	Zone:	IX and X; Union waters of CECAF 34.1.1 (POL/9/3411)
Spain	232	Precautionary TAC	
Portugal	8		
Union	240		

Species:	Saithe <i>Pollachius virens</i>	Zone:	VII, VIII, IX and X; Union waters of CECAF 34.1.1 (POK/7/3411)
Belgium	7	Precautionary TAC	
France	1 599	Article 11 of this Regulation applies	
Ireland	800		
United Kingdom	436		
Union	2 842		
TAC	2 842		

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

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

Species:	Skates and rays <i>Rajiformes</i>	Zone:	Union waters of VIa, VIb, VIIa-c and VIIe-k (SRX/67AKXD)
Belgium	pm	(1)(2)(3)	Analytical TAC
Estonia	pm	(1)(2)(3)	Article 11 of this Regulation applies.
France	pm	(1)(2)(3)	
Germany	pm	(1)(2)(3)	
Ireland	pm	(1)(2)(3)	

Lithuania	pm	(1) (2) (3)
Netherlands	pm	(1) (2) (3)
Portugal	pm	(1) (2) (3)
Spain	pm	(1) (2) (3)
United Kingdom	pm	(1) (2) (3)
Union	pm	(1) (2) (3)
TAC	pm	(2)
(1)	Catches of cuckoo ray (<i>Leucoraja naevus</i>) (RJN/67AKXD), thornback ray (<i>Raja clavata</i>) (RJC/67AKXD), blonde ray (<i>Raja brachyura</i>) (RJH/67AKXD), spotted ray (<i>Raja montagui</i>) (RJM/ 67AKXD), small-eyed ray (<i>Raja microocellata</i>) (RJE/67AKXD), sandy ray (<i>Leucoraja circularis</i>) (RJI/67AKXD) and shagreen ray (<i>Leucoraja fullonica</i>) (RJF/67AKXD) shall be reported separately.	
(2)	Does not apply to undulate ray (<i>Raja undulata</i>), common skate (<i>Dipturus batis</i>), Norwegian skate (<i>Raja (Dipturus) nidarosiensis</i>) and white skate (<i>Rostroraja alba</i>). When accidentally caught, these species shall not be harmed. Specimens shall be promptly released.. Fishers shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of the species.	
(3)	Special condition: of which up to 5 % may be fished in Union waters of VIIId (SRX/*07D.).	

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

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

Species:	Common sole <i>Solea solea</i>	Zone:	IIIa; Union waters of Subdivisions 22-32 (SOL/3A/BCD)
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Denmark	437		Analytical TAC
Germany	25	⁽¹⁾	
The Netherlands	42	⁽¹⁾	
Sweden	16		
Union	520		
TAC	520	⁽²⁾	

(1) Quota may be fished in Union waters of IIIa, Subdivisions 22-32 only.

(2) Special condition: of which no more than 461 tonnes may be fished in IIIa.

Species:	Common sole <i>Solea solea</i>	Zone:	VI; Union and international waters of Vb; international waters of XII and XIV (SOL/56-14)
Ireland	41		Precautionary TAC
United Kingdom	10		
Union	51		
TAC	51		

Species:	Common sole <i>Solea solea</i>	Zone:	VIIa (SOL/07A.)
Belgium	109		Analytical TAC
France	1		
Ireland	27		
The Netherlands	34		
United Kingdom	49		
Union	220		
TAC	220		

Species:	Common sole <i>Solea solea</i>	Zone:	VIIb and VIIc (SOL/7BC.)
France	6		Precautionary TAC
Ireland	31		Article 11 of this Regulation applies.
Union	37		
TAC	37		

Species:	Common sole <i>Solea solea</i>	Zone:	VIIId (SOL/07D.)
Belgium	1 427		Analytical TAC
France	2 854		
United Kingdom	1 019		
Union	5 300		
TAC	5 300		

Species:	Common sole <i>Solea solea</i>	Zone:	VIIe (SOL/07E.)
Belgium	27	⁽¹⁾	Analytical TAC
France	293	⁽¹⁾	
United Kingdom	457	⁽¹⁾	
Union	777		

- (1) In addition to this quota, a Member State may grant to vessels participating in trials on fully documented fisheries additional allocation within an overall limit of an additional 5 % of the quota allocated to that Member State, under the conditions set out in Article 7 of this Regulation.

Species:	Common sole <i>Solea solea</i>	Zone:	VIIIf and VIIg (SOL/7FG.)
Belgium	663	Analytical TAC	
France	66		
Ireland	33		
United Kingdom	298		
Union	1 060		
TAC	1 060		

Species:	Common sole <i>Solea solea</i>	Zone:	VIIh, VIIj, and VIIk (SOL/7HJK.)
Belgium	30	Analytical TAC	
France	60	Article 11 of this Regulation applies.	
Ireland	162		
The Netherlands	48		
United Kingdom	60		
Union	360		
TAC	360		

Species:	Common sole <i>Solea solea</i>	Zone:	VIIIa and VIIIb (SOL/8AB.)
Belgium	47	Analytical TAC	
Spain	8		
France	3 442		
The Netherlands	258		
Union	3 755		
TAC	3 755		

Species:	Sole <i>Solea spp.</i>	Zone:	VIIIC, VIIId, VIIIe, IX and X; Union waters of CECAF 34.1.1 (SOX/8CDE34)
Spain	343	Precautionary TAC	
Portugal	568		
Union	911		
TAC	911		

Species:	Sprat <i>Sprattus sprattus</i>	Zone:	VIIId and VIIe (SPR/7DE.)
Belgium	20	Precautionary TAC	
Denmark	1 321		
Germany	20		
France	285		
The Netherlands	285		
United Kingdom	2 135		
Union	4 066		

