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*Status: Point in time view as at 31/12/2020.*

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Council Regulation(EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required

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## ANNEX III

### TRANSITIONAL TECHNICAL AND CONTROL MEASURES

#### Part A

##### **North Atlantic including the North Sea, Skagerrak and Kattegat**

1. Landing and weighing procedures for herring, mackerel and horse mackerel in ices zones I to VII
  - 1.1. Scope
    - 1.1.1. The following procedures shall apply to landings in the European Community by Community and third country vessels of quantities per landing exceeding 10 tonnes of herring, mackerel, and horse mackerel, or a combination thereof, taken in:
      - (a) for herring in ICES zones I, II, IIIa, IV, Vb, VI and VII;
      - (b) for mackerel and horse mackerel in ICES zones IIa, IIIa, IV, VI and VII.
    - 1.2. Designated ports
      - 1.2.1. Landings referred to in point 1.1 are only permitted in designated ports.
      - 1.2.2. Each Member State concerned shall transmit to the Commission changes in the list, transmitted in 2004, of designated ports in which landings of herring, mackerel and horse mackerel may take place and, changes in inspection and surveillance procedures for those ports including the terms and conditions for recording and reporting the quantities of any of the species and stocks referred to in point 1.1.1. within each landing. Those changes shall be transmitted at least 15 days before they enter into force. The Commission shall transmit this information as well as ports designated by third countries to all Member States concerned.
    - 1.3. Entry to port
      - 1.3.1. The master of a fishing vessel referred to in point 1.1.1. or his agent shall inform the competent authorities of the Member State in which the landing is to be made, at least 4 hours in advance of entry to port of landing of the Member State concerned of the following:
        - (a) the port he intends to enter, the name of the vessel and its registration number;
        - (b) the estimated time of arrival at that port;
        - (c) the quantities in kilograms live weight by species retained on board;
        - (d) the management area in accordance with Annex I where the catch was taken.
    - 1.4. Discharge
      - 1.4.1. The competent authorities of the Member State concerned shall require that the discharge does not commence until authorised to do so.
    - 1.5. Logbook
      - 1.5.1. By way of derogation from the provisions of point 4.2 of Annex IV to Regulation (EEC) No 2807/83, the master of a fishing vessel shall submit, immediately upon

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arrival to port, the relevant page or pages of the logbook to the competent authority at the port of landing.

The quantities retained on board, notified prior to landing as referred to in point 1.3.1.(c), shall be equal to the quantities recorded in the logbook after its completion.

By way of derogation from the provisions of Article 5(2) of Regulation (EEC) No 2807/83 the permitted margin of tolerance in estimates recorded into the logbook of the quantities in kilograms of fish retained on board of vessels shall be 8 %.

1.6. Weighing of fresh fish

1.6.1. All buyers purchasing fresh fish shall ensure that all quantities received are weighed on systems approved by the competent authorities. The weighing shall be carried out prior to the fish being sorted, processed, held in storage and transported from the port of landing or resold. The figure resulting from the weighing shall be used for the completion of landing declarations, sales notes and take-over declarations.

1.6.2. When determining the weight any deduction for water shall not exceed 2 %.

1.7. Weighing of fresh fish after transport

1.7.1. By way of derogation from point 1.6.1. Member States may permit fresh fish to be weighed after transport from the port of landing provided that the fish is transported to a destination on the territory of the Member State no more than 100 kilometres from the port of landing and that:

(a) the tanker in which the fish is transported is accompanied by an inspector from the place of landing to the place where the fish is weighed, or

(b) approval is given by the competent authorities at the place of landing to transport the fish subject to the following provisions:

(i) immediately prior to the tanker leaving the port of landing, the buyer or his agent shall provide to the competent authorities a written declaration giving the species of the fish and name of the vessel from which it is to be discharged, the unique identity number of the tanker and details of the destination where the fish will be weighed as well as the estimated time of arrival of the tanker at the destination;

(ii) a copy of the declaration provided for in (i) shall be kept by the driver during the transport of the fish and handed over to the receiver of the fish at the destination.

1.8. Weighing of frozen fish

1.8.1. All buyers or holders of frozen fish shall ensure that the quantities landed are weighed prior to the fish being processed, held in storage, transported from the port of landing or resold. Any tare weight equal to the weight of boxes, plastic or other containers in which the fish to be weighed is packed may be deducted from the weight of any quantities landed.

1.8.2. Alternatively, the weight of frozen fish packed in boxes may be determined by multiplying the average weight of a representative sample based on weighing the contents removed from the box and without plastic packaging whether or not after the thawing of any ice on the surface of the fish. Member States shall notify to the Commission for approval any changes in their sampling methodology approved by the

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Commission during 2004. Changes shall be approved by the Commission. The figure resulting from the weighing shall be used for the completion of landing declarations, sales notes and take-over declarations.

1.9. Sales note and take-over declaration

1.9.1. In addition to the provisions of Article 9(5) of Regulation (EC) No 2847/93 the processor or buyer of all fish landed shall submit a copy of the sales note or take-over declaration to the competent authorities of the Member State concerned on demand but in any event no later than 48 hours after the completion of the weighing.

1.10. Weighing facilities

1.10.1. In cases where publicly operated weighing facilities are used the party weighing the fish shall issue to the buyer a weighing slip indicating the date and time of the weighing and the identity number of the tanker. A copy of the weighing slip shall be attached to the sales note or take-over declaration.

