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COUNCIL REGULATION (EU) 2018/2025

of 17 December 2018

fixing for 2019 and 2020 the fishing opportunities for Union fishing vessels for certain deep-sea fish stocks

(OJ L 325, 20.12.2018, p. 7)

Corrected by:

► **C1** Corrigendum, OJ L 72, 14.3.2019, p. 141 (2018/2025)

**COUNCIL REGULATION (EU) 2018/2025****of 17 December 2018****fixing for 2019 and 2020 the fishing opportunities for Union fishing vessels for certain deep-sea fish stocks***Article 1***Subject matter**

This Regulation fixes for the years 2019 and 2020 the annual fishing opportunities available to Union fishing vessels for fish stocks of certain deep-sea species in Union waters and in certain non-Union waters where catch limits are required.

*Article 2***Definitions**

1. For the purposes of this Regulation, the definitions referred to in Article 4 of Regulation (EU) No 1380/2013 shall apply. In addition, the following definitions apply:

- (a) ‘total allowable catch’ (TAC) means:
 - (i) in fisheries subject to the exemption of the landing obligation referred to in Article 15(4) to (7) of Regulation (EU) No 1380/2013, the quantity of fish that can be landed from each stock each year;
 - (ii) in all other fisheries, the quantity of fish that can be caught from each stock each year;
- (b) ‘quota’ means a proportion of the TAC allocated to the Union or a Member State;
- (c) ‘international waters’ means waters falling outside the sovereignty or jurisdiction of any State;
- (d) ‘analytical assessment’ means quantitative evaluations of trends in a given stock, based on data about the stock's biology and exploitation, which scientific review has indicated to be of sufficient quality to provide scientific advice on options for future catches.

2. For the purposes of this Regulation, the following zone definitions shall apply:

- (a) ICES (International Council for the Exploration of the Sea) zones are the geographical areas specified in Annex III to Regulation (EC) No 218/2009 of the European Parliament and of the Council ⁽¹⁾;

⁽¹⁾ 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 (OJ L 87, 31.3.2009, p. 70).

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- (b) CECAF (Committee for Eastern Central Atlantic Fisheries) zones are the geographical areas specified in Annex II to Regulation (EC) No 216/2009 of the European Parliament and of the Council ⁽¹⁾.

*Article 3***TACs and allocations**

The TACs for deep-sea species caught by Union fishing vessels in Union waters or in certain non-Union waters, the allocation of such TACs among Member States and the conditions functionally linked thereto, where appropriate, are set out in the Annex.

*Article 4***TACs to be determined by Member States**

1. The TAC for black scabbardfish in CECAF 34.1.2 shall be determined by Portugal.
2. The TAC to be determined by Portugal shall:
 - (a) be consistent with the principles and rules of the common fisheries policy, in particular the principle of the sustainable exploitation of the stock; and
 - (b) result:
 - (i) if an analytical assessment is available, in the exploitation of the stock consistent with maximum sustainable yield from 2019 onwards, with as high a probability as possible; or
 - (ii) if an analytical assessment is unavailable or incomplete, in the exploitation of the stock consistent with the precautionary approach to fisheries management.
3. By 15 March in each year of the application of this Regulation, Portugal shall submit the following information to the Commission:
 - (a) the TAC adopted;
 - (b) the data collected and assessed by Portugal on which the TAC adopted is based;
 - (c) details on how the TAC adopted complies with paragraph 2.

*Article 5***Special provisions on the allocation 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 16(8) of Regulation (EU) No 1380/2013;

⁽¹⁾ 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 (OJ L 87, 31.3.2009, p. 1).

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- (b) deductions and reallocations made pursuant to Article 37 of Council Regulation (EC) No 1224/2009 ⁽¹⁾;
- (c) reallocations made pursuant to Article 12(7) of Regulation (EU) 2017/2403 of the European Parliament and of the Council ⁽²⁾;
- (d) additional landings allowed under Article 3 of Regulation (EC) No 847/96 and 15(9) of Regulation (EU) No 1380/2013;
- (e) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96 and Article 15(9) of Regulation (EU) No 1380/2013;
- (f) deductions made pursuant to Articles 105, 106 and 107 of Regulation (EC) No 1224/2009.

2. Stocks which are subject to precautionary or analytical TACs are identified in the Annex to this Regulation for the purposes of the year-to-year management of TACs and quotas provided for in Regulation (EC) No 847/96.

3. Article 3 of Regulation (EC) No 847/96 shall apply to stocks subject to precautionary TACs, whereas Article 3(2) and (3) and Article 4 of that Regulation shall apply to stocks subject to analytical TACs, except where otherwise specified in the Annex to this Regulation.