Species:	Spurdog/dogfish <i>Squalus acanthias</i>	Zone:	Union waters of IIIa (DGS/03A-C.)
Denmark	pm	Analytical TAC	
Sweden	pm		
Union	pm		
TAC	pm		

Species:	Spurdog/dogfish <i>Squalus acanthias</i>	Zone:	Union waters of IIa and IV (DGS/2AC4-C)
Belgium	pm	⁽¹⁾	Analytical TAC
Denmark	pm	⁽¹⁾	
Germany	pm	⁽¹⁾	
France	pm	⁽¹⁾	
The Netherlands	pm	⁽¹⁾	
Sweden	pm	⁽¹⁾	
United Kingdom	pm	⁽¹⁾	
Union	pm	⁽¹⁾	
TAC	pm	⁽¹⁾	

- (1) [Catches taken with longlines of tope shark (*Galeorhinus galeus*), kitefin shark (*Dalatias licha*), bird beak dogfish (*Deania calcea*), leafscale gulper shark (*Centrophorus squamosus*), greater lanternshark (*Etmopterus princeps*), smooth lanternshark (*Etmopterus pusillus*), Portuguese dogfish (*Centroscymnus coelolepis*) and spurdog (*Squalus acanthias*) are included. When accidentally caught, these species shall not be harmed. Specimens shall be promptly released.]

Species:	Spurdog/dogfish <i>Squalus acanthias</i>	Zone:	Union and international waters of I, V, VI, VII, VIII, XII and XIV (DGS/15X14)
Belgium	pm	⁽¹⁾	Analytical TAC
Germany	pm	⁽¹⁾	Article 11 of this Regulation applies.
Spain	pm	⁽¹⁾	
France	pm	⁽¹⁾	
Ireland	pm	⁽¹⁾	
The Netherlands	pm	⁽¹⁾	
Portugal	pm	⁽¹⁾	
United Kingdom	pm	⁽¹⁾	
Union	pm	⁽¹⁾	
TAC	pm	⁽¹⁾	

- (1) [Catches taken with longlines of tope shark (*Galeorhinus galeus*), kitefin shark (*Dalatias licha*), bird beak dogfish (*Deania calcea*), leafscale gulper shark (*Centrophorus squamosus*), greater lanternshark (*Etmopterus princeps*), smooth lanternshark (*Etmopterus pusillus*), Portuguese dogfish (*Centroscymnus coelolepis*) and spurdog (*Squalus acanthias*) are included. When accidentally caught, these species shall not be harmed. Specimens shall be promptly released.]

Species:	Horse mackerel <i>Trachurus spp.</i>	Zone:	VIIIC (JAX/08C.)
Spain	pm	⁽¹⁾⁽²⁾	Analytical TAC
France	pm	⁽¹⁾	
Portugal	pm	⁽¹⁾⁽²⁾	

Union

pm

TAC

pm

- (1) Of which, notwithstanding Article 19 of Regulation (EC) No 850/98¹, no more than 5 % may consist of horse mackerel between 12 and 14 cm. For the purposes of the control of this quantity, the conversion factor to be applied to the weight of the landings shall be 1,20.
- (2) Special condition: up to 5 % of this quota may be fished in zone IX. However, the use of this special condition must be notified in advance to the Commission (JAX/*09.).

Species:	Horse mackerel <i>Trachurus</i> spp.	Zone:	IX (JAX/09.)
Spain	pm	⁽¹⁾⁽²⁾	Analytical TAC
Portugal	pm	⁽¹⁾⁽²⁾	
Union	pm		

TAC

pm

- (1) Of which, notwithstanding Article 19 of Regulation (EC) No 850/98, no more than 5 % may consist of horse mackerel between 12 and 14 cm. For the purposes of the control of this quantity, the conversion factor to be applied to the weight of the landings shall be 1,20.
- (2) Special condition: up to 5 % of this quota may be fished in zone VIIc. However, the use of this special condition must be notified in advance to the Commission (JAX/*08C.).

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

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

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).

Species:	Horse mackerel <i>Trachurus</i> spp.	Zone:	Union waters of CECAF ⁽¹⁾ (JAX/341SPN)
Spain	To be established	⁽²⁾	Precautionary TAC
Union	To be established	⁽³⁾	
TAC	To be established	⁽³⁾	

(1) Waters adjacent to the Canary Islands.
 (2) Article 6 of this Regulation applies.
 (3) Fixed at the same quantity as determined in accordance with footnote 2.

ANNEX IIA

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

1. SCOPE

- 1.1.** This Annex shall apply to Union vessels carrying on board or deploying any of the gears referred to in point 1 of Annex I to Regulation (EC) No 1342/2008 and present in any of the geographical areas referred to in point 2 of this Annex.
- 1.2.** This Annex shall not apply to vessels of less than 10 metres' length overall. Those vessels shall not be required to carry special fishing permits issued in accordance with Article 7 of Regulation (EC) No 1627/94. Member States concerned shall assess the fishing effort of those vessels by effort groups to which they belong, using appropriate sampling methods. During 2012, the Commission shall seek scientific advice for evaluating the effort deployment of those vessels, with a view to their future inclusion into the effort regime.

2. REGULATED GEARS AND GEOGRAPHICAL AREAS

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

3. AUTHORISATIONS

If a Member State deems so appropriate in order to reinforce the sustainable implementation of this effort regime, it may introduce a prohibition to fish with a regulated gear in any of the geographical areas to which this Annex applies by any of its vessels which has no record of such fishing activity, unless it ensures that equivalent capacity, measured in kilowatts, is prevented from fishing in that area.