1.10.2. In cases where privately operated weighing facilities are used the system shall be approved, calibrated and sealed by the competent authorities and be subject to the following provisions:

- (a) the party weighing the fish shall keep a paginated weighing logbook indicating:
  - (i) the name and registration number of the vessel from which the fish has been landed,
  - (ii) the identity number of the tankers in cases where fish has been transported from the port of landing before weighing,
  - (iii) the species of fish,
  - (iv) the weight of each landing,
  - (v) the date and time of the beginning and end of the weighing;
- (b) where the weighing is carried out on a conveyor belt system a visible counter shall be fitted that records the cumulative total of the weight. Such cumulative total shall be recorded in the paginated logbook referred to in point (a);
- (c) the weighing logbook and the copies of written declarations provided for in point 1.7.1. (b)(ii) shall be kept for three years.

1.11. Access by competent authorities

The competent authorities shall have full access at all times to the weighing system, the weighing logbooks, written declarations and all premises where the fish is processed and kept.

1.12. Cross checks

1.12.1. The competent authorities shall carry out administrative cross checks on all landings between the following:

- (a) quantities by species indicated in the prior notice of landing, referred to in point 1.3.1 and the quantities recorded in the vessel's logbook,
- (b) quantities by species recorded in the vessel's logbook and the quantities recorded in the landing declaration,

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(c) quantities by species recorded on the landing declaration and the quantities recorded in the take-over declaration or the sales note.

1.13. Full inspection

1.13.1. The competent authorities of a Member State shall ensure that at least 15 % of the quantities of fish landed and at least 10 % of the landings of fish are subject to full inspections which shall include at least the following:

(a) monitoring of the weighing of the catch from the vessel, by species. In the case of vessels pumping catch ashore the weighing of the entire discharge from the vessels selected for inspection shall be monitored. In the case of freezer trawlers, all boxes shall be counted. A representative sample of boxes/pallets shall be weighed in order to arrive at an average weight for the boxes/pallets. Sampling of boxes shall also be undertaken according to an approved methodology in order to arrive at an average net weight for the fish (without packing, ice);

(b) in addition to the cross checks referred to in point 1.12 cross verification between the following:

(i) quantities by species recorded in the weighing logbook and the quantities by species recorded in the take-over declaration or the sales note;

(ii) the written declarations received by the competent authorities pursuant to point 1.7.1.(b) (i) and the written declarations held by the receiver of the fish pursuant to point 1.7.1 (b) (ii);

(iii) identity numbers of tankers that appear in the written declarations provided for in point 1.7.1 (b) (i) and the weighing logbooks;

(c) if the discharge is interrupted, permission shall be required before the discharge can recommence;

(d) verification that the vessel is empty of all fish, once the discharge has been completed.

1.14. Documentation

1.14.1. All inspection activities covered by point 1 shall be documented. Such documentation shall be kept for 3 years.

2. Fishing for herring in EC waters of ices zone IIa

It shall be prohibited to land or retain on board herring caught in EC waters of zone IIa in the periods 1 January to 28 February and 16 May to 31 December.

3. Technical conservation measures in the Skagerrak and in the Kattegat

By way of derogation from the provisions set out in Annex IV of Regulation (EC) No 850/98, the provisions in Appendix 1 to this Annex shall apply.

4. Electric fishing in ices zones IVc and IVb

4.1. By way of derogation from Article 31(1) of Regulation (EC) No 850/98 fishing with beam trawl using electrical pulse current shall be allowed in ICES zones IVc and IVb south of a rhumb line joined by the following points, which shall be measured according to the WGS84 coordinate system:

— a point on the east coast of the United Kingdom at latitude 55° N,

— then east to latitude 55° N, longitude 5° E,

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- then north to latitude 56° N,
  - and finally east to a point on the west coast of Denmark at latitude 56° N.
- 4.2. The following measures shall apply in 2007:
- (a) no more than 5 % of the beam trawler fleet by Member State shall be allowed to use the electric pulse trawl;
  - (b) the maximum electrical power in kW for each beam trawl shall be no more than the length in metre of the beam multiplied by 1,25;
  - (c) the effective voltage between the electrodes shall be no more than 15 V;
  - (d) the vessel shall be equipped with an automatic computer management system which records the maximum power used per beam and the effective voltage between electrodes for at least the last 100 tows. It shall be not possible for non authorized person to modify this automatic computer management system;
  - (e) It shall be prohibited to use one or more tickler chains in front of the footrope.
5. Closure of an area for sandeel fisheries in ICES zone IV
- 5.1. It shall be prohibited to land or retain on board sandeels caught within the geographical area bounded by the east coast of England and Scotland, and enclosed by sequentially joining with rhumb lines the following positions, which shall be measured according to the WGS84 coordinate system:
- the east coast of England at latitude 55°30'N,
  - latitude 55°30'N, longitude 1°00'W,
  - latitude 58°00'N, longitude 1°00'W,
  - latitude 58°00'N, longitude 0°00'W,
  - the east coast of Scotland at longitude 2°00'W.
- 5.2. Fisheries for scientific investigation shall be allowed in order to monitor the sandeel stock in the area and the effects of the closure.
6. Rockall Haddock box in ICES zone VI

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

Point No	Latitude	Longitude
1	57°00'N	15°00'W
2	57°00'N	14°00'W
3	56°30'N	14°00'W
4	56°30'N	15°00'W

7. Restrictions on fishing for cod in ices zones VI and VII
- 7.1. ICES zone VIa

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Until 31 December 2007, it shall be prohibited to conduct any fishing activity within the areas enclosed by sequentially joining with rhumb lines the following positions, which shall be measured according to the WGS84 coordinate system:

- 59°05'N, 06°45'W
- 59°30'N, 06°00'W
- 59°40'N, 05°00'W
- 60°00'N, 04°00'W
- 59°30'N, 04°00'W
- 59°05'N, 06°45'W.