4. Articles 3 and 4 of Regulation (EC) No 847/96 shall not apply where a Member State uses the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013.

Article 6

Conditions for landing catches and bycatches

Catches that are not subject to the landing obligation established in Article 15 of Regulation (EU) No 1380/2013 shall be retained on board or landed only if they:

- (a) have been taken by vessels flying the flag of a Member State having a quota and that quota has not been exhausted; or
- (b) 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.

⁽¹⁾ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

⁽²⁾ Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81).

*Article 7***Prohibition**

1. It shall be prohibited for Union fishing vessels to fish for orange roughy (*Hoplostethus atlanticus*) in Union and international waters of ICES subareas 1 to 10, 12 and 14, and to retain on board, to tranship or to land orange roughy caught in that area.
2. It shall be prohibited for Union fishing vessels to fish for deep-sea sharks in ICES subareas 5 to 9, in Union and international waters of ICES subarea 10, in international waters of ICES subarea 12 and in Union waters of CECAF 34.1.1, 34.1.2 and 34.2 and to retain on board, tranship, relocate or land deep-sea sharks caught in those areas, with the exception of cases where TACs apply for bycatches in fisheries for black scabbardfish that use longlines as set out in the Annex.

*Article 8***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 the Annex to this Regulation.

*Article 9***Entry into force**

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

It shall apply from 1 January 2019.

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



ANNEX

The references to fishing zones are references to ICES zones, unless otherwise specified.

PART 1

Definition of species and species groups

1. In the list set out in Part 2 of this Annex, fish stocks are referred to following the alphabetical order of the Latin names of the species. However, the deep-sea sharks are placed at the beginning of that list. For the purposes of this Regulation, the following comparative table of common names and Latin names is provided:

Common name	Alpha-3 code	Scientific name
Black scabbardfish	BSF	<i>Aphanopus carbo</i>
Alfonsinos	ALF	<i>Beryx</i> spp.
Roundnose grenadier	RNG	<i>Coryphaenoides rupestris</i>
Roughhead grenadier	RHG	<i>Macrourus berglax</i>
Red seabream	SBR	<i>Pagellus bogaraveo</i>

2. For the purposes of this Regulation, ‘deep-sea sharks’ means the following list of species:

Common name	Alpha-3 code	Scientific name
Deep-water catsharks	API	<i>Apristurus</i> spp.
Friiled shark	HXC	<i>Chlamydoselachus anguineus</i>
Gulper shark	CWO	<i>Centrophorus</i> spp.
Portuguese dogfish	CYO	<i>Centroscymnus coelolepis</i>
Longnose velvet dogfish	CYP	<i>Centroscymnus crepidater</i>
Black dogfish	CFB	<i>Centroscyllium fabricii</i>
Birdbeak dogfish	DCA	<i>Deania calcea</i>
Kitefin shark	SCK	<i>Dalatias licha</i>
Great lanternshark	ETR	<i>Etmopterus princeps</i>
Velvet belly	ETX	<i>Etmopterus spinax</i>
Mouse catshark	GAM	<i>Galeus murinus</i>
Bluntnose sixgill shark	SBL	<i>Hexanchus griseus</i>
Sailfin roughshark (Sharpback shark)	OXN	<i>Oxynotus paradoxus</i>
Knifetooth dogfish	SYR	<i>Scymnodon ringens</i>
Greenland shark	GSK	<i>Somniosus microcephalus</i>



PART 2

Annual fishing opportunities (in tonnes live weight)

Species: Deep-sea sharks			Zone: Union and international waters of 5, 6, 7, 8 and 9 (DWS/56789-)
Year	2019	2020	
Union	7 ⁽¹⁾	7 ⁽¹⁾	
TAC	7 ⁽¹⁾	7 ⁽¹⁾	Precautionary TAC Article 3 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ Exclusively for bycatches in fisheries for black scabbardfish that use longlines. No directed fisheries are permitted under this quota.

Species: Deep-sea sharks			Zone: Union and international waters of 10 (DWS/10-)
Year	2019	2020	
Portugal	7 ⁽¹⁾	7 ⁽¹⁾	
Union	7 ⁽¹⁾	7 ⁽¹⁾	
TAC	7 ⁽¹⁾	7 ⁽¹⁾	Precautionary TAC Article 3 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ Exclusively for bycatches in fisheries for black scabbardfish that use longlines. No directed fisheries are permitted under this quota.

