

Council Regulation (EU) No 53/2010 of 14 January 2010 fixing for 2010 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in waters where catch limitations are required and amending Regulations (EC) No 1359/2008, (EC) No 754/2009, (EC) No 1226/2009 and (EC) No 1287/2009

## TITLE I

### SCOPE AND DEFINITIONS

#### *Article 1*

##### **Subject matter**

1 This Regulation fixes the following fishing opportunities and the conditions functionally linked to the use of those fishing opportunities:

- for the year 2010, fishing opportunities for certain fish stocks and groups of fish stocks, and
- for the year 2011, certain effort limitations, and, for the periods set out in Section 2 of Chapter III of Title II and in Annexes IE and V, fishing opportunities for certain Antarctic stocks.

<sup>F1</sup>2 .....

#### **Textual Amendments**

- F1** Deleted by [Council Regulation \(EU\) No 219/2010 of 15 March 2010 amending Regulation \(EU\) No 53/2010 as regards the fishing opportunities for certain fish stocks and following the conclusion of the bilateral fisheries arrangements for 2010 with Norway and the Faroe Islands.](#)

#### *Article 2*

##### **Scope**

1 If not otherwise provided for, this Regulation shall apply to:

- a EU vessels; and
- b fishing vessels flying the flag of, and registered in, third countries ('third-country vessels') in EU waters.

2 By way of derogation from paragraph 1, this Regulation, except footnote 1 to the table set out in Part B of Annex V, shall not apply to fishing operations conducted solely for the purpose of scientific investigations which are carried out with the permission and under the authority of the Member State whose flag the vessel concerned is flying and of which the Commission and the Member States in whose waters the research is carried out have been informed in advance. Member States conducting fishing operations for the purpose of scientific investigations shall inform the Commission, the Member States in whose waters the research is carried out, ICES and STECF of all catches from such fishing operations.

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**Changes to legislation:** There are outstanding changes not yet made to Council Regulation (EU) No 53/2010. 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

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3 Paragraph 2 shall not apply to fishing operations by vessels participating in initiatives regarding fully documented fisheries where such fisheries benefit from additional quotas.

### Article 3

#### Definitions

For the purposes of this Regulation, in addition to the definitions laid down in Article 3 of Regulation (EC) No 2371/2002, the following definitions shall apply:

- (a) 'EU vessels' means fishing vessels defined in Article 3(d) of Regulation (EC) No 2371/2002;
- (b) 'EU waters' means waters defined in Article 3(a) of Regulation (EC) No 2371/2002;
- (c) 'total allowable catches' (TAC) means the quantity that can be taken and landed from each stock each year;
- (d) 'quota' means a proportion of the TAC allocated to the Union, Member States or third countries;
- (e) 'international waters' means waters falling outside the sovereignty or jurisdiction of any State;
- (f) 'mesh size' means the mesh size as determined in accordance with Commission Regulation (EC) No 517/2008 of 10 June 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 850/98 as regards the determination of the mesh size and assessing the thickness of twine of fishing nets<sup>(1)</sup>;
- (g) 'EU fishing fleet register' means the register set up by the Commission in accordance with Article 15(3) of Regulation (EC) No 2371/2002;
- (h) 'fishing logbook' means the logbook referred to in Article 14 of Regulation (EC) No 1224/2009.

### Article 4

#### Fishing zones

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

- (a) ICES (International Council for the Exploration of the Sea) zones are as defined in Regulation (EC) No 218/2009;
- (b) 'Skagerrak' means the area bounded on the west by a line drawn from the Hanstholm lighthouse to the Lindesnes lighthouse and on the south by a line drawn from the Skagen lighthouse to the Tistlarna lighthouse and from this point to the nearest point on the Swedish coast;
- (c) 'Kattegat' means the area bounded on the north by a line drawn from the Skagen lighthouse to the Tistlarna lighthouse and from this point to the nearest point on the Swedish coast and on the south by a line drawn from Hasenøre to Gnibens Spids, from Korshage to Spodsbjerg and from Gilbjerg Hoved to Kullen;
- (d) 'Gulf of Cádiz' means the area of ICES zone IXa east of longitude 7° 23' 48" W;

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- (e) CECAF (Eastern Central Atlantic or FAO major fishing zone 34) zones are as defined in Regulation (EC) No 216/2009;
- (f) NAFO (Northwest Atlantic Fisheries Organisation) zones are as defined in Regulation (EC) No 217/2009;
- (g) SEAFO (South East Atlantic Fisheries Organisation) Convention Area is as defined in the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean<sup>(2)</sup>;
- (h) the ICCAT (International Commission for the Conservation of Atlantic Tunas) Convention Area is as defined in the International Convention for the Conservation of Atlantic Tunas<sup>(3)</sup>;
- (i) CCAMLR (Convention on the Conservation of Antarctic Marine Living Resources) Convention Area is as defined in Regulation (EC) No 601/2004;
- (j) the IATTC (Inter American Tropical Tuna Convention) Convention Area is as defined in the Convention for the Strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica<sup>(4)</sup>;
- (k) the IOTC (Indian Ocean Tuna Commission) Area is as defined in the Agreement for the establishment of the Indian Ocean Tuna Commission<sup>(5)</sup>;
- (l) ‘SPRFMO (South Pacific Regional Fisheries Management Organisation) Convention Area’ means the high seas area south of 10° N, north of the CCAMLR Convention Area, east of the SIOFA Convention Area as defined in the Southern Indian Ocean Fisheries Agreement<sup>(6)</sup>, and west of the areas of fisheries jurisdictions of South American States;
- (m) the WCPFC (Western and Central Pacific Fisheries Convention) Convention Area is as defined in the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean<sup>(7)</sup>.
- (n) ‘high seas of the Bering Sea’ means the area of the high seas of the Bering Sea beyond 200 nautical miles from the baselines from which the breadth of the territorial sea of the coastal States of the Bering Sea is measured.

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- (1) [OJ L 151, 11.6.2008, p. 5.](#)
- (2) Concluded by Council Decision 2002/738/EC ([OJ L 234, 31.8.2002, p. 39](#)).
- (3) The European Community acceded by Council Decision 86/238/EEC ([OJ L 162, 18.6.1986, p. 33](#)).
- (4) Concluded by Council Decision 2006/539/EC ([OJ L 224, 16.8.2006, p. 22](#)).
- (5) The European Community acceded by Council Decision 95/399/EC ([OJ L 236, 5.10.1995, p. 24](#)).
- (6) Concluded by Council Decision 2008/780/EC ([OJ L 268, 9.10.2008, p. 27](#)).
- (7) The European Community acceded by Council Decision 2005/75/EC ([OJ L 32, 4.2.2005, p. 1](#)).

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**Changes and effects yet to be applied to :**

- [Regulation revoked by 2023 c. 28 Sch. 1 Pt. 2](#)