#### 7.2. ICES zones VII f and g

From 1 February 2007 until 31 March 2007, it shall be prohibited to conduct any fishing activity in the following ICES rectangles: 30E4, 31E4, 32E3. This prohibition shall not apply within 6 nautical miles from the baseline.

7.3. By way of derogation from points 7.1. and 7.2. it shall be permitted to conduct fishing activities using pots and creels within the specified areas and time periods, provided that:

- (i) no fishing gear other than pots and creels are carried on board, and
- (ii) no fish other than shellfish and crustacea are retained on board.

7.4. By way of derogation from points 7.1. and 7.2., it shall be permitted to conduct fishing activities within the areas referred to in those points using nets of mesh size less than 55 mm, provided that:

- (i) no net of mesh size greater than or equal to 55 mm is carried on board, and
- (ii) no fish other than herring, mackerel, pilchard/sardines, sardinelles, horse mackerel, sprat, blue whiting and argentines are retained on board.

#### 8. Technical conservation measures in the Irish Sea

[<sup>F1</sup>8.1. In the period from 14 February to 30 April 2007 it shall be prohibited to use any demersal trawl, seine or similar towed net, any gill net, tangle net or similar static net or any fishing gear incorporating hooks within that part of ICES division VIIa enclosed by:

- the east coast of Ireland and the east coast of Northern Ireland; and
- straight lines sequentially joining the following geographical coordinates;
- a point on the east coast of the Ards peninsula in Northern Ireland at 54° 30' N;
- 54° 30' N, 4° 50' W;
- 53° 15' N, 4° 50' W;
- a point at the east coast of Ireland at 53° 15' N.]

#### Textual Amendments

- F1** 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.](#)

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- 8.2. By way of derogation from point 8.1, within the area and time period referred to therein:
- (a) the use of demersal otter trawls shall be permitted provided that no other type of fishing gear is retained on board and that such nets:
- (i) are of mesh size either 70 mm to 79 mm or 80 mm to 99 mm, and
  - (ii) are of only one of the permitted mesh size ranges, and
  - (iii) incorporate no individual mesh, irrespective of its position within the net, of mesh size greater than 300 mm, and
  - (iv) are deployed only within an area enclosed by sequentially joining with rhumb lines the following coordinates:
    - 53° 30' N, 05° 30' W
    - 53° 30' N, 05° 20' W
    - 54° 20' N, 04° 50' W
    - 54° 30' N, 05° 10' W
    - 54° 30' N, 05° 20' W
    - 54° 00' N, 05° 50' W
    - 54° 00' N, 06° 10' W
    - 53° 45' N, 06° 10' W
    - 53° 45' N, 05° 30' W
    - 53° 30' N, 05° 30' W;
- (b) the use of separator trawls shall be permitted provided that no other type of fishing gear is retained on board and that such nets:
- (i) comply with the conditions laid down in subparagraph (a), and
  - (ii) [<sup>X1</sup>are constructed in conformity with the technical details provided in the Annex to Council Regulation (EC) No 254/2002 of 12 February 2002 establishing measures to be applicable in 2002 for the recovery of the stock of cod in the Irish Sea (division CIE VIIa).]

#### Editorial Information

**X1** Substituted by [Corrigendum to the Council Regulation \(EC\) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required \(Official Journal of the European Union L 15 of 20 January 2007\)](#).

Furthermore, separator trawls may also be used within an area enclosed by rhumb lines sequentially joining the following coordinates:

- 53° 45' N, 06° 00" W
- 53° 45' N, 05° 30' W
- 53° 30' N, 05° 30' W
- 53° 30' N, 06° 00' W



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- 53° 45' N, 06° 00' W.
- 8.3. The technical conservation measures referred to in Articles 3 and 4 of Council Regulation (EC) No 254/2002 of 12 February 2002 establishing measures to be applicable in 2002 for the recovery of the stock of cod in the Irish Sea (zone VIIa)<sup>(1)</sup> shall apply.
9. Use of gillnets in ICES Zones VIa, b, VII b, c, j, k and XII
- 9.1. For the purposes of this Annex, gillnet and entangling net means a gear made up of a single piece of net and held vertically in the water. It catches living aquatic resources by entangling or enmeshing.
- 9.2. For the purposes of this Annex, trammel net means a gear made up of two or more pieces of net hung jointly in parallel on a single headline and held vertically in the water.
- 9.3. Community vessels shall not deploy gillnets, entangling nets and trammel nets at any position where the charted depth is greater than 200 metres in ICES Zones VIa, b, VII b, c, j, k and XII east of 27° W.
- [<sup>F1</sup>9.4. By way of derogation from point 9.3 it shall be permitted to use the following gear:
- (a) [<sup>F2</sup>Gill nets with a mesh size equal to or greater than 120 mm and less than 150 mm, provided that they are deployed in waters of less than 600 metres charted depth, are no more than 100 meshes deep, have a hanging ratio of not less than 0,5 and are rigged with floats or equivalent floatation. The nets shall each be of a maximum of 5 nautical miles in length, and the total length of all nets deployed at any one time shall not exceed 25 km per vessel. The maximum soak time shall be 24 hours; or]
- (b) entangling nets with a mesh size equal to or greater than 250 mm, provided that they are deployed in waters of less than 600 metres charted depth, are no more than 15 meshes deep, have a hanging ratio of not less than 0,33 and are not rigged with floats or other means of floatation. The nets shall each be of a maximum of 10 km in length. The total length of all nets deployed at any one time shall not exceed 100 km per vessel. The maximum soak time shall be 72 hours.

#### Textual Amendments

- F2** 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.](#)

However, this derogation shall not apply in the NEAFC Regulatory area.]

- 9.5. Only one of the types of gear described in points 9.4.(a) and 9.4.(b) shall be carried aboard the vessel at any one time. To allow for the replacement of lost or damaged gear, vessels may carry on board nets with a total length 20 % greater than the maximum length of the fleets that may be deployed at any one time. All gear shall be marked in accordance with Commission Regulation (EC) No 356/2005 of 1 March 2005 laying down detailed rules for the marking and identification of passive fishing gear and beam trawls<sup>(2)</sup>.

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- 9.6. All vessels deploying gillnets or entangling nets at any position where the charted depth is greater than 200 metres in ICES Zones VIa, b, VII b, c, j, k and XII east of 27° W must hold a special fixed net fishing permit issued by the flag Member State.
- 9.7. The master of a vessel with a fixed net permit referred to in point 9.6 shall record in the logbook the amount and lengths of gear carried by a vessel before it leaves port and when it returns to port, and must account for any discrepancy between the two quantities.
- 9.8. The naval services or other competent authorities shall have the right to remove unattended gear at sea in ICES Zones VIa, b, VII b, c, j, k and XII east of 27° W in the following situations:
- (a) the gear is not properly marked;
  - (b) [X<sup>1</sup>the buoy markings or VMS data indicate that the owner has not been located at a distance less than 100 nautical miles from the gear for more than 120 hours;]
  - (c) the gear is deployed in waters with a charted depth greater than that permitted;
  - (d) the gear is of an illegal mesh size.
- 9.9. The master of a vessel with a fixed net permit referred to in point 9.6 shall record in the logbook the following information during each fishing trip:
- the mesh size of the net deployed,
  - the nominal length of one net,
  - the number of nets in a fleet,
  - the total number of fleets deployed,
  - the position of each fleet deployed,
  - the depth of each fleet deployed,
  - the soak time of each fleet deployed,
  - the quantity of any gear lost, its last known position and date of loss.
- 9.10. Vessels fishing with a fixed net permit referred to in point 9.6 shall only be permitted to land in the ports designated by the Member States in accordance with Article 7 of Regulation (EC) 2347/2002.
- 9.11. The quantity of sharks retained on board by any vessel using the gear type described in point 9.4.(b) shall be no more than 5 % by live-weight of the total quantity of marine organisms retained on board.
10. Condition for fisheries with certain towed gears authorized in the Bay of Biscay

By way of derogation of the provisions laid down in Article 5(2) of Commission Regulation (EC) No 494/2002 of 19 March 2002 establishing additional technical measures for recovery of the stock of hake in ICES zones III, IV, V, VI and VII and ICES zones VIII a, b, d, e<sup>(3)</sup>, it shall be permitted to conduct fishing activity using trawls, Danish seines and similar gears, except beam trawls, of mesh size range 70 to 99 mm in the area defined in Article 5(1)(b) of Regulation (EC) No 494/2002 if the gear is fitted with a square mesh window in accordance with Appendix 3 to this Annex.

11. Restrictions on fishing for anchovy in ices zone VIII and for roundnose grenadier in ICES zone IIIa

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- 11.1. In ICES zone VIII it shall be prohibited to catch, retain on board, tranship or land anchovy.
- 11.2. If the catch limits for anchovy in ICES zone VIII are revised in accordance with Article 5(5), point 11.1 of this Annex shall not apply.
- 11.3. Notwithstanding Council Regulation (EC) No 2015/2006 no directed fishery for roundnose grenadier shall be conducted ICES zone IIIa pending consultations between the European Community and Norway in early 2007.
12. Fishing effort for deep sea species

By way of derogation from Regulation (EC) No 2347/2002, the following shall apply in 2007:

- 12.1. Member States shall ensure that fishing activities which lead to catches and retention on board of more than 10 tonnes each calendar year of deep-sea species and of Greenland halibut by vessels flying their flag and registered in their territory shall be subject to a deep-sea fishing permit.
- 12.2. It shall however be prohibited to catch and retain on board, tranship or to land any aggregate quantity of the deep sea species and of Greenland halibut in excess of 100 kg in each sea trip, unless the vessel in question holds a deep-sea permit.
13. Interim measures for the protection of vulnerable deep-sea habitats

