Council Regulation (EC) No 2015/2006 of 19 December 2006 fixing for 2007 and 2008 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks

COUNCIL REGULATION (EC) No 2015/2006

of 19 December 2006

fixing for 2007 and 2008 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy⁽¹⁾, and in particular Article 20 thereof,

Having regard to the proposal of the Commission,

Whereas:

- (1) Under Article 4 of Regulation (EC) No 2371/2002 the Council is to adopt the measures necessary to ensure access to waters and resources and the sustainable pursuit of fishing activities taking into account, *inter alia*, available scientific advice.
- (2) Under Article 20 of Regulation (EC) No 2371/2002, it is incumbent upon the Council to establish fishing opportunities by fishery or group of fisheries and to allocate them in accordance with prescribed criteria.
- (3) The latest scientific advice from the International Council for the Exploration of the Sea (ICES) concerning certain stocks of fish found in the deep sea indicates that those stocks are harvested unsustainably, and that fishing opportunities for those stocks should be reduced in order to assure their sustainability.
- (4) The ICES has further advised that the exploitation rate of orange roughy in ICES Area VII is much too high. Scientific advice further indicates that orange roughy in Area VI is heavily depleted, and areas of vulnerable aggregations of these species have been identified. It is therefore appropriate to prohibit fishing for orange roughy in those areas.
- (5) In order to ensure effective management of quotas, the specific conditions under which fishing operations occur should be established.
- (6) In accordance with Article 2 of Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year to year management of TACs and quotas⁽²⁾, it is necessary to indicate which stocks are subject to the various measures fixed therein.
- (7) The measures provided for in this Regulation should be fixed by reference to ICES zones as defined in Council Regulation (EEC) No 3880/91 of 17 December 1991 on the submission of nominal catch statistics by Member States fishing in the Northeast

Atlantic⁽³⁾ and to CECAF zones (Committee for Eastern Central Atlantic Fisheries) as defined in Council Regulation (EC) No 2597/95 of 23 October 1995 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic⁽⁴⁾.

(8) The fishing opportunities should be utilised in accordance with the Community legislation on the matter, and in particular with Council Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish⁽⁵⁾, Commission Regulation (EEC) No 1381/87 of 20 May 1987 establishing detailed rules concerning the marking and documentation of fishing vessels⁽⁶⁾, Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽⁷⁾, Council Regulation (EC) No 1627/94 of 27 June 1994 laying down general provisions concerning special fishing permits⁽⁸⁾, 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⁽⁹⁾ Council Regulation (EC) No 2347/2002 of 16 December 2002 establishing specific access requirements and associated conditions applicable for fishing for deepsea stocks⁽¹⁰⁾, and Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98⁽¹¹⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Subject-matter

This Regulation fixes for 2007 and for 2008, for stocks of deep-sea species and for Community fishing vessels, annual fishing opportunities in zones in Community waters and in certain non-Community waters where catch limitations are required, and the specific conditions under which fishing opportunities may be utilised.

Article 2

Definitions

- For the purposes of this Regulation, 'deep-sea fishing permit' means the fishing permit referred to in Article 3 of Regulation (EC) No 2347/2002.
- 2 The definitions of ICES and CECAF zones are those given, respectively, in Regulation (EEC) No 3880/91 and Regulation (EC) No 2597/95.

Article 3

Fixing of fishing opportunities

Fishing opportunities for stocks of deep-sea species for Community vessels are fixed as set out in the Annex.

Status: Point in time view as at 26/07/2008. Changes to legislation: There are currently no known outstanding effects for

the Council Regulation (EC) No 2015/2006. (See end of Document for details)

Article 4

Allocation among Member States

The allocation of fishing opportunities among Member States provided for in the Annex shall be without prejudice to:

- exchanges made pursuant to Article 20(5) of Regulation (EC) No 2371/2002; (a)
- reallocations made pursuant to Articles 21(4) and 32(2) of Regulation (EEC) No (b) 2847/93 and Article 23(4) of Regulation (EC) No 2371/2002;
- additional landings allowed pursuant to Article 3 of Regulation (EC) No 847/96; (c)
- quantities withheld pursuant to Article 4 of Regulation (EC) No 847/96; (d)
- deductions made pursuant to Article 5 of Regulation (EC) No 847/96 and Article 23(4) (e) of Regulation (EC) No 2371/2002.