4. MAXIMUM ALLOWABLE FISHING EFFORT

- 4.1.** The maximum allowable effort referred to in Article 12(1) of Regulation (EC) No 1342/2008 for the 2012 management period, from 1 February 2012 to 31 January 2013, for each of the effort groups of each Member State is set out in Appendix 1 to this Annex.
- 4.2.** The maximum levels of annual fishing effort set in accordance with Regulation (EC) No 1954/2003¹ shall not affect the maximum allowable fishing effort set in this Annex.

5. MANAGEMENT

- 5.1.** Member States shall manage the maximum allowable effort in accordance with the conditions laid down in Article 4 and Articles 13 to 17 of Regulation (EC) No 1342/2008 and Articles 26 to 35 of Regulation (EC) No 1224/2009.

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

- 5.2. A Member State may establish management periods for allocating all or parts of the maximum allowable effort to individual vessels or groups of vessels. In such case, the number of days or hours for which a vessel may be present within the area during a management period shall be fixed at the discretion of the Member State concerned. During any such management periods, the Member State may reallocate effort between individual vessels or groups of vessels.
- 5.3. If a Member State authorises vessels to be present within an area by hours, it shall continue measuring the consumption of days in accordance with the conditions referred to in point 5.1.. Upon request by the Commission, the Member State shall demonstrate its precautionary measures taken to avoid an excessive consumption of effort within the area due to a vessel terminating presences in the area before the end of a 24-hour period.

6. FISHING EFFORT REPORT

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

7. COMMUNICATION OF RELEVANT DATA

- 7.1. Without prejudice to Articles 33 and 34 of Regulation (EC) No 1224/2009, Member States shall transmit to the Commission, on its request, the data on fishing effort deployed by their fishing vessels in the previous month and the months before, using the reporting format set out in Appendix 2.
- 7.2. The data shall be sent to the appropriate electronic mailbox address, which the Commission shall communicate to the Member States. When a data transfer to the Fisheries Data Exchange System (or any future data system decided by the Commission) will become operational, the Member State shall transmit the data to the system before the fifteenth of each month, referring to the effort deployed up to the end of the previous month. The Commission shall notify Member States the date at which the system shall be used for transmission at least two months in advance of the first due date. The first fishing effort declaration that will be sent to the system shall include the effort deployed since 1 February 2012. Member States shall transmit to the Commission, on its request, the data on fishing effort deployed by their fishing vessels during the month of January 2012.

Appendix 1 to Annex IIA

Maximum allowable fishing effort in kilowatt days

Geographical area:	Regulated gear	DK	DE	SE
(a) Kattegat	TR1	197 929	4 212	16 610
	TR2	830 041	5 240	327 506
	TR3	441 872	0	490
	BT1	0	0	0
	BT2	0	0	0
	GN	115 456	26 534	13 102
	GT	22 645	0	22 060
	LL	1 100	0	25 339

Geographical area	Regulated gear	BE	FR	IE	NL	UK
(c) ICES division VIIa	TR1	0	48 193	33 539	0	339 592
	TR2	10 166	744	438 035	0	1 088 238
	TR3	0	0	1 422	0	0
	BT1	0	0	0	0	0
	BT2	843 782	0	514 584	200 000	111 693
	GN	0	471	18 255	0	5 970
	GT	0	0	0	0	158
	LL	0	0	0	0	70 614

Geographical area	Regulated gear	BE	DE	ES	FR	IE	UK
(d) ICES division VIa and Union waters of ICES division Vb	TR1	0	6 272	0	1 485 589	473 011	1 033 273
	TR2	0	0	0	34 926	14 371	2 972 845
	TR3	0	0	0	0	273	16 027
	BT1	0	0	0	0	0	117 544
	BT2	0	0	0	0	3 801	4 626
	GN	0	35 442	13 836	150 198	5 697	213 454
	GT	0	0	0	0	1 953	145
	LL	0	0	1 402 142	163 130	4 250	630 040

Appendix 2 to Annex IIA

Table I Reporting format					
Member State	Gear	Area	Year	Month	Cumulative declaration
(1)	(2)	(3)	(4)	(5)	(6)

Table II Data format			
Name of field	Maximum number of characters/digits	Alignment ¹ L(eft)/R(ight)	Definition and comments
(1) Member State	3	—	Member State (Alpha-3 ISO code) in which the vessel is registered
(2) Gear	3	—	One of the following gear types TR1 TR2 TR3 BT1 BT2 GN GT LL
(3) Area	8	L	One of the following areas 03AS 07A 06A
(4) Year	4	—	The year of the month for which the declaration is done
(5) Month	2	—	Month for which the fishing effort declaration is done (expressed by two digits between 01 and 12)
(6) Cumulative declaration	13	R	Cumulative amount of fishing effort expressed in kilowatt days from 1 January of the year (4) until the end of the month (5)

¹ Information relevant for transmission of data by fixed-length formatting.

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 CADIZ

CHAPTER I GENERAL PROVISIONS

1. SCOPE

This Annex shall apply to Union vessels of 10 metres' length overall or more carrying on board or deploying trawls, Danish seines or similar gears of mesh size equal to or larger than 32 mm and gill-nets of mesh size equal to or larger than 60 mm or bottom longlines, and present in ICES divisions VIIIC and IXA excluding the Gulf of Cadiz.

2. DEFINITIONS

For the purposes of this Annex:

- (a) 'gear grouping' means the grouping of trawls, Danish seines or similar gears of mesh size equal to or larger than 32 mm and gill-nets of mesh size equal to or larger than 60 mm and bottom longlines;
- (b) 'regulated gear' means any of the two gear categories belonging to the gear grouping;
- (c) 'area' means ICES divisions VIIIC and IXA excluding the Gulf of Cadiz;
- (d) '2012 management period' means the period from 1 February 2012 to 31 January 2013;
- (e) 'special conditions' means the special conditions set out in point 6.1. .