It shall be prohibited to conduct bottom trawling and fishing with static gear, including bottom set gill-nets and long-lines, within the areas enclosed by sequentially joining with rhumb lines the following positions, which shall be measured according to the WGS84 coordinate system:

The Hecate Seamounts:

- 52° 21.2866' N, 31° 09.2688' W
- 52° 20.8167' N, 30° 51.5258' W
- 52° 12.0777' N, 30° 54.3824' W
- 52° 12.4144' N, 31° 14.8168' W
- 52° 21.2866' N, 31° 09.2688' W

The Faraday Seamounts:

- 50° 01.7968' N, 29° 37.8077' W
- 49° 59.1490' N, 29° 29.4580' W
- 49° 52.6429' N, 29° 30.2820' W
- 49° 44.3831' N, 29° 02.8711' W
- 49° 44.4186' N, 28° 52.4340' W
- 49° 36.4557' N, 28° 39.4703' W
- 49° 29.9701' N, 28° 45.0183' W
- 49° 49.4197' N, 29° 42.0923' W
- 50° 01.7968' N, 29° 37.8077' W

Part of the Reykjanes Ridge:

- 55° 04.5327' N, 36° 49.0135' W
- 55° 05.4804' N, 35° 58.9784' W
- 54° 58.9914' N, 34° 41.3634' W

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- 54° 41.1841' N, 34° 00.0514' W
- 54° 00.0' N, 34° 00.0' W
- 53° 54.6406' N, 34° 49.9842' W
- 53° 58.9668' N, 36° 39.1260' W
- 55° 04.5327' N, 36° 49.0135' W

The Altair Seamounts:

- 44° 50.4953' N, 34° 26.9128' W
- 44° 47.2611' N, 33° 48.5158' W
- 44° 31.2006' N, 33° 50.1636' W
- 44° 38.0481' N, 34° 11.9715' W
- 44° 38.9470' N, 34° 27.6819' W
- 44° 50.4953' N, 34° 26.9128' W

The Antialtair Seamounts:

- 43° 43.1307' N, 22° 44.1174' W
- 43° 39.5557' N, 22° 19.2335' W
- 43° 31.2802' N, 22° 08.7964' W
- 43° 27.7335' N, 22° 14.6192' W
- 43° 30.9616' N, 22° 32.0325' W
- 43° 40.6286' N, 22° 47.0288' W
- 43° 43.1307' N, 22° 44.1174' W

Hatton Bank:

- 59° 26' N, 14° 30' W
- 59° 12' N, 15° 08' W
- 59° 01' N, 17° 00' W
- 58° 50' N, 17° 38' W
- 58° 30' N, 17° 52' W
- 58° 30' N, 18° 45' W
- 58° 47' N, 18° 37' W
- 59° 05' N, 17° 32' W
- 59° 16' N, 17° 20' W
- 59° 22' N, 16° 50' W
- 59° 21' N, 15° 40' W

North West Rockall:

- 57° 00' N, 14° 53' W
- 57° 37' N, 14° 42' W
- 57° 55' N, 14° 24' W
- 58° 15' N, 13° 50' W
- 57° 57' N, 13° 09' W
- 57° 50' N, 13° 14' W

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- 57° 57' N, 13° 45' W
- 57° 49' N, 14° 06' W
- 57° 29' N, 14° 19' W
- 57° 22' N, 14° 19' W
- 57° 00' N, 14° 34' W

Logachev Mound:

- 55° 17' N, 16° 10' W
- 55° 34' N, 15° 07' W
- 55° 50' N, 15° 15' W
- 55° 33' N, 16° 16' W

West Rockall Mound:

- 57° 20' N, 16° 30' W
- 57° 05' N, 15° 58' W
- 56° 21' N, 17° 17' W
- 56° 40' N, 17° 50' W

## Part B

### **Highly migratory fish in the Eastern Atlantic and the Mediterranean**

14. Minimum size for bluefin tuna in the East Atlantic and Mediterranean Sea<sup>(4)</sup>
  - 14.1. By way of derogation from Article 6 and Annex IV of Regulation (EC) No 973/2001, the minimum size for bluefin tuna in the Mediterranean Sea shall be 10 kg or 80 cm.
  - 14.2. By way of derogation from Article 7(1) of Regulation (EC) No 973/2001, no tolerance limit shall be granted for bluefin tuna fished in the East Atlantic and in the Mediterranean Sea.

15. Minimum size for bigeye tuna

By way of derogation from Article 6 and Annex IV of Regulation (EC) No 973/2001, the minimum size of bigeye tuna shall not apply.

16. Restrictions on the use of certain types of vessels and gears
  - 16.1. In order to protect the stock of bigeye tuna, in particular juvenile fish, fishing by purse seiners and baitboats shall be prohibited and in the area specified in points (a) and for the period specified in (b):
    - (a) the area is the following:
      - Southern limit: parallel 0° South latitude
      - Northern limit: parallel 5° North latitude
      - Western limit: meridian 20° West longitude
      - Eastern limit: meridian 10° West longitude;
    - (b) the period covered by the prohibition shall be from 1 November to 30 November of each year.