Species: Deep-sea sharks			Zone: Union waters of CECAF 34.1.1, 34.1.2 and 34.2 (DWS/F3412C)
Year	2019	2020	
Union	7 ⁽¹⁾	7 ⁽¹⁾	
TAC	7 ⁽¹⁾	7 ⁽¹⁾	Precautionary TAC Article 3 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ Exclusively for bycatches in fisheries for black scabbardfish that use longlines. No directed fisheries are permitted under this quota.

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Species: Black scabbardfish <i>Aphanopus carbo</i>			Zone: Union and international waters of 5, 6, 7 and 12 (BSF/56712-)
Year	2019	2020	
Germany	28	28	
Estonia	14	14	
Ireland	71	71	
Spain	140	140	
France	1 976	1 976	
Latvia	92	92	
Lithuania	1	1	
Poland	1	1	
United Kingdom	140	140	
Others	7 ⁽¹⁾	7 ⁽¹⁾	
Union	2 470	2 470	
TAC	2 470	2 470	Precautionary TAC

⁽¹⁾ Exclusively for bycatches. No directed fisheries are permitted under this quota.

Species: Black scabbardfish <i>Aphanopus carbo</i>			Zone: Union and international waters of 8, 9 and 10 (BSF/8910-)
Year	2019	2020	
Spain	9	9	
France	22	22	
Portugal	2 801	2 801	
Union	2 832	2 832	
TAC	2 832	2 832	Precautionary TAC

Species: Black scabbardfish <i>Aphanopus carbo</i>			Zone: Union and international waters of CECAF 34.1.2 (BSF/C3412-)
Year	2019	2020	
Portugal	To be established	To be established	
Union	To be established ⁽¹⁾	To be established ⁽¹⁾	
TAC	To be established ⁽¹⁾	To be established ⁽¹⁾	Precautionary TAC Article 4 of this Regulation applies.

⁽¹⁾ Established at the same quantity as the quota for Portugal.

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Species: Alfonsinos <i>Beryx</i> spp.			Zone: Union and international waters of 3, 4, 5, 6, 7, 8, 9, 10, 12 and 14 (ALF/3X14-)
Year	2019	2020	
Ireland	8 ⁽¹⁾	8 ⁽¹⁾	
Spain	57 ⁽¹⁾	57 ⁽¹⁾	
France	15 ⁽¹⁾	15 ⁽¹⁾	
Portugal	164 ⁽¹⁾	164 ⁽¹⁾	
United Kingdom	8 ⁽¹⁾	8 ⁽¹⁾	
Union	252 ⁽¹⁾	252 ⁽¹⁾	
TAC	252 ⁽¹⁾	252 ⁽¹⁾	Precautionary TAC

⁽¹⁾ Exclusively for bycatches. No directed fisheries are permitted under this quota.

Species: Roundnose grenadier <i>Coryphaenoides rupestris</i>			Zone: Union and international waters of 3 (RNG/03-)
Year	2019	2020	
Denmark	48 ⁽¹⁾ ⁽²⁾	48 ⁽¹⁾ ⁽²⁾	
Germany	0 ⁽¹⁾ ⁽²⁾	0 ⁽¹⁾ ⁽²⁾	
Sweden	2 ⁽¹⁾ ⁽²⁾	2 ⁽¹⁾ ⁽²⁾	
Union	50 ⁽¹⁾ ⁽²⁾	50 ⁽¹⁾ ⁽²⁾	
TAC	50 ⁽¹⁾ ⁽²⁾	50 ⁽¹⁾ ⁽²⁾	Precautionary TAC

⁽¹⁾ Exclusively for bycatches. No directed fisheries are permitted under this quota.

⁽²⁾ No directed fisheries of roughhead grenadier are permitted. Bycatches of roughhead grenadier (RHG/03-) shall be counted against this quota. They may not exceed 1 % of the quota.

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Species: Roundnose grenadier <i>Coryphaenoides rupestris</i>		Zone: Union and international waters of 5b, 6 and 7 (RNG/5B67-)	
Year	2019	2020	
Germany	5 ⁽¹⁾ ⁽²⁾	5 ⁽¹⁾ ⁽²⁾	
Estonia	37 ⁽¹⁾ ⁽²⁾	37 ⁽¹⁾ ⁽²⁾	
Ireland	166 ⁽¹⁾ ⁽²⁾	166 ⁽¹⁾ ⁽²⁾	
Spain	41 ⁽¹⁾ ⁽²⁾	41 ⁽¹⁾ ⁽²⁾	
France	2 108 ⁽¹⁾ ⁽²⁾	2 108 ⁽¹⁾ ⁽²⁾	
Lithuania	48 ⁽¹⁾ ⁽²⁾	48 ⁽¹⁾ ⁽²⁾	
Poland	24 ⁽¹⁾ ⁽²⁾	24 ⁽¹⁾ ⁽²⁾	
United Kingdom	124 ⁽¹⁾ ⁽²⁾	124 ⁽¹⁾ ⁽²⁾	
Others	5 ⁽¹⁾ ⁽²⁾ ⁽³⁾	5 ⁽¹⁾ ⁽²⁾ ⁽³⁾	
Union	2 558 ⁽¹⁾ ⁽²⁾	2 558 ⁽¹⁾ ⁽²⁾	
TAC	2 558 ⁽¹⁾ ⁽²⁾	2 558 ⁽¹⁾ ⁽²⁾	Precautionary TAC

