

Council Regulation (EU) 2020/900 of 25 June 2020 amending Regulation (EU) 2019/1838 as regards certain fishing opportunities for 2020 in the Baltic Sea and amending Regulation (EU) 2020/123 as regards certain fishing opportunities in 2020 in Union and non-Union waters

*Article 1*

**Amendment of Regulation (EU) 2019/1838**

The Annex to Regulation (EU) 2019/1838 is amended in accordance with Annex I to this Regulation.

*Article 2*

**Amendment of Regulation (EU) 2020/123**

Regulation (EU) 2020/123 is amended as follows:

- (1) In Article 3, the following points are added:
  - (j) “instrumented buoy” means a buoy clearly marked with a unique reference number allowing identification of its owner and equipped with a satellite tracking system to monitor its position;
  - (k) “operational buoy” means any instrumented buoy, previously activated, switched on and deployed at sea on a drifting FAD or log, which transmits positions and any other available information such as echo-sounder estimates..
- (2) The following Article is inserted:

*Article 12a*

**Closed fishing seasons for sandeels**

Commercial fishing for sandeels with demersal trawl, seine or similar towed gears with a mesh size of less than 16 mm shall be prohibited in ICES divisions 2a, 3a and ICES subarea 4 from 1 August to 31 December 2020 and from 1 January to 31 March 2021..

- (3) The fourth indent of point (a) of Article 13(1) is replaced by the following:
  - 100 mm with 160 mm square-mesh panel;
- (4) Article 14 is replaced by the following:

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*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EU) 2020/900. (See end of Document for details)*

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## Article 14

### Remedial measures for cod in the North Sea

1 The closed areas to fishing, except with pelagic gear (purse seines and trawls), and the periods during which the closures apply are set out in Annex IV.

2 Vessels fishing with bottom trawls and seines with minimum mesh size of at least 70 mm in 4a and 4b or at least 90 mm in 3a, and longlines<sup>(1)</sup> shall be prohibited from fishing in Union waters of ICES division 4a, North of latitude 58° 30' 00" N and South of latitude 61° 30' 00" N and in Union waters of ICES divisions 3a.20 (Skagerrak), 4a and 4b, North of latitude 57° 00' 00" N and East of longitude 5° 00' 00" E.

3 By way of derogation from paragraph 2, fishing vessels referred to in paragraph 2 may fish in the areas referred to in paragraph 1 provided that they fulfil at least one of the following criteria:

- a the percentage of cod catches does not exceed 5 % of the total catches per fishing trip; vessels with cod catches that have not exceeded 5 % of their total catches in the period 2017-2019 are presumed to comply with this criterion provided that they continue to use the same gear which they used in that period; this presumption may be rebutted;
- b a regulated and highly selective bottom trawl or seine is used, which results, according to a scientific study, in at least a 30 % reduction of cod catches compared to vessels fishing with the baseline mesh size for towed gears as specified in point 1.1 of Part B of Annex V of Regulation (EU) 2019/1241; such studies may be evaluated by STECF; in the case of a negative evaluation by STECF, these gears shall no longer be considered as valid for use in the areas defined in paragraph 2 of this Article;
- c for vessels operating with bottom trawls and seines with mesh sizes equal to or larger than 100 mm (TR1), the following highly selective gears are used:
  - belly trawls with a minimum belly mesh size of 600 mm;
  - raised fishing line (0,6 m);
  - horizontal separating panel with large mesh escape panel;
- d for vessels operating with bottom trawls and seines with mesh sizes equal to or larger than 70 mm in 4a and 90 mm in 3a and less than 100 mm (TR2), the following highly selective gears are used:
  - horizontal sorting grid with maximum 50 mm bar spacing separating flatfish and roundfish, with an unblocked fish outlet for roundfish;
  - seltra panel with 300 mm square-mesh size;
  - sorting grid with maximum 35 mm bar spacing, with an unblocked fish outlet;
- e vessels are subject to a national cod avoidance plan to sustain cod catches in line with the fishing mortality corresponding to the fishing opportunities set, based on scientific advice levels, through spatial or technical measures, or a combination thereof; such plans should be assessed no later than two months following implementation, by STECF in the case of Member States, and by their relevant national scientific body for third countries and where deemed necessary, further revised if such assessments consider that the objective of the plan will not be met.

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**Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EU) 2020/900. (See end of Document for details)

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- 4 Member States shall enhance monitoring, control and surveillance of vessels referred to in paragraph 2 to control compliance with the conditions specified in points (a) to (e) of paragraph 3..
- (5) In Article 16(1) the following point is inserted:
- (o) splendid alfonsino (*Beryx splendens*) in NAFO subarea 6..
- (6) Article 27 is replaced by the following:

#### *Article 27*

### **Drifting FADs and supply vessels**

- 1 Drifting FADs shall be equipped with instrumented buoys. The use of any other buoys, such as radio buoys is prohibited.
- 2 A purse seiner shall not follow more than 300 operational buoys at any one time.
- 3 The maximum number of instrumented buoys that may be acquired annually for each purse seine vessel is 500. No purse seine vessel shall have more than 500 instrumented buoys (buoy in stock and operational buoy) at any time.
- 4 The maximum number of supply vessels shall be two supply vessels in support of not less than five purse seiners, all flying the flag of a Member State. This provision shall not apply to Member States using only one supply vessel.
- 5 A single purse seiner shall not be supported by more than one single supply vessel flying the flag of a Member State at any time.
- 6 The Union shall not register new or additional supply vessels in the IOTC record of authorised vessels..
- (7) Article 46 is replaced by the following:

#### *Article 46*

### **Limits to bottom fishing**

Member States shall ensure that vessels flying their flag that are fishing in the SIOFA Agreement Area:

- (a) limit their annual bottom fishing effort and catch to their average annual level for those years where their vessels were active in the SIOFA Agreement Area, over a representative period for which data declared to the Commission exists;
- (b) do not expand the spatial distribution of bottom fishing effort, excluding line and trap methods, beyond areas fished in recent years;
- (c) are not authorised to fish in the interim protected areas of Atlantis Bank, Coral, Fools Flat, Middle of What, Walter's Shoal, as defined in Annex IK, except with line and traps methods and on condition of having a scientific observer on board at all times while fishing in those areas..

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- (8) Article 51 is replaced by the following:

*Article 51*

**Closed fishing seasons**

Third-country vessels which are authorised to fish for sandeels and associated by-catches in Union waters of ICES subarea 4 shall not fish for sandeels in that subarea with demersal trawl, seine or similar towed gear with a mesh size of less than 16 mm in the following periods:

- (a) from 1 August to 31 December 2020;
  - (b) from 1 January to 31 March 2021..
- (9) Annexes IA, ID, IH, and V are amended in accordance with Annex II to this Regulation.

*Article 3*

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

Article 1 and point (3) of Article 2 and point (9) of Article 2 in conjunction with points 1(a) and (e) and points 2 and 3 of Annex II shall apply from 1 January 2020.

Points (1), (2) and (5) to (8) of Article 2 and point (9) of Article 2 in conjunction with points 1(b), (c) and (d) and point 4 of Annex II shall apply from 1 July 2020.

Point (4) of Article 2 shall apply from 15 August 2020.

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

Done at Brussels, 25 June 2020.

*For the Council*

*The President*

A. METELKO-ZGOMBIĆ

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**Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EU) 2020/900. (See end of Document for details)

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(1) Gear codes: OTB, OTT, OT, TBN, TBS, TB, TX, PTB, SDN, SSC, SX, LL, LLS.’

**Changes to legislation:**

There are currently no known outstanding effects for the Council Regulation (EU) 2020/900.