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- 16.2. By way of derogation from Article 3 of Regulation (EC) No 973/2001, Community vessels shall be authorised to fish without restriction on the use of certain types of vessels and gears in the area referred to in Article 3(2) of that Regulation and during the period specified in Article 3(1) of that Regulation.
- 16.3. Pending the entry into force of Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea<sup>(5)</sup> the fisheries currently operating under the derogations provided for in Article 3(1) and (1a) and Article 6(1) and (1a) of Regulation (EC) No 1626/94 may temporarily continue their activity in 2007.
17. Measures concerning sport and recreational fishing activities in the Mediterranean Sea
- 17.1. Each Member State shall take the necessary measures to forbid the use, within the framework of sport and recreational fishing of towed nets, encircling nets, seine sliding, dredger, gillnets, trammel nets and longline to fish for tuna and tuna-like species, notably bluefin tuna, in the Mediterranean Sea.
- 17.2. Each Member State shall ensure that catches of tuna and tuna-like species carried out in the Mediterranean Sea as a result from sport and recreational fishing are not marketed.
18. Sampling plan for bluefin Tuna

By way of derogation from Article 5a of Regulation (EC) No 973/2001, each Member State shall establish a sampling programme for the estimation of the numbers-at-size of the bluefin tuna caught; this requires notably that size sampling at cages must be done on one sample (= 100 specimen) for every 100 tonnes of live fish. Size sample will be collected during harvesting<sup>(6)</sup> at the farm, in accordance with the ICCAT methodology for reporting Task II. The sampling should be conducted during any harvesting, covering all cages. Data must be transmitted to ICCAT by 1 May 2007 for the sampling conducted the previous year.

## Part C

### Eastern Atlantic

#### 19. Eastern Central Atlantic

The minimum size for octopus (*Octopus vulgaris*) in the maritime waters under the sovereignty or jurisdiction of third countries and situated in the CECAF (FAO Fishery Committee for the Eastern Central Atlantic) region shall be 450 g (gutted). Octopus under the minimum size of 450 g (gutted) shall not be retained on board or be transhipped, landed, transported, stored, sold, displayed or offered for sale, but shall be returned immediately to the sea.

## Part D

### Eastern Pacific Ocean

20. Purse seines in the Regulatory Area of the Inter-American Tropical Tuna Commission (IATTC)
- 20.1. The fishing by purse-seine vessels for Yellowfin Tuna (*Thunnus albacares*), Bigeye Tuna (*Thunnus obesus*) and Skipjack Tunas (*Katsuwonus pelamis*) shall be prohibited

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- from either, 1 August to 11 September 2007, or, 20 November to 31 December 2007 in the area defined by the following limits:
- the Pacific coastlines of the Americas,
  - longitude 150° W,
  - latitude 40° N,
  - latitude 40° S.
- 20.2. The Member States concerned shall notify the Commission of the selected period of closure before 1 July 2007. All the purse seine vessels of the Member States concerned must stop purse-seine fishing in the defined area during the period selected.
- 20.3. As of ...<sup>(7)</sup> purse seiners fishing for tuna in the Regulatory Area of the IATTC shall retain on board and then land all bigeye, skipjack and yellowfin tuna caught, except fish considered unfit for human consumption for reasons other than size. A single exception shall be the final set of a trip, when there may be insufficient well space remaining to accommodate all the tuna caught in that set.

## Part E

### Eastern Pacific Ocean and Western and Central Pacific Ocean

- [<sup>F1</sup>21. Western and Central Pacific Ocean
- 21.1. Member States shall ensure that the total fishing effort for bigeye tuna, yellowfin tuna, skipjack tuna and south pacific albacore in the area of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention Area) is limited to the fishing effort provided for in fisheries partnership agreements between the Community and coastal States in the region.
- 21.2. Member States whose vessels are authorised to fish in the Convention Area shall develop management plans for the use of anchored or drifting floating aggregate devices (FADs). Those management plans shall include strategies to limit the interaction with juvenile bigeye and yellowfin tuna.
- 21.3. Management plans referred to in point 21.2 shall be submitted to the Commission not later than 15 October 2007. The Commission shall compile those management plans and submit a Community management plan to the Western and Central Pacific Fisheries Commission (WCPFC) Secretariat not later than 31 December 2007.
- 21.4. The number of Community vessels fishing for swordfish in areas south of 20° S of the Convention Area shall not exceed 14 vessels. Community participation shall be limited to vessels flying the flag of Spain.]
22. Special measures for the Eastern, Western and Central Pacific Ocean
- In the Eastern, Western and Central Pacific Ocean purse seine vessels shall promptly release unharmed, to the extent practicable, all sea turtles, sharks, billfishes, rays, dorado, and other non-target species. Fishermen shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of any such animals.
23. Specific measures applying to encircled or entangled sea turtles

In the Eastern, Western and Central Pacific Ocean the following specific measures shall apply:

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- (a) whenever a sea turtle is sighted in the net, all reasonable efforts shall be made to rescue the turtle before it becomes entangled in the net, including, if necessary, the deployment of a speedboat;
- (b) if a turtle is entangled in the net, net roll should stop as soon as the turtle comes out of the water and should not start again until the turtle has been disentangled and released;
- (c) if a turtle is brought on board a vessel, all appropriate methods to assist in the recovery of the turtle should be made before returning it to the water;
- (d) tuna-fishing vessels shall be prohibited from disposing of salt bags or any other type of plastic rubbish at sea;
- (e) the release, when practicable, of sea turtles entangled in Fish Aggregating Devices (FADs) and other fishing gear is encouraged;
- (f) the recovery of FADs which are not being used in the fishery is also encouraged.