Article 5

Quota flexibility

For the purposes of Regulation (EC) No 847/96, all quotas in the Annex to the present Regulation shall be considered 'Analytic' quotas.

However, the measures provided for in Article 5(2) of Regulation (EC) No 847/96 shall not apply to those quotas.

Article 6

Conditions for landing catch and by-catch

Fish from stocks for which fishing opportunities are fixed by this Regulation may be retained on board or landed only if they were taken by vessels of a Member State which has a quota which is not exhausted. All landings shall count against the quota.

The first subparagraph shall not apply to catches taken in the course of scientific investigations carried out under Regulation (EC) No 850/98, which shall not count against the quota.

Article 7

Orange Roughy

- 1 The Orange Roughy Protection Areas are defined as the following sea areas:
 - that sea area enclosed by rhumb lines sequentially joining the following positions:

57° 00′ N, 11° 00′ W

57° 00′ N, 8° 30′ W

56° 23′ N, 8° 30′ W

55° 00′ N, 9° 38′ W

Status: Point in time view as at 26/07/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 2015/2006. (See end of Document for details)

55° 00′ N, 11° 00′ W 57° 00′ N, 11° 00′ W;

b that sea area enclosed by rhumb lines sequentially joining the following positions:

55° 30′ N, 15° 49′ W 53° 30′ N, 14° 11′ W 50° 30′ N, 14° 11′ W 50° 30′ N, 15° 49′ W;

c that sea area enclosed by rhumb lines sequentially joining the following positions:

55° 00′ N, 13° 51′ W 55° 00′ N, 10° 37′ W 54° 15′ N, 10° 37′ W 53° 30′ N, 11° 50′ W 53° 30′ N, 13° 51′ W.

Those positions and the corresponding rhumb lines and vessel positions shall be measured according to the WGS84 standard.

- Member States shall ensure that vessels holding a deep-sea fishing permit shall be properly monitored by the Fisheries Monitoring Centres (FMC), which shall have a system to detect and record the vessels' entry into, transit through and exit from the areas defined in paragraph 1.
- Wessels holding a deep-sea fishing permit that have entered the areas defined in paragraph 1 shall not retain on board or tranship any quantity of orange roughy, nor land any quantity of orange roughy at the end of that fishing trip unless:
 - a all gears carried on board are lashed and stowed during the transit in accordance with the conditions laid down in Article 20(1) of Regulation (EEC) No 2847/93;
 - b the average speed during transit is not less than 8 knots.

Article 8

Entry into force

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

It shall apply as from 1 January 2007.

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

Status: Point in time view as at 26/07/2008. Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 2015/2006. (See end of Document for details)

ANNEX

PART 1

Definition of Species and Species Groups

Within each area fish stocks are referred to following the alphabetical order of the Latin names of the species. However, deep sea sharks are placed at the beginning of that list. A table of correspondences of common names and Latin names is given below for the purposes of this Regulation:

Common name	Scientific name
Black scabbardfish	Aphanopus carbo
Alfonsinos	Beryx spp.
Tusk	Brosme brosme
Roundnose grenadier	Coryphaenoides rupestris
Orange roughy	Hoplostethus atlanticus
Blue ling	Molva dypterigia
Forkbeards	Phycis blennoides
Red seabream	Pagellus bogaraveo

Where reference is made to 'deep sea sharks', this shall refer to sharks in the following list of species: Portuguese dogfish (Centroscymnus coelolepis), Leafscale gulper shark (Centrophorus squamosus), Birdbeak dogfish (Deania calceus), Kitefin shark (Dalatias licha), Greater lanternshark (Etmopterus princeps), Velvet belly (Etmopterus spinax), Black dogfish (Centroscyllium fabricii), Gulper shark (Centrophorus granulosus), Blackmouth dogfish (Galeus melastomus), Mouse catshark (Galeus murinus), Iceland catshark (Apristuris spp.).

PART 2

Annual fishing opportunities applicable for Community vessels in areas where catch limitations exist by species and by area (in tonnes live weight)

All references are to ICES sub-areas unless otherwise stated.