3. LIMITATION IN ACTIVITY

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

CHAPTER II AUTHORISATIONS

4. AUTHORISED VESSELS

- 4.1. A Member State shall not authorise fishing with a regulated gear in the area by any of its vessels which have no record of such fishing activity in the years 2002 to 2011 in the area, excluding the record of fishing activities as a result of transfer of days between fishing vessels, unless it ensures that equivalent capacity, measured in kilowatts, is prevented from fishing in the area.

- 4.2. A vessel flying the flag of a Member State having no quotas in the area shall not be authorised to fish in the area with a regulated gear, unless the vessel is allocated a quota after a transfer as permitted in accordance with Article 20(5) of Regulation (EC) No 2371/2002 and is allocated days at sea in accordance with point 11 or 12 of this Annex.

CHAPTER III

NUMBER OF DAYS PRESENT WITHIN THE AREA ALLOCATED TO UNION VESSELS

5. MAXIMUM NUMBER OF DAYS

- 5.1. During the 2012 management period, the maximum number of days at sea for which a Member State may authorise a vessel flying its flag to be present within the area having carried on board any regulated gear is shown in Table I.
- 5.2. If a vessel is able to demonstrate that its hake catches represent less than 3% of the total live weight of fish caught in a given fishing trip, the flag Member State of the vessel shall be allowed not to count the days at sea associated with that fishing trip against the applicable maximum number of days at sea as set out in Table I.

6. SPECIAL CONDITIONS FOR THE ALLOCATION OF DAYS

- 6.1. For the purposes of fixing the maximum number of days at sea an Union vessel may be authorised by its flag Member State to be present within the area, the following special conditions shall apply in accordance with Table I:
- (a) the total landings of hake in the year 2009 or 2010 made by the vessel must represent less than 5 tonnes according to the landings in live weight; and
 - (b) the total landings of Norway lobster in the year 2009 or 2010 made by the vessel must represent less than 2,5 tonnes according to the landings in live weight.
- 6.2. If a vessel has received an unlimited number of days resulting from compliance with the special conditions, the vessel's landings in the 2012 management period shall not exceed 5 tonnes of the total landings in live weight of hake and 2,5 tonnes of the total landings in live weight of Norway lobster.
- 6.3. When either of the special conditions is not met by a vessel, that vessel shall with immediate effect no longer be entitled to the allocation of days corresponding to the given special condition.
- 6.4. The application of the special conditions referred to in point 6.1. might be transferred from one vessel to one or more other vessels which replace that vessel in the fleet, provided that the replacing vessel uses similar gear and does not have in any year of its operation a record of landings of hake and Norway lobster higher than the quantities specified in point 6.1.

Table I

Maximum number of days a vessel may be present within the area by fishing gear per year			
Special condition	Regulated gear	Maximum number of days	
	Bottom trawls, Danish seines and similar trawls of mesh size ≥ 32 mm, gill-nets of mesh size ≥ 60 mm and bottom longlines	ES	142
		FR	128
		PT	155

5.2.(a) and 5.2.(b)	Bottom trawls, Danish seines and similar trawls of mesh size ≥ 32 mm, gill-nets of mesh size ≥ 60 mm and bottom longlines	Unlimited
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7. KILOWATT DAY SYSTEM

- 7.1. A Member State may manage its fishing effort allocations in accordance with a kilowatt days system. By that system it may authorise any vessel concerned for any regulated gear and special conditions as set out in Table I to be present within the area for a maximum number of days which is different from that set out in that Table, provided that the overall amount of kilowatt days corresponding to the regulated gear and to the special conditions is respected.
- 7.2. This overall amount of kilowatt days shall be the sum of all individual fishing efforts allocated to the vessels flying the flag of that Member State and qualified for the regulated gear and, where applicable, the special conditions. Such individual fishing efforts shall be calculated in kilowatt days by multiplying the engine power of each vessel by the number of days at sea it would benefit from, according to Table I, if point 7.1. were not applied. For as long as the number of days is unlimited according to Table I, the relevant number of days the vessel would benefit from is 360.
- 7.3. A Member State wishing to benefit from the system referred to in point 7.1. shall submit a request to the Commission with reports in electronic format containing for the gear grouping and special conditions as laid down in Table I the details of the calculation based on:
- (a) list of vessels authorised to fish by indicating their Union fishing fleet register number (CFR) and their engine power,
 - (b) track record of 2009 and 2010 for such vessels reflecting the catch composition defined in the special conditions referred to in point 6.1.(a) or (b), if these vessels are qualified for such special conditions,
 - (c) the number of days at sea for which each vessel would have initially been authorised to fish according to Table I and the number of days at sea which each vessel would benefit from in application of point 7.1.
- 7.4. On the basis of that description, the Commission may authorise that Member State to benefit from the system referred to in point 7.1.

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

- 8.1. An additional number of days at sea on which a vessel may be authorised by its flag Member State to be present within the area when carrying on board any regulated gear may be allocated to Member States by the Commission on the basis of permanent cessations of fishing activities that have taken place between 1 February 2011 and 31 January 2012

either in accordance with Article 23 of Regulation (EC) No 1198/2006¹ or Regulation (EC) No 744/2008². Permanent cessations resulting from any other circumstances may be considered by the Commission on a case-by-case basis, following a written and duly motivated request from the Member State concerned. This written request shall identify the vessels concerned and confirm, for each of them, that they shall never return to fishing activities.

