

## COUNCIL REGULATION (EEC) No 4056/89

of 19 December 1989

amending for the ninth time Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources <sup>(1)</sup>, as amended by the Act of Accession of Spain and Portugal, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas Article 2 of Regulation (EEC) No 170/83 provides that the conservation measures necessary to achieve the aims set out in Article 1 are to be formulated in the light of the available scientific advice;

Whereas Council Regulation (EEC) No 3094/86 <sup>(2)</sup>, as last amended by Regulation (EEC) No 2220/89 <sup>(3)</sup>, lays down the general technical rules for the catching and landing of the biological resources found in Community waters;

Whereas it is appropriate, for practical reasons, to make a minor adjustment, in the Firth of Clyde (ICES sub-area VI), to the line separating the zone in which the minimum mesh size is 80 millimetres and that in which it is 90 millimetres;

Whereas, in the light of the latest scientific advice, provision should be made for an increase in mesh size when fishing in region 3 for Norway lobster (*Nephrops norvegicus*) and prawns (*Parapenaeus longirostris*, *Aristeus antennatus* and *Aristaeomorpha foliacea*);

Whereas it is necessary to reduce catches of small-sized hake, the stock of which in region 3 is fished in close association with Norway lobster; whereas recent experiments using the selective trawl for Norway lobster fishing have suggested that this type of gear can substantially reduce the number of small-sized hake caught, without affecting catches of the target species; whereas use of the selective trawl can also result in an improvement in the quality of the fish caught and, consequently, in increased incomes for fishermen; whereas use of the

selective trawl in the Norway lobster fisheries in region 3 should therefore be encouraged;

Whereas, in the light of the latest scientific advice, it is necessary to increase the minimum landing size for bass so as to protect the juvenile part of bass stocks as part of the efficient long-term management of resources in regions 2 and 3;

Whereas the results of the latest experiments on the selectivity of trawls used for fishing megrim and little sole show that the minimum landing sizes applicable to these two species do not correspond with the minimum mesh sizes specified for region 3 and the landing sizes should therefore be reduced,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3094/86 is hereby amended as follows:

1. In Annex I, in region 2, the entries which refer to 'West of Scotland and Rockall (ICES sub-area VI)' shall be replaced by the entry given in Annex I to this Regulation.
2. In Annex I, for region 3, the entries shown for the entire region and for the following authorized target species:
  - prawn (*Parapenaeus longirostris*, *Aristeus antennatus* and *Aristaeomorpha foliacea*), and
  - Norway lobster (*Nephrops norvegicus*)
 shall be replaced by the entries given in Annex II to this Regulation.
3. In Annex II, the data concerning the minimum sizes for megrim (*Lepidorhombus* spp.), bass (*Dicentrarchus labrax*) and for little sole (*Dicologlossa cuneata*) shall be replaced by the data set out in Annex III to this Regulation.

Article 2

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

Article 1 (2), shall apply from 1 April 1990.

<sup>(1)</sup> OJ No L 24, 27. 1. 1983, p. 1.

<sup>(2)</sup> OJ No L 288, 11. 10. 1986, p. 6.

<sup>(3)</sup> OJ No L 211, 22. 7. 1989, p. 6.

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

Done at Brussels, 19 December 1989.

*For the Council*

*The President*

J. MELLICK

## ANNEX I

Region	Geographical area	Additional conditions	Minimum mesh size (mm)	Authorized target species	Minimum percentage of target species	Maximum percentage of protected species
2	West of Scotland and Rockall (ICES sub-area VI) <sup>(1)</sup>		80	All		100

<sup>(1)</sup> South of a line drawn westwards from the east coast of Sound of Jura at latitude 56° 00' N.

## ANNEX II

Region	Geographical area	Additional conditions	Minimum mesh size (mm)	Authorized target species	Minimum percentage of target species	Maximum percentage of protected species
3	Entire region		55	Prawn ( <i>Parapenaeus longirostris</i> , <i>Aristeus antennatus</i> and <i>Aristaeomorpha foliacea</i> )	30	50
	Entire region	Selective trawl	65 <sup>(3)</sup> 50 <sup>(3)</sup>	Norway lobster ( <i>Nephrops norvegicus</i> )	30 <sup>(4)</sup>	60 <sup>(5)</sup>
		Non-selective trawl	55	Norway lobster ( <i>Nephrops norvegicus</i> )		

<sup>(3)</sup> The selective trawl must comprise a top cod-end with a minimum mesh size of 65 millimetres and a bottom cod-end with a minimum mesh size of 50 millimetres separated by a horizontal panel of netting.

<sup>(4)</sup> 25 % from 1 January to 31 March.

<sup>(5)</sup> By way of derogation from Article 2 (4), and until 31 December 1991, this percentage shall not be calculated until the third trawl has been made.

## ANNEX III

Species	Region 1	Region 2		Region 3	Region 4	Region 5
		except Skagerrak and Kattegat	Skagerrak and Kattegat			
Megrim ( <i>Lepidorhombus</i> spp.)	25	25	25	20	(*)	(*)
Bass ( <i>Dicentrarchus labrax</i> )	—	32 <sup>(1)</sup> 36 <sup>(2)</sup>	—	32 <sup>(1)</sup> 36 <sup>(2)</sup>	(*)	(*)
Little sole ( <i>Dicologlossa cuneata</i> )	—	—	—	15	—	—

<sup>(1)</sup> Until 31 December 1989.

<sup>(2)</sup> With effect from 1 January 1990.