SpeciesDeep S	ea Sharks		ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, VIII and IX
Year	2007ª	2008ª	

Status: Point in time view as at 26/07/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 2015/2006. (See end of Document for details)

Germany	59	[^{F1} 40]	
Spain	280	[F1210]	
Estonia	4	2	
France	1 014	[F1807]	
Ireland	[F2209]	[F1110]	
Lithuania	4	2	
Poland	4	2	
Portugal	381	[F1232]	
United Kingdom	562	[^{F1} 422]	
EC	[F2 517]	[F1 827]	

a By-catches only. No directed fisheries for deep sea sharks are permitted.

Textual Amendments

- **F1** Substituted by Commission Regulation (EC) No 541/2008 of 16 June 2008 adapting certain fish quotas for 2008 pursuant to Council Regulation (EC) No 847/96 introducing additional conditions for year-to-year management of TACs and quotas.
- **F2** Substituted by Commission Regulation (EC) No 609/2007 of 1 June 2007 adapting certain fish quotas for 2007 pursuant to Council Regulation (EC) No 847/96 introducing additional conditions for year-to-year management of TACs and quotas.

SpeciesDeep Sea Sharks		ZoneX (Community waters and waters not under the sovereignty or jurisdiction of third countries)	
Year	2007	2008	
Portugal	20	[^{F1} 22]	
EC	20	[^{F1} 22]	
SpeciesDeep Sea Sharks and <i>Deania histricosa</i> and <i>Deania profondorum</i>			ZoneXII (Community waters and waters not under the sovereignty or jurisdiction of third countries)
Year	2007	2008	
Spain	69	[F141]	

France	22	11	
Ireland	[F25]	[F13]	
United Kingdom	4	2	
EC	[F2100]	[F157]	

SpeciesBlack scabbardfish Aphanopus carbo		0	ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III and IV
Year	2007	2008	
Germany	5	[F16]	
France	5	[F16]	
United Kingdom	5	[^{F1} 6]	
EC	15	[F118]	

SpeciesBlack scabbardfishAphanopus carbo			ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII and XII
Year	2007	2008	
Germany	35	[F137]	
Spain	173	173	
Estonia	17	17	
France	2 433	[F12 695]	
Ireland	[^{F2} 96]	[F188]	
Latvia	113	113	
Lithuania	1	1	
Poland	1	1	
United Kingdom	173	[F1182]	
Others ^a	9	9	
EC	[F23 051]	[F13 316]	

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

SpeciesBlack scabbardfish Aphanopus carbo			ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX and X
Year	2007	2008	
Spain	13	[^{F1} 14]	
France	31	[^{F1} 42]	
Portugal	3 956	[F14 344]	
EC	4 000	[F14 400]	
SpeciesBlack scabbardfish Aphanopus carbo			ZoneCECAF 34.1.2. (Community waters and waters not under the sovereignty or jurisdiction of third countries.)
Year	2007	2008	
Portugal	4 285	[^{F1} 4 714]	
EC	4 285	[^{F1} 4 714]	
[F3SpeciesAlfonsinosBeryx spp.			ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of III, IV, V, VI, VII, VIII, IX, X, XII and XIV
Year	2007	2008	
Spain	74	74	
~ F	20	[F123]	
France		11	
France	10	10	
France Ireland	10	10	

Status: Point in time view as at 26/07/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 2015/2006. (See end of Document for details)

Textual Amendments

F3 Substituted by Council Regulation (EC) No 754/2007 of 28 June 2007 amending Regulations (EC) No 1941/2006, (EC) No 2015/2006 and (EC) No 41/2007, as regards fishing opportunities and associated conditions for certain fish stocks.

SpeciesRoundnose grenadier Coryphaenoides rupestris			ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of I, II, IV and Va
Year	2007	2008	
Denmark	2	2	
Germany	2	2	
France	14	[F115]	
United Kingdom	2	2	
EC	20	[^{F1} 21]	

[F4SpeciesRoundnose grenadierCoryphaenoides rupestris			ZoneIIIa and Community waters of IIIbcd
Year	2007	2008	
Denmark	1 002	946	
Germany	6	[F16]a	
Sweden	52	[^{F1} 54]	
EC	1 060	[F1 006]	

a Quota may be fished in EC waters of ICES zones IIIa, IIIb, IIIc and IIId only.]

