
Changes to legislation: There are outstanding changes not yet made to Council Regulation (EU) 2019/124. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX IIB

**FISHING EFFORT FOR VESSELS IN THE CONTEXT OF THE MANAGEMENT
OF WESTERN CHANNEL SOLE STOCKS IN ICES DIVISION 7e**

CHAPTER III

Number of days present within the area allocated to Union fishing vessels

5. MAXIMUM NUMBER OF DAYS

During the current management period, the maximum number of days at sea for which a Member State may authorise a vessel flying its flag to be present within the area having carried on board any regulated gear is shown in Table I.

TABLE I

Maximum number of days a vessel may be present within the area by category of regulated gear per year

Regulated gear	Maximum number of days	
Beam trawls of mesh size \geq 80 mm	BE	176
	FR	188
	UK	222
Static nets with mesh size \leq 220 mm	BE	176
	FR	191
	UK	176

6. KILOWATT DAY SYSTEM

6.1. During the current management period, a Member State may manage its fishing effort allocations in accordance with a kilowatt days system. Through that system it may authorise any vessel concerned by any regulated gear as set out in Table I to be present within the area for a maximum number of days which is different from that set out in that Table, provided that the overall amount of kilowatt days corresponding to the regulated gear is respected.

6.2. This overall amount of kilowatt days shall be the sum of all individual fishing efforts allocated to the vessels flying the flag of that Member State and qualified for the regulated gear. Such individual fishing efforts shall be calculated in kilowatt days by multiplying the engine power of each vessel by the number of days at sea it would benefit from, according to Table I, if point 6.1. were not applied.

6.3. A Member State wishing to benefit from the system referred to in point 6.1. shall submit a request to the Commission, for the regulated gear as laid down in Table I, with reports in electronic format containing the details of the calculation based on:

(a) the list of vessels authorised to fish by indicating their CFR and their engine power;

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EU) 2019/124. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) the number of days at sea for which each vessel would have initially been authorised to fish according to Table I and the number of days at sea which each vessel would benefit from in application of point 6.1.
- 6.4. On the basis of that request, the Commission shall assess whether the conditions referred to in point 6 are complied with and, where applicable, may authorise that Member State to benefit from the system referred to in point 6.1.
7. ALLOCATION OF ADDITIONAL DAYS FOR PERMANENT CESSATION OF FISHING ACTIVITIES
- 7.1. An additional number of days at sea on which a vessel may be authorised by its flag Member State to be present within the area when carrying on board any regulated gear may be allocated to a Member State by the Commission on the basis of permanent cessations of fishing activities that have taken place during the preceding management period either in accordance with Article 23 of Regulation (EC) No 1198/2006 or with Regulation (EC) No 744/2008. Permanent cessations resulting from any other circumstances may be considered by the Commission on a case-by-case basis, following a written and duly motivated request from the Member State concerned. Such written request shall identify the vessels concerned and confirm, for each of them, that they shall never return to fishing activities.
- 7.2. The effort expended in 2003 measured in kilowatt days of the withdrawn vessels using a given gear grouping shall be divided by the effort expended by all vessels using that gear grouping during 2003. The additional number of days at sea shall be then calculated by multiplying the ratio so obtained by the number of days that would have been allocated according to Table I. Any part of a day resulting from that calculation shall be rounded to the nearest whole day.
- 7.3. Points 7.1. and 7.2. shall not apply where a vessel has been replaced in accordance with point 4.2., or when the withdrawal has already been used in previous years to obtain additional days at sea.
- 7.4. A Member State wishing to benefit from the allocations referred to in point 7.1. shall submit a request to the Commission, by 15 June of the current management period, with reports in electronic format containing for the gear grouping as laid down in Table I, the details of the calculation based on:
- (a) lists of withdrawn vessels with their CFR and their engine power;
- (b) the fishing activity deployed by such vessels in 2003 calculated in days at sea according to the grouping of fishing gears.
- 7.5. On the basis of such a request by a Member State the Commission may, by means of implementing acts, allocate that Member State a number of days additional to that referred to in point 5 for that Member State. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 49(2).
- 7.6. During the current management period, a Member State may re-allocate those additional days at sea to all or part of the vessels remaining in fleet and qualified for the regulated gears.
- 7.7. When the Commission allocates additional days at sea due to a permanent cessation of fishing activities during the preceding management period the maximum number of days per Member State and gear shown in Table I shall be adjusted accordingly for the current management period.