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## Appendix 1 to Annex III

### TOWED GEARS: Skagerrak and Kattegat

#### MESH SIZE RANGES, TARGET SPECIES AND REQUIRED CATCH PERCENTAGES APPLICABLE TO THE USE OF A SINGLE MESH SIZE RANGE

Species	Mesh size range (mm)							
	<16	16-31		32-69		35-69	70-89 <sup>a</sup>	≥90
	Minimum percentage of target species							
	50 % <sup>b</sup>	50 % <sup>b</sup>	20 % <sup>b</sup>	50 % <sup>b</sup>	20 % <sup>b</sup>	20 % <sup>c</sup>	30 % <sup>d</sup>	none
Sandeel ( <i>Ammodytidae</i> ) <sup>e</sup>	x	x	x	x	x	x	x	x
Sandeel ( <i>Ammodytidae</i> ) <sup>f</sup>		x		x	x	x	x	x
Norway pout ( <i>Trisopterus esmarkii</i> )		x		x	x	x	x	x
Blue whiting ( <i>Micromesistius poutassou</i> )		x		x	x	x	x	x
Greater weever ( <i>Trachinus draco</i> ) <sup>g</sup>		x		x	x	x	x	x
Molluscs (except <i>Sepia</i> ) <sup>g</sup>		x		x	x	x	x	x
Garfish ( <i>Belone belone</i> ) <sup>g</sup>		x		x	x	x	x	x
Gray gurnard ( <i>Eutrigla gurnardus</i> ) <sup>g</sup>		x		x	x	x	x	x
Argentine ( <i>Argentina spp.</i> )				x	x	x	x	x
Sprat ( <i>Sprattus sprattus</i> )		x		x	x	x	x	x

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Eel ( <i>Anguilla</i> , <i>anguilla</i> )			X	X	X	X	X	X
Common shrimp/ Baltic shrimp ( <i>Crangon</i> <i>spp.</i> , <i>Palaemon</i> <i>adspersus</i> ) <sup>b</sup>			X	X	X	X	X	X
Mackerel ( <i>Scomber</i> <i>spp.</i> )				X			X	X
Horse mackerel ( <i>Trachurus</i> <i>spp.</i> )				X			X	X
Herring ( <i>Clupea</i> <i>harengus</i> )				X			X	X
Northern shrimp ( <i>Pandalus</i> <i>borealis</i> )						X	X	X
Common shrimp/ Baltic shrimp ( <i>Crangon</i> <i>spp.</i> , <i>Palaemon</i> <i>adspersus</i> ) <sup>a</sup>					X		X	X
Whiting ( <i>Merlangius</i> <i>merlangus</i> )							X	X
Norway lobster ( <i>Nephrops</i> <i>norvegicus</i> )							X	X
All other marine organisms								X

**a** When applying this mesh size range the codend shall be constructed of square meshed netting with a sorting grid in accordance with Appendix 2.

**b** The catch retained on board shall consist of no more than 10 % of any mixture of cod, haddock, hake, plaice, witch, lemon sole, sole, turbot, brill, flounder, mackerel, megrim, whiting, dab, saithe, Norway lobster and lobster.

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- c** The catch retained on board shall consist of no more than 50 % of any mixture of cod, haddock, hake, plaice, witch, lemon sole, sole, turbot, brill, flounder, herring, mackerel, megrim, whiting, dab, saithe, Norway lobster and lobster.
- 
- d** The catch retained on board shall consist of no more than 60 % of any mixture of cod, haddock, hake, plaice, witch, lemon sole, sole, turbot, brill, flounder, megrim, whiting, dab, saithe and lobster.
- 
- e** From 1 March to 31 October in Skagerrak and from 1 March to 31 July in Kattegat.
- 
- f** From 1 November to the last day of February in Skagerrak and from 1 August to the last day of February in Kattegat.
- 
- g** Only within four miles from the baselines.
- 
- h** Outside four miles from the baselines.
-

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## Appendix 2 to Annex III

### Specifications for the Sorting grid for 70 mm trawl fishery

- (a) The species selective grid shall be attached in trawls with full square mesh codend with a mesh size equal to or larger than 70 mm and smaller than 90 mm. The minimum length of the codend shall be 8 m. It shall be prohibited to use any trawl having more than 100 square meshes in any circumference of the codend, excluding the joining or the selvages.
- (b) The grid shall be rectangular. The bars of the grid shall be parallel to the longitudinal axis of the grid. The bar spacing of the grid shall not exceed 35 mm. It shall be permitted to use one or more hinges in order to facilitate its storage on the net drum.
- (c) The grid shall be mounted diagonally in the trawl, upwards backwards, anywhere from just in front of the codend to the anterior end of the untapered section. All sides of the grid shall be attached to the trawl.
- (d) In the upper panel of the trawl there shall be an unblocked fish outlet in immediate connection to the upper side of the grid. The opening of the fish outlet shall have the same width in the posterior side as the width of the grid and shall be cut out to a tip in the anterior direction along mesh bars from both sides of the grid.
- (e) It shall be permitted to attach in front of the grid a funnel to lead the fish towards the trawl floor and grid. The minimum mesh size of the funnel shall be 70 mm. The minimum vertical opening of the guiding funnel towards the grid shall be 15 cm. The width of the guiding funnel towards the grid shall be the grid width.