- 8.2. The effort expended in 2003 measured in kilowatt days of the withdrawn vessels using a given gear grouping shall be divided by the effort expended by all vessels using that gear grouping during 2003. The additional number of days at sea shall be then calculated by multiplying the ratio so obtained by the number of days that would have been allocated according to Table I. Any part of a day resulting from this calculation shall be rounded to the nearest whole day.
- 8.3. Points 8.1 and 8.2. shall not apply where a vessel has been replaced in accordance with point 3 or 6.4., or when the withdrawal has already been used in previous years to obtain additional days at sea.
- 8.4. Member States wishing to benefit from the allocations referred to in point 8.1. shall submit a request to the Commission, by 15 June at the latest, with reports in electronic format containing, for the gear grouping and special conditions as laid down in Table I, the details of the calculation based on:
 - (a) lists of withdrawn vessels with their Union fishing fleet register number (CFR) and their engine power,
 - (b) the fishing activity deployed by such vessels in 2003 calculated in days at sea according to the grouping of fishing gears and, if necessary, special conditions.
- 8.5. On the basis of such a request the Commission may amend the number of days defined in point 5.1. for that Member State in accordance with the procedure referred to in Article 30(2) of Regulation (EC) No 2371/2002.
- 8.6. During the 2012 management period, a Member State may re-allocate those additional days at sea to all or part of the vessels remaining in fleet and qualified for the regulated gears. Additional days stemming from a withdrawn vessel that benefited from a special condition referred to in point 6.1.(a) or (b) may not be allocated to a vessel remaining active that does not benefit from a special condition.
- 8.7. When the Commission allocates additional days at sea due to a permanent cessation of fishing activities during the 2012 management period, the maximum number of days per Member State and gear shown in Table I shall be adjusted accordingly for the 2013 management period.

9. ALLOCATION OF ADDITIONAL DAYS FOR ENHANCED SCIENTIFIC OBSERVER COVERAGE

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

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

- 9.1. Three additional days on which a vessel may be present within the area when carrying onboard any regulated gear may be allocated to Member States by the Commission on the basis of an enhanced programme of scientific observer coverage in partnership between scientists and the fishing industry. Such a programme shall focus in particular on levels of discarding and on catch composition and go beyond the requirements on data collection, as laid down in Council Regulation (EC) No 199/2008 of 25 February 2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy¹ and its implementing rules for national programmes.
- 9.2. Scientific observers shall be independent from the owner, the master of the vessel and any crew member.
- 9.3. Member States wishing to benefit from the allocations referred to in point 9.1. shall submit a description of their enhanced scientific observer coverage programme to the Commission for approval.
- 9.4. On the basis of that description, and after consultation with STECF, the Commission may amend the number of days defined in point 5.1. for that Member State and for the vessels, the area and gear concerned by the enhanced programme of scientific observers in accordance with the procedure referred to in Article 30(2) of Regulation (EC) No 2371/2002.
- 9.5. If an enhanced scientific observer coverage programme submitted by a Member State has been approved by the Commission in the past and the Member State wishes to continue its application without changes, the Member State shall inform the Commission of the continuation of that programme four weeks before the beginning of the period for which the programme applies.

CHAPTER IV MANAGEMENT

10. GENERAL OBLIGATION

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

11. MANAGEMENT PERIODS

- 11.1. A Member State may divide the days present within the area given in Table I into management periods of durations of one or more calendar months.
- 11.2. The number of days or hours for which a vessel may be present within the area during a management period shall be fixed by the Member State concerned.
- 11.3. Where a Member State authorises vessels to be present within the area by hours, the Member State shall continue measuring the consumption of days as specified in point 10. Upon request by the Commission, the Member State shall demonstrate its precautionary

¹ OJ L 60, 5.3.2008, p. 1.

measures taken to avoid an excessive consumption of days within the area due to a vessel terminating presences in the area before the end of a 24-hour period.

CHAPTER V **EXCHANGES OF FISHING EFFORT ALLOCATIONS**

12. TRANSFER OF DAYS BETWEEN FISHING VESSELS FLYING THE FLAG OF A MEMBER STATE
 - 12.1. A Member State may permit any fishing vessel flying its flag to transfer days present within the area for which it has been authorised to another vessel flying its flag within the area, provided that the product of the days received by a vessel multiplied by its engine power in kilowatts (kilowatt days) is equal to or less than the product of the days transferred by the donor vessel and the engine power in kilowatts of that vessel. The engine power in kilowatts of the vessels shall be that recorded for each vessel in the Union fishing fleet register.
 - 12.2. The total number of days present within the area transferred under point 12.1. multiplied by the engine power in kilowatts of the donor vessel shall not be higher than the donor vessel's average annual days track record in the area as verified by the fishing logbook in the years 2009 and 2010 multiplied by the engine power in kilowatts of that vessel.
 - 12.3. The transfer of days as described in point 12.1. shall be permitted only between vessels operating with any regulated gear and during the same management period.
 - 12.4. Transfer of days is only permitted for vessels benefiting from an allocation of fishing days without special conditions.
 - 12.5. On request from the Commission, Member States shall provide information on the transfers that have taken place. Formats of spreadsheet for the collection and transmission of information referred to in this point may be adopted in accordance with the procedure referred to in Article 30(2) of Regulation (EC) No 2371/2002.
13. TRANSFER OF DAYS BETWEEN FISHING VESSELS FLYING THE FLAG OF DIFFERENT MEMBER STATES

Member States may permit transfer of days present within the area for the same management period and within the area between any fishing vessels flying their flags provided that points 3.1., 3.2., and 12 apply *mutatis mutandis*. Where Member States decide to authorise such a transfer, they shall notify the Commission, before the transfer takes place, the details of the transfer, including the number of days, the fishing effort and, where applicable, the fishing quotas relating thereto.