Textual Amendments

F4 Substituted by Council Regulation (EC) No 1533/2007 of 17 December 2007 amending Regulations (EC) No 2015/2006 and (EC) No 41/2007, as regards fishing opportunities and associated conditions for certain fish stocks.

SpeciesRoundnose grenadierCoryphaenoides rupestris	ZoneCommunity waters and waters not under the sovereignty or jurisdiction of

a Exclusively for by-catches. No directed fisheries are permitted under this quota.

			third countries of Vb, VI and VII
Year	2007	2008	
Germany	9	[^{F1} 10]	
Estonia	67	67	
Spain	74	74	
France	3 789	[^{F1} 4 173]	
Ireland	[F2323]	[F1331]	
Lithuania	87	87	
Poland	44	44	
United Kingdom	222	[F1239]	
Others ^a	9	9	
EC	[F24 624]	[F15 034]	

a Exclusively for by-catches. No directed fisheries are permitted under this quota.

[F4SpeciesOrange roughyHoplostethus atlanticus

2007

Year

[F3SpeciesRoundne	ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X, XII and XIV		
Year	2007	2008	
Germany	40	[^{F1} 51]	
Spain	4 391	[F14 403]	
France	202	[^{F1} 222]	
Ireland	9	[^{F1} 10]	
United Kingdom	18	[^{F1} 20]	
Latvia	71	71	
Lithuania	9	9	
Poland	1 374	1 374	
EC	6 114	[^{F1} 6 160]]

2008

ZoneVI (Community waters)

Status: Point in time view as at 26/07/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 2015/2006. (See end of Document for details)

Spain	6	[^{F1} 5]	
France	33	[F125]	
Ireland	6	[^{F1} 5]	
United Kingdom	6	[^{F1} 5]	
EC	51	[^{F1} 40]]

[F4SpeciesOrange roughyHoplostethus atlanticus			ZoneVII (Community waters)
Year	2007	2008	
Spain	1	1	
France	147	[F1108]	
Ireland	43	[F1-103]	
United Kingdom	1	1	
Others ^a	1	1	
EC	193	[F18]	

a Exclusively for by-catches. No directed fisheries are permitted under this quota.]

[F5SpeciesOrange roughyHoplostethus atlanticus			ZoneEC waters and waters not under the sovereignty or jurisdiction of third countries I, II, III, IV, V, VIII, IX, X, XII and XIV
Year	2007	2008	
Spain	4	3	
France	23	15	
Ireland	6	4	
Portugal	7	5	
United Kingdom	4	3	
EC	44	30]

Textual Amendments

F5 Substituted by Council Regulation (EC) No 718/2008 of 24 July 2008 amending Regulations (EC) No 2015/2006 and (EC) No 40/2008, as regards fishing opportunities and associated conditions for certain fish stocks.

Status: Point in time view as at 26/07/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 2015/2006. (See end of Document for details)

SpeciesBlue lingMolva dypterygia			ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of II, IV and V
Year	2007	2008	
Denmark	[F28]	[F17]	
Germany	7	[F17]	
France	42	[F140]	
Ireland	7	6	
United Kingdom	25	[F122]	
Others ^a	7	6	
EC	[^{F2} 96]	[F188]	

a Exclusively for by-catches. No directed fisheries are permitted under this quota.

SpeciesBlue lingMolva dypterygia			ZoneIII (Community waters and waters not under the sovereignty or jurisdiction of third countries)
Year	2007	2008	
Denmark	[^{F2} 9]	[F17]	
Germany	4	3	
Sweden	8	[^{F1} 7]	
EC	[^{F2} 21]	[F117]	

[F3SpeciesBlue lingMolva dypterygia			ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of VI and VII ^b
Year 2007 2008			
Germany 26 21			

a Exclusively for by-catches. No directed fisheries are permitted under this quota.

b Member States shall ensure that the fishery for blue ling is scientifically monitored, in particular the activities of those fishing vessels that landed more than 30 tonnes of blue ling in 2005. All vessels shall give prior notification of landing of more than 5 tonnes of blue ling and shall not land more than 25 tonnes of blue ling at the end of any fishing trip.]