⁽¹⁾ A maximum of 10 % of each quota may be fished in Union and international waters of 8, 9, 10, 12 and 14 (RNG/*8X14- for roundnose grenadier; RHG/*8X14- for roughhead grenadier bycatches).

⁽²⁾ No directed fisheries of roughhead grenadier are permitted. Bycatches of roughhead grenadier (RHG/5B67-) shall be counted against this quota. They may not exceed 1 % of the quota.

⁽³⁾ Exclusively for bycatches. No directed fisheries are permitted.

Species: Roundnose grenadier <i>Coryphaenoides rupestris</i>		Zone: Union and international waters of 8, 9, 10, 12 and 14 (RNG/8X14-)	
Year	2019	2020	
Germany	15 ⁽¹⁾ ⁽²⁾	15 ⁽¹⁾ ⁽²⁾	
Ireland	3 ⁽¹⁾ ⁽²⁾	3 ⁽¹⁾ ⁽²⁾	
Spain	1 638 ⁽¹⁾ ⁽²⁾	1 638 ⁽¹⁾ ⁽²⁾	
France	76 ⁽¹⁾ ⁽²⁾	76 ⁽¹⁾ ⁽²⁾	
Latvia	26 ⁽¹⁾ ⁽²⁾	26 ⁽¹⁾ ⁽²⁾	
Lithuania	3 ⁽¹⁾ ⁽²⁾	3 ⁽¹⁾ ⁽²⁾	
Poland	513 ⁽¹⁾ ⁽²⁾	513 ⁽¹⁾ ⁽²⁾	
United Kingdom	7 ⁽¹⁾ ⁽²⁾	7 ⁽¹⁾ ⁽²⁾	
Union	2 281 ⁽¹⁾ ⁽²⁾	2 281 ⁽¹⁾ ⁽²⁾	
TAC	2 281 ⁽¹⁾ ⁽²⁾	2 281 ⁽¹⁾ ⁽²⁾	Precautionary TAC

⁽¹⁾ A maximum of 10 % of each quota may be fished in Union and international waters of 5b, 6, 7 (RNG/*5B67- for roundnose grenadier; RHG/*5B67- for roughhead grenadier bycatches).

⁽²⁾ No directed fisheries of roughhead grenadier are permitted. Bycatches of roughhead grenadier (RHG/8X14-) shall be counted against this quota. They may not exceed 1 % of the quota.

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Species: Red seabream <i>Pagellus bogaraveo</i>			Zone: Union and international waters of 6, 7 and 8 (SBR/678-)
Year	2019	2020	
Ireland	3 ⁽¹⁾	3 ⁽¹⁾	
Spain	94 ⁽¹⁾	84 ⁽¹⁾	
France	5 ⁽¹⁾	4 ⁽¹⁾	
United Kingdom	12 ⁽¹⁾	11 ⁽¹⁾	
Others	3 ⁽¹⁾	3 ⁽¹⁾	
Union	117 ⁽¹⁾	105 ⁽¹⁾	
TAC	117 ⁽¹⁾	105 ⁽¹⁾	Precautionary TAC

⁽¹⁾ Exclusively for bycatches. No directed fisheries are permitted under this quota.

Species: Red seabream <i>Pagellus bogaraveo</i>			►C1 Zone: Union and international waters of 9 ⁽¹⁾ (SBR/09-) ◀
Year	2019	2020	
Spain	117	117	
Portugal	32	32	
Union	149	149	
TAC	149	149	Precautionary TAC

⁽¹⁾ Catches in the GFCM area 37.1.1 shall nevertheless be reported (SBR/F3711). Catches in the CECAF area 34.1.11 shall nevertheless be reported (SBR/F34111).

Species: Red seabream <i>Pagellus bogaraveo</i>			Zone: Union and international waters of 10 (SBR/10-)
Year	2019	2020	
Spain	5	5	
Portugal	566	566	
United Kingdom	5	5	
Union	576	576	
TAC	576	576	Precautionary TAC