CHAPTER VI **REPORTING OBLIGATIONS**

14. FISHING EFFORT REPORT

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

15. COLLECTION OF RELEVANT DATA

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

16. COMMUNICATION OF RELEVANT DATA

Upon request from the Commission, Member States shall make available to the Commission a spreadsheet with the data referred to in point 15 in the format specified in Tables II and III by sending it to the appropriate electronic mailbox address, which shall be communicated to the Member States by the Commission. Member States shall, upon the Commission's request, send to the Commission detailed information on effort allocated and consumed covering all or parts of the 2011 and 2012 management periods, using the data format specified in Tables IV and V.

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

Table III			
Data format kW-day information by year			
Name of field	Maximum number of characters/digits	Alignment ¹ L(eft)/R(ight)	Definition and comments
(1) Member State	3		Member State (Alpha-3 ISO code) in which the vessel is registered
(2) Gear	2		One of the following gear types: TR = trawls, Danish seines and similar gear \geq 32 mm GN = gillnets \geq 60 mm LL = bottom longlines
(3) Year	4		Either 2006 or 2007 or 2008 or 2009 or 2010 or 2011 or 2012

¹ Information relevant for transmission of data by fixed-length formatting.

(4) Cumulative effort declaration	7	R	Cumulative amount of fishing effort expressed in kilowatt days deployed from 1 January until 31 December of the year
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Table IV																				
Reporting format for vessel-related information																				
Member State	CFR	External marking	Length of management	Gear notified				Special condition applying to notified gear(s)				Days eligible using notified gear(s)				Days spent with notified gear(s)				Transfer of
(1)	(2)	(3)	(4)	No 1	No 2	No 3	...	No 1	No 2	No 3	...	No 1	No 2	No 3	...	No 1	No 2	No 3	...	(9)
				(5)	(5)	(5)	(5)	(6)	(6)	(6)	(6)	(7)	(7)	(7)	(7)	(8)	(8)	(8)	(8)	

Table V				
Data format for Union vessel-related information				
Name of field	Maximum number of characters/digits	Alignment ¹ L(eft)/R(ight)	Definition and comments	
(1) Member State	3		Member State (Alpha-3 ISO code) in which vessel is registered	
(2) CFR	12		Union fishing fleet register number Unique identification number of a fishing vessel Member State (Alpha-3 ISO code) followed by an identifying series (9 characters). Where a series has fewer than 9 characters, additional zeros must be inserted on the left hand side	
(3) External marking	14	L	Under Regulation (EEC) No 1381/87 ²	

¹ Information relevant for transmission of data by fixed-length formatting.

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

Table V			
Data format for Union vessel-related information			
(4) Length of management period	2	L	Length of the management period measured in months
(5) Gears notified	2	L	One of the following gear types TR = trawls, Danish seines and similar gear ≥ 32 mm GN = gillnets ≥ 60 mm LL = bottom longlines
(6) Special condition applying to notified gear(s)	2	L	Indication of which, if any, of the special condition referred to in point 6.1.(a) or (b) of Annex IIB that apply
(7) Days eligible using notified gear(s)	3	L	Number of days for which the vessel is eligible under Annex IIB for the choice of gears and length of management period notified
(8) Days spent with notified gear(s)	3	L	Number of days the vessel actually spent present within the area and using a gear corresponding to gear notified during the notified management period
(9) Transfers of days	4	L	For days transferred indicate '- number of days transferred' and for days received indicate '+ number of days transferred'

ANNEX IIC

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

CHAPTER I GENERAL PROVISIONS

1. SCOPE

- 1.1. This Annex shall apply to Union vessels of 10 metres length overall or more carrying on board or deploying any of the gears referred to in point 2, and present in ICES division VIIe. For the purposes of this Annex, a reference to the 2012 management period means the period from 1 February 2012 to 31 January 2013.
- 1.2. Vessels fishing with static nets with mesh size equal to or larger than 120 mm and with track records of less than 300 kg live weight of sole according to the fishing logbook in 2004 shall be exempt from this Annex on condition that:
 - (a) such vessels catch less than 300 kg live weight of sole during the 2012 management period;
 - (b) such vessels do not tranship any fish at sea to another vessel; and
 - (c) each Member State concerned make a report to the Commission by 31 July 2012 and 31 January 2013 on these vessels' track records for sole in 2004 and catches of sole in 2012.

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

2. FISHING GEAR

For the purposes of this Annex, the following groupings of fishing gears shall apply:

- (a) beam trawls of mesh size equal to or greater than 80 mm;
- (b) static nets including gill-nets, trammel-nets and tangle-nets with mesh size equal to or less than 220 mm.

3. LIMITATIONS IN ACTIVITY

Each Member State shall ensure that, when carrying on board any of the groupings of fishing gears referred to in point 2, fishing vessels flying its flag and registered in the Union shall be present within the area for no more than the number of days set out in Chapter III.

CHAPTER II AUTHORISATIONS

4. AUTHORISED VESSELS

- 4.1. Vessels using gear types identified in point 2 and fishing in areas defined in point 1 shall hold a special fishing permit issued in accordance with Article 7 of Regulation (EC) No 1627/94.
- 4.2. A Member State shall not permit fishing with a gear belonging to a grouping of fishing gears referred to in point 2 in the area by any of its vessels which have no record of such fishing activity in the years 2002 to 2011 in that area unless it ensures that equivalent capacity, measured in kilowatts, is prevented from fishing in the regulated area.
- 4.3. However, a vessel with a track record of using a gear belonging to a grouping of fishing gears referred to in point 2 may be authorised to use a different fishing gear, provided that the number of days allocated to this latter gear is greater than or equal to the number of days allocated to the first gear.
- 4.4. A vessel flying the flag of a Member State having no quotas in the area defined in point 1 shall not be permitted to fish in that area with a gear belonging to a grouping of fishing gear referred to in point 2, unless the vessel is allocated a quota after a transfer as permitted in accordance with the Article 20(5) of Regulation (EC) No 2371/2002 and is allocated days at sea in accordance with point 10 or 11 of this Annex.

