

Council Regulation (EU) 2018/120 of 23 January 2018 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127

## TITLE II

### FISHING OPPORTUNITIES FOR UNION FISHING VESSELS

#### CHAPTER III

##### *Fishing opportunities in waters of regional fisheries management organisations*

###### *Section 7*

###### **WCPFC Convention Area**

###### *Article 34*

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

- 1 Member States shall ensure that the number of fishing days allocated to purse-seine vessels fishing for bigeye tuna (*Thunnus obesus*), yellowfin tuna (*Thunnus albacares*) and skipjack tuna (*Katsuwonus pelamis*) in the part of the WCPFC Convention Area located in the high seas between 20° N and 20° S does not exceed 403 days.
- 2 Union fishing vessels shall not target south Pacific albacore (*Thunnus alalunga*) in the WCPFC Convention Area south of 20° S.
- 3 Member States shall ensure that catches of bigeye tuna (*Thunnus obesus*) by longliners do not exceed 2 000 tonnes in 2018.

###### *Article 35*

###### **Management of fishing with FADs**

- 1 In the part of the WCPFC Convention Area located between 20° N and 20° S, it shall be prohibited for purse-seine vessels to deploy, service or set on FADs between 00:00 hours of 1 July 2018 and 24:00 hours of 30 September 2018.
- 2 In addition to the prohibition set in paragraph 1, it shall be prohibited to set on FADs on the high seas of the WCPFC Convention Area, between 20° N and 20° S, for an additional two months: either from 00:00 hours of 1 April 2018 to 24:00 hours of 31 May 2018, or from 00:00 hours of 1 November 2018 to 24:00 hours of 31 December 2018. The choice for the additional two months shall be notified to the Commission before 31 January 2018.
- 3 Paragraph 2 shall not apply in the following cases:

- a in the final set of a trip, if the vessel has insufficient well space left to accommodate all fish;
- b where the fish is unfit for human consumption for reasons other than size; or
- c when a serious malfunction of freezer equipment occurs.

4 Member States shall ensure that each of its purse-seine vessels have deployed at sea, at any time, no more than 350 FADs with activated instrumented buoys. The buoy shall be activated exclusively onboard a vessel.

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

#### *Article 36*

### **Limitations to the number of Union fishing vessels authorised to fish for swordfish**

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

#### *Article 37*

### **Catch limits for swordfish in long-line fisheries south of 20°S**

Member States shall ensure that catches of swordfish (*Xiphias gladius*) south of 20°S by long-liners do not exceed in 2018 the limit set out in Annex IH. Member States shall also ensure that there is no shift of the fishing effort for swordfish to the area north of the 20°S, as a result of that measure.

#### *Article 38*

### **Silky sharks and oceanic whitetip sharks**

1 Retaining on board, transhipping, storing or landing any part or whole carcass of the following species in the WCPFC Convention Area shall be prohibited:

- a silky sharks (*Carcharhinus falciformis*),
- b oceanic whitetip sharks (*Carcharhinus longimanus*).

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

#### *Article 39*

### **Overlap area between IATTC and WCPFC**

1 Vessels listed exclusively in the WCPFC register shall apply the measures set out in this Section when fishing in the overlap area between IATTC and WCPFC as defined in Article 4(s).

2 Vessels listed in both the WCPFC register and the IATTC register and vessels listed exclusively in the IATTC register shall apply the measures set out in Article 28(1)(a), (2), (3) and (4) and Articles 29, 30 and 31 when fishing in the overlap area between IATTC and WCPFC as defined in Article 4(s).