Estonia	4	3	
Spain	83	[^{F1} –72]	
France	1 898	[F1 698]	
Ireland	7	6	
Lithuania	2	1	
Poland	1	1	
United Kingdom	482	[F1408]	
Others ^a	7	6	
EC	2 510	[F12 072]	

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

Member States shall ensure that the fishery for blue ling is scientifically monitored, in particular the activities of those fishing vessels that landed more than 30 tonnes of blue ling in 2005. All vessels shall give prior notification of landing of more than 5 tonnes of blue ling and shall not land more than 25 tonnes of blue ling at the end of any fishing trip.]

SpeciesRed seabreamPagellus bogaraveo			ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII and VIII
Year	2007	2008	
Spain	238	[^{F1} 222]	
France	12	[^{F1} 17]	
Ireland	[F210]	9	
United Kingdom	30	30	
Others ^a	9	9	
EC	[F2299]	[F1287]	

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

SpeciesRed seabreamPagellus bogaraveo			ZoneIX (Community waters and waters not under the sovereignty or jurisdiction of third countries)
Year	2007	2008	
Spain 850 [F1935]			
Portugal 230 [F1253]			

EC	1 080	[F1 188]	
[F3SpeciesRed seab	ream <i>Pagellus bogar</i>	aveo	ZoneX (Community waters and waters not under the sovereignty or jurisdiction of third countries)
Year	2007	2008	
Spain ^a	10	[^{F1} 11]	
Portugal ^a	1 116	1 116	
United Kingdom ^a	10	[^{F1} 11]	
EC ^a	1 136	[F1 138]	
a Up to 10 % of the 200	8 quotas may be taken in Dec	ember 2007.]	1
SpeciesForkbeard	2 Tyels olemones		ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III and IV
Year	2007	2008	
Germany	10	[^{F1} 11]	
France	10	[^{F1} 11]	
United Kingdom	16	[F118]	
EC	36	-F1	
		[^{F1} 40]	
SpeciesForkbeards	sPhycis blennoides	[**40]	ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of V, VI and VII
SpeciesForkbeards Year	sPhycis blennoides	2008	waters and waters not under the sovereignty or jurisdiction of
·			waters and waters not under the sovereignty or jurisdiction of third countries of
Year	2007	2008	waters and waters not under the sovereignty or jurisdiction of third countries of
Year Germany	2007	2008 [^{F1} 11]	waters and waters not under the sovereignty or jurisdiction of third countries of

United Kingdom	814	[F1885]	
EC	[F2 044]	[F12 168]	
SpeciesForkbeardsPhycis blennoides			ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of VIII and IX
Year	2007	2008	
Spain	242	[^{F1} 247]	
France	[F211]	[^{F1} 18]	
Portugal	10	10	
EC	[F2263]	[^{F1} 275]	
Species18Phycis bi	lennoides		ZoneCommunity waters and waters not under the sovereignty or jurisdiction of third countries of X and XII
Year	2007	2008	
France	10	[^{F1} 11]	
Portugal	43	[F147]	
United Kingdom	10	[^{F1} 11]	
EC	63	[F169]	

- (1) OJ L 358, 31.12.2002, p. 59.
- (2) OJ L 115, 9.5.1996, p. 3.
- (3) OJ L 365, 31.12.1991, p. 1. Regulation as last amended by Commission Regulation (EC) No 448/2005 (OJ L 74, 19.3.2005, p. 5).
- (4) OJ L 270, 13.11.1995, p. 1. Regulation as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).
- (5) OJ L 276, 10.10.1983, p. 1. Regulation as last amended by Commission Regulation (EC) No 1804/2005 (OJ L 290, 4.11.2005, p. 10).
- **(6)** OJ L 132, 21.5.1987, p. 9.
- (7) OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 768/2005 (OJ L 128, 21.5.2005, p. 1).
- (8) OJ L 171, 6.7.1994, p. 7.
- (9) OJ L 125, 27.4.1998, p. 1. Regulation as last amended by Regulation (EC) No 2166/2005 (OJ L 345, 28.12.2005, p. 5).
- (10) OJ L 351, 28.12.2002, p. 6. Regulation as amended by Regulation (EC) No 2269/2004 (OJ L 396, 31.12.2004, p. 1).
- (11) OJ L 349, 31.12.2005, p. 1.

Status:

Point in time view as at 26/07/2008.

Changes to legislation:

There are currently no known outstanding effects for the Council Regulation (EC) No 2015/2006.