CHAPTER III NUMBER OF DAYS PRESENT WITHIN THE AREA ALLOCATED TO UNION VESSELS

5. MAXIMUM NUMBER OF DAYS

During the 2012 management period, the maximum number of days at sea for which a Member State may authorise a vessel flying its flag to be present within the area having carried on board and used any one of the fishing gears referred to in point 2 is shown in Table I.

Table I		
Maximum number of days a vessel may be present within the area by gear grouping per year		
Gear point 2	Denomination Only the gear groupings as defined in point 2 are used	Western Channel
2(a)	Beam trawls of mesh size ≥ 80 mm	164
2(b)	Static nets with mesh size ≤ 220 mm	164

6. KILOWATT DAY SYSTEM

- 6.1. During the 2012 management period, a Member State may manage its fishing effort allocation according to a kilowatt days system. By that system it may authorise any vessel concerned to be present within the area for a maximum number of days which is different from that set out in Table I for any one of the groupings of fishing gears

laid down in that Table, provided that the overall amount of kilowatt days corresponding to such a grouping is respected.

- 6.2. For a specific grouping of fishing gears, the overall amount of kilowatt days shall be the sum of all individual fishing efforts allocated to the vessels flying the flag of the Member State concerned and qualified for that specific grouping. Such individual fishing efforts shall be calculated in kilowatt days by multiplying the engine power of each vessel by the number of days at sea it would benefit from, according to Table I, if point 6.1. were not applied.
- 6.3. A Member State wishing to benefit from the system referred to in point 6.1. shall submit a request to the Commission with reports in electronic format containing for each grouping of fishing gears the details of the calculation based on:
 - (a) list of vessels authorised to fish by indicating their Union fishing fleet register number (CFR) and their engine power,
 - (b) the number of days at sea for which each vessel would have initially been authorised to fish according to Table I and the number of days at sea which each vessel would benefit from in application of point 6.1.
- 6.4. On the basis of that description, the Commission may authorise that Member State to benefit from the system referred to in point 6.1.

7. ALLOCATION OF ADDITIONAL DAYS FOR PERMANENT CESSATIONS OF FISHING ACTIVITIES

- 7.1. An additional number of days at sea on which a vessel may be authorised by its flag Member State to be present within the geographical area when carrying on board any of the gears referred to in point 2 may be allocated to Member States by the Commission on the basis of permanent cessations of fishing activities that have taken place since 1 January 2004 either in accordance with Article 23 of Regulation (EC) No 1198/2006 or Regulation (EC) No 744/2008²⁸. Permanent cessations resulting from any other circumstances may be considered by the Commission on a case-by-case basis, following a written and duly motivated request from the Member State concerned. This written request shall identify the vessels concerned and confirm, for each of them, that they shall never return to fishing activities.
- 7.2. The effort expended in 2003 measured in kilowatt days of the withdrawn vessels using a given gear grouping in question shall be divided by the effort expended by all vessels using that gear grouping during 2003. The additional number of days at sea shall be then calculated by multiplying the ratio so obtained by the number of days that would have been allocated according to Table I. Any part of a day resulting from this calculation shall be rounded to the nearest whole day.

²⁸

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

- 7.3. Points 7.1 and 7.2 shall not apply where a vessel has been replaced in accordance with point 4.2 or when the withdrawal has already been used in previous years to obtain additional days at sea.
- 7.4. Member States wishing to benefit from the allocations referred to in point 7.1. shall submit a request to the Commission, by 15 June at the latest, with reports in electronic format containing for each grouping of fishing gears the details of the calculation based on:
- (a) lists of withdrawn vessels with their Union fishing fleet register number (CFR) and their engine power,
 - (b) the fishing activity deployed by such vessels in 2003 calculated in days at sea by concerned grouping of fishing gears.
- 7.5. On the basis of such a request the Commission may amend the number of days defined in point 5 for that Member State in accordance with the procedure referred to in Article 30(2) of Regulation (EC) No 2371/2002.
- 7.6. During the 2012 management period, a Member State may re-allocate those additional numbers of days at sea to all or parts of the vessels remaining in fleet and qualified for the relevant grouping of fishing gears.
- 7.7. A Member State may not re-allocate in the 2012 management period any additional number of days resulting from a permanent cessation of activity previously allocated by the Commission, unless the Commission has taken a decision that reassesses those additional numbers of days on the basis of the current gear groupings and limitations in days at sea. Upon the Member State's request to reassess the number of days, the Member State is provisionally authorised to reallocate 50 % of the additional number of days, until the Commission takes its decision.
8. ALLOCATION OF ADDITIONAL DAYS FOR ENHANCED SCIENTIFIC OBSERVER COVERAGE
- 8.1. Three additional days on which a vessel may be present within the area when carrying onboard any of the groupings of fishing gear referred to in point 2 may be allocated between 1 February 2012 and 31 January 2013 to Member States by the Commission on the basis of an enhanced programme of scientific observer coverage in partnership between scientists and the fishing industry. Such a programme shall focus in particular on levels of discarding and on catch composition and go beyond the requirements on data collection, as laid down in Regulation (EC) No 199/2008 and Regulation (EC) No 665/2008²⁹ for national programmes.
- 8.2. Observers shall be independent from the owner, the master of the fishing vessel and any crew member.

²⁹ Commission Regulation (EC) No 665/2008 of 14 July 2008 laying down detailed rules for the application of Council Regulation (EC) No 199/2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy (OJ L 186, 15.7.2008, p. 3).