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EU) 2019/124. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

8. ALLOCATION OF ADDITIONAL DAYS FOR ENHANCED SCIENTIFIC OBSERVER COVERAGE
 - 8.1. Three additional days on which a vessel may be present within the area when carrying on board any regulated gear may be allocated between 1 February 2018 and 31 January 2019 to a Member State by the Commission on the basis of an enhanced programme of scientific observer coverage in partnership between scientists and the fishing industry. Such a programme shall focus in particular on levels of discarding and on catch composition and go beyond the requirements on data collection, as laid down in Regulation (EU) 2017/1004 and its implementing rules for national programmes.
 - 8.2. Scientific observers shall be independent from the owner, the master of the fishing vessel and any crew member.
 - 8.3. A Member State wishing to benefit from the allocations referred to in point 8.1. shall submit a description of its enhanced scientific observer coverage programme to the Commission for approval.
 - 8.4. On the basis of that description, and after consultation with STECF, the Commission may, by means of implementing acts, allocate the Member State concerned a number of days additional to that referred to in point 5 for that Member State and for the vessels, the area and gear concerned by the enhanced programme of scientific observers. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 49(2).
 - 8.5. If an enhanced scientific observer coverage programme submitted by a Member State has been approved by the Commission in the past and the Member State concerned wishes to continue its application without changes, it shall inform the Commission of the continuation of that programme four weeks before the beginning of the period for which the programme applies.

Changes to legislation:

There are outstanding changes not yet made to Council Regulation (EU) 2019/124. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulation revoked by [S.I. 2020/1542 Sch. Pt. 1](#)
- List of Annexes words omitted by [S.I. 2019/848 reg. 6\(24\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- List of Annexes words omitted by [S.I. 2019/848 reg. 6\(24\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- List of Annexes words omitted by [S.I. 2019/848 reg. 6\(24\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- List of Annexes words omitted by [S.I. 2019/848 reg. 6\(24\)\(e\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- List of Annexes words substituted by [S.I. 2019/848 reg. 6\(24\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- List of Annexes words substituted in earlier amending provision S.I. 2019/848, reg. 6(24)(a) by [S.I. 2019/1312 reg. 10\(3\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 10 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 4)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex 1A-1C omitted by [S.I. 2019/848 reg. 6\(26\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- Annex 1F-1J omitted by [S.I. 2019/848 reg. 6\(27\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- Annex 1L-3 omitted by [S.I. 2019/848 reg. 6\(28\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- Art. 2(1)(a) words substituted by [S.I. 2019/848 reg. 6\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- Art. 2(1)(b) words substituted by [S.I. 2019/848 reg. 6\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- Art. 3(c) words substituted by [S.I. 2019/848 reg. 6\(4\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- Art. 3(e) substituted by [S.I. 2019/848 reg. 6\(4\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- Art. 3(f) omitted by [S.I. 2019/848 reg. 6\(4\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)

- Art. 3(h) omitted by [S.I. 2019/848 reg. 6\(4\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- Art. 4(b)-(l) omitted by [S.I. 2019/848 reg. 6\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- Art. 4(p)-(u) omitted by [S.I. 2019/848 reg. 6\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Pt. 4 omitted immediately before IP completion day by S.I. 2020/1542, art. 3)
- Art. 10(4)(a) words substituted by S.I. 2019/848, reg. 6(10)(d) (as inserted) by [S.I. 2019/1312 reg. 10\(3\)\(a\)\(iv\)](#) (This amendment not applied to legislation.gov.uk. Reg. 10 omitted immediately before IP completion day by virtue of S.I. 2020/1542, reg. 4)