

Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms (repealed)

TITLE I

DEFINITIONS

*Article 2*

1 For the purposes of this Regulation, the following definitions of maritime waters shall apply:

*Region 1*

- a All waters which lie to the north and west of a line running from a point at latitude 48° N, longitude 18° W, thence due north to latitude 60° N, thence due east to latitude 5° W, thence due north to latitude 60° 30' N, thence due east to longitude 4° W, thence due north to latitude 64° N, thence due east to the coast of Norway.

*Region 2*

- b All waters situated north of latitude 48° N, but excluding the waters in Region 1 and ICES divisions IIIb, IIIc, and III d.

*Region 3*

- c All waters corresponding to ICES sub-areas VIII and IX.

*Region 4*

- d All waters corresponding to ICES sub-area X.

*Region 5*

- e All waters in that part of the east central Atlantic comprising divisions 34.1.1, 34.1.2 and 34.1.3 and sub-area 34.2.0 of fishing zone 34 of the CECAF region.

*Region 6*

- f All waters off the coasts of the French department of Guyana that come under the sovereignty or jurisdiction of France.

*Region 7*

- g All waters off the coasts of the French departments of Martinique and Guadeloupe that come under the sovereignty or jurisdiction of France.

*[<sup>F1</sup>Region 8*

- h All waters off the coasts of the French departments of Réunion and Mayotte that fall under the sovereignty or jurisdiction of France.]

*[<sup>F2</sup>Region 9*

- i All waters of the Black Sea corresponding to the geographical sub-area 29 as defined in Annex I to Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General

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Fisheries Commission for the Mediterranean) Agreement area<sup>(1)</sup> and in Resolution GFCM/33/2009/2.]

2 The geographical areas designated in this Regulation by the letters 'ICES' and 'CECAF' shall be those defined by the International Council for the Exploration of the Sea and the Fishery Committee for the Eastern Central Atlantic, respectively. They are described, subject to any subsequent amendments, in Commission communications No 85/C 335/02<sup>(2)</sup> and No 85/C 347/05<sup>(3)</sup>.

3 The regions referred to in paragraph 1 may be divided into geographical areas, in particular on the basis of the definitions referred to in paragraph 2, in accordance with the procedure referred to in Article 48.

4 Notwithstanding paragraph 2, for the purposes of this Regulation:

- the Kattegat is limited in the north by a line drawn from Skagen Lighthouse to the lighthouse in Tistlarna, and from there to the nearest point on the Swedish coast, and in the south by a line drawn from Hasenøre Head to Griben Point, from Korshage to Spodsbjerg, and from Gilbjerg Head to the Kullen,
- the Skagerrak is limited in the west by a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes, and in the south by a line drawn from Skagen Lighthouse to the lighthouse of Tistlarna, and from there to the nearest point on the Swedish coast,
- the North Sea shall comprise ICES sub-area IV, the adjacent part of ICES Division IIa lying south of latitude 64° N, and that part of ICES Division IIIa which is not covered by the definition of the Skagerrak given in the second indent.

#### Textual Amendments

- F1** Substituted by Council Regulation (EU) No 1385/2013 of 17 December 2013 amending Council Regulations (EC) No 850/98 and (EC) No 1224/2009, and Regulations (EC) No 1069/2009, (EU) No 1379/2013 and (EU) No 1380/2013 of the European Parliament and of the Council, following the amendment of the status of Mayotte with regard to the European Union.
- F2** Inserted by Regulation (EU) No 227/2013 of the European Parliament and of the Council of 13 March 2013 amending Council Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms and Council Regulation (EC) No 1434/98 specifying conditions under which herring may be landed for industrial purposes other than direct human consumption.

#### Article 3

For the purposes of this Regulation:

- (a) marine organisms shall mean all marine fish, including anadromous and catadromous species during their marine life, crustaceans and molluscs and parts thereof;
- (b) mesh size of a towed net shall mean the mesh size of any cod-end or extension piece found on board a fishing vessel and attached to or suitable for attachment to any towed net. The mesh size shall be determined by procedures specified in Regulation (EEC) No 2108/84<sup>(4)</sup>. This definition of mesh size shall not be applied to mesh size of square-meshed netting;
- (c) multiple twine netting shall mean netting constructed of two or more twines, where the twines can be separated between the knots without damage to the twine structure;

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(d) square-meshed netting	shall mean a construction of netting mounted so that of the two sets of parallel lines formed by the mesh bars, one set is parallel to, and the other at right angles to, the long axis of the net;
(e) mesh size of a square-meshed panel or window	shall mean the largest determinable mesh size of such a panel or window inserted into a towed net. The mesh size shall be determined by procedures in Regulation (EEC) No 2108/84;
(f) knotless netting	shall mean netting which is composed of meshes of four sides of approximately equal length in which the corners of