- 8.3. Member States wishing to benefit from the allocations referred to in point 8.1. shall submit a description of their enhanced scientific observer coverage programme to the Commission for approval.
- 8.4. On the basis of this description, and after consultation with STECF, the Commission may amend the number of days defined in point 5. for that Member State and for the vessels, the area and gear concerned by the enhanced programme of observers in accordance with the procedure referred to in Article 30(2) of Regulation (EC) No 2371/2002.
- 8.5. If an enhanced scientific observer coverage programme submitted by a Member State has been approved by the Commission in the past and the Member State wishes to continue its application without changes, the Member State shall inform the Commission of the continuation of that programme four weeks before the beginning of the period for which the programme applies.

CHAPTER IV MANAGEMENT

9. GENERAL OBLIGATION

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

10. MANAGEMENT PERIODS

- 10.1. A Member State may divide the days present within the area given in Table I into management periods of durations of one or more calendar months.
- 10.2. The number of days or hours for which a vessel may be present within the area during a management period shall be fixed at the discretion of the Member State concerned.
- 10.3. In case that a Member State authorises vessels to be present within the area by hours, the Member State shall continue measuring the consumption of days as specified in point 3. Upon request by the Commission, the Member State shall demonstrate its precautionary measures taken to avoid an excessive consumption of days within the area due to a vessel terminating presences in the area that do not coincide with the end of a 24-hours period.

CHAPTER V EXCHANGES OF FISHING EFFORT ALLOCATIONS

11. TRANSFER OF DAYS BETWEEN FISHING VESSELS FLYING THE FLAG OF A MEMBER STATE

- 11.1. A Member State may permit any of its fishing vessels flying its flag to transfer days present within the area for which it has been authorised to another of its vessels flying its flag within the area provided that the product of the days received by a vessel and its engine power in kilowatts (kilowatt days) is equal to or less than the product of the days transferred by the donor vessel and the engine power in kilowatts

of that vessel. The engine power in kilowatts of the vessels shall be that recorded for each vessel in the Union fishing fleet register.

- 11.2. The total number of days present within the area, multiplied by the engine power in kilowatts of the donor vessel, shall not be higher than the donor vessel's average annual days track record in the area as verified by the fishing logbook in the years 2001, 2002, 2003, 2004 and 2005 multiplied by the engine power in kilowatts of that vessel.
- 11.3. The transfer of days as described in point 10.1. shall be permitted only between vessels operating within the same gear grouping referred to in point 2 and during the same management period.
- 11.4. On request from the Commission, Member States shall provide reports on the transfers that have taken place. A detailed format of spreadsheet for making these reports available to the Commission may be adopted in accordance with the procedure referred to in Article 30(2) of Regulation (EC) No 2371/2002.
12. TRANSFER OF DAYS BETWEEN FISHING VESSELS FLYING THE FLAG OF DIFFERENT MEMBER STATES

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

CHAPTER VI REPORTING OBLIGATIONS

13. FISHING EFFORT REPORT

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

14. COLLECTION OF RELEVANT DATA

Member States, on the basis of information used for the management of fishing days present within the area as set out in this Annex, shall collect for each annual quarter the information about total fishing effort deployed within the area for towed gears and static gears and effort deployed by vessels using different types of gear in the area concerned by this Annex.

15. COMMUNICATION OF RELEVANT DATA

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

parts of the 2011 and 2012 management periods, using the data format specified in Tables IV and V.

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

Table III			
Data format kW-day information by year			
Name of field	Maximum number of characters/digits	Alignment ³⁰ L(eft)/R(ight)	Definition and comments
(1) Member State	3		Member State (Alpha-3 ISO code) in which the vessel is registered
(2) Gear	2		One of the following gear types: BT = beam trawls \geq 80 mm GN = gillnet < 220 mm TN = trammel net or entangling net < 220 mm
(3) Year	4		Either 2006 or 2007 or 2008 or 2009 or 2010 or 2011 or 2012
(4) Cumulative effort declaration	7	R	Cumulative amount of fishing effort expressed in kilowatt days deployed from 1 January until 31 December of the year

³⁰

Information relevant for transmission of data by fixed-length formatting.

Table IV															
Reporting format for vessel-related information															
Member State	CFR	External marking	Length of management	Gear notified				Days eligible using notified gear(s)				Days spent with notified gear(s)			
				No 1	No 2	No 3	...	No 1	No 2	No 3	...	No 1	No 2	No 3	...
(1)	(2)	(3)	(4)	(5)	(5)	(5)	(5)	(6)	(6)	(6)	(6)	(7)	(7)	(7)	(8)

Table V				
Data format for vessel-related information				
Name of field	Maximum number of characters/digits	Alignment ³¹ L(eft)/R(ight)	Definition and comments	
(1) Member State	3			Member State (Alpha-3 ISO code) in which vessel is registered
(2) CFR	12			Union fishing fleet register number Unique identification number of a fishing vessel Member State (Alpha-3 ISO code) followed by an identifying series (9 characters). Where a series has fewer than 9 characters, additional zeros must be inserted on the left hand side
(3) External marking	14	L	Under Regulation (EEC) No 1381/87	
(4) Length of management	2	L	Length of the management period measured in months	

³¹

Information relevant for transmission of data by fixed-length formatting.

Table V			
Data format for vessel-related information			
period			
(5) Gears notified	2	L	One of the following gear types: BT = beam trawls \geq 80 mm GN = gillnet < 220 mm TN = trammel net or entangling net < 220 mm
(6) Special condition applying to notified gear(s)	3	L	Number of days for which the vessel is eligible under Annex IIC for the choice of gears and length of management period notified
(8) Days spent with notified gear(s)	3	L	Number of days the vessel actually spent present within the area and using a gear corresponding to gear notified during the notified management period
(9) Transfers of days	4	L	For days transferred indicate '- number of days transferred' and for days received indicate '+ number of days transferred'