Schematic illustration of a size and species selective trawl. Entering fish is lead towards the trawl floor and grid via a leading funnel. Larger fish is then led out of the trawl by the grid while smaller fish and Norway lobster pass through the grid and enter the codend. The full square mesh codend enhance escapement of small fish and undersized Norway lobster.

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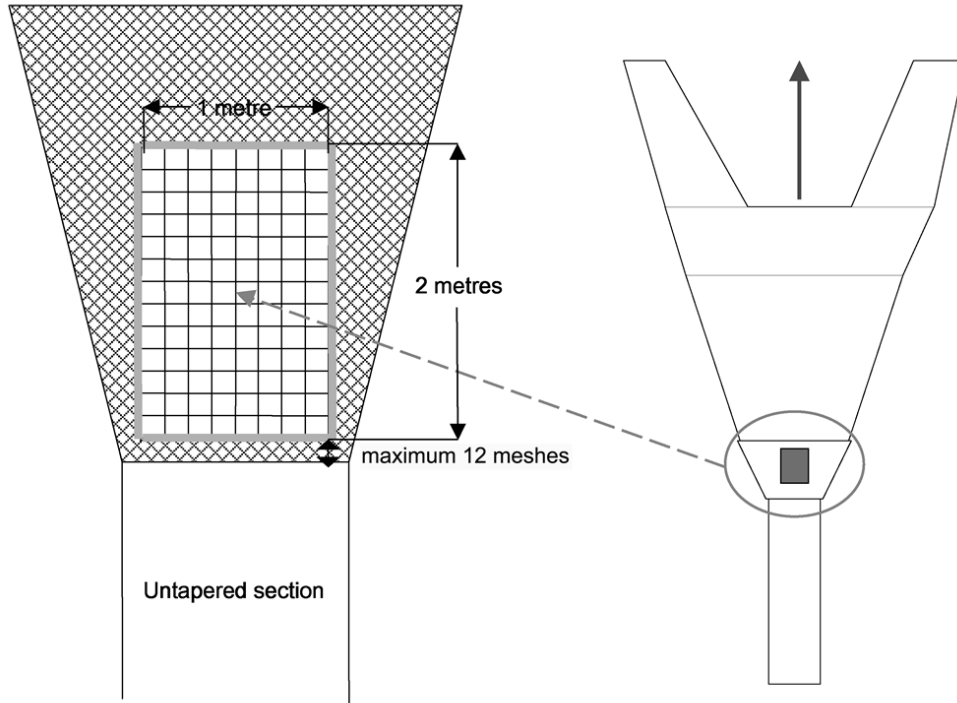
### Appendix 3 to Annex III

#### Condition for fisheries with certain towed gears authorized in ICES zones III, IV, V, VI, VII and VIII a, b, d, e

- (a) Specifications of the top square mesh window
- Specifications of 100 mm, measured as inner opening, square mesh window in the rear tapered section of the trawl, Danish seine or similar gear with a mesh size equal to or larger than 70 mm and smaller than 100 mm.
- The window shall be a rectangular section of netting. There shall be only one window. The window shall not be obstructed in any way by either internal or external attachments.
- (b) Location of the window
- The window shall be inserted into the middle of the top panel of the rear tapered section of the trawl just in front of the untapered section constituted by the extension piece and the codend.
- The window shall terminate not more than 12 meshes from the hand braided row of meshes between the extension piece and the rear tapered section of the trawl.
- (c) Size of the window
- The length and the width of the window shall be at least 2 m and at least 1 m respectively.
- (d) Netting of the window
- The meshes shall have a minimum mesh opening of 100 mm. The meshes will be square meshes, i.e. all four sides of the window netting shall be cut all bars.
- The netting shall be mounted such that the bars run parallel and perpendicular to the longitudinal axis of the codend.
- The netting shall be single twine. The twine thickness shall be not more than 4 mm.
- (e) Insertion of the window into the diamond meshes netting
- It shall be permitted to attach a selvage on the four sides of the window. The diameter of this selvage shall be no more than 12 mm.
- The stretched length of the window shall be equal to the strength length of the diamond meshes attached to the longitudinal side of the window.
- The number of diamond meshes of the top panel attached to the smallest side of the window (i.e. one metre long side which is perpendicular to the longitudinal axis of the codend) shall be at least the number of full diamond meshes attached to the longitudinal side of the window divided by 0,7.
- (f) Other
- The insertion of the window into the trawl is illustrated below.

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- (1) [OJ L 41, 13.2.2002, p. 1.](#)
- (2) [OJ L 56, 2.3.2005, p. 8.](#) Regulation as amended by Regulation (EC) No 1805/2005 ([OJ L 290, 4.11.2005, p. 12](#)).
- (3) [OJ L 77, 20.3.2002, p. 8.](#)
- (4) See footnote 1 in Annex ID concerning bluefin tuna.
- (5) [OJ L 409, 30.12.2006, p. 11.](#)
- (6) For fish farmed more than 1 year, other additional sampling methods should be established.
- (7) Date of entry into force of this Regulation.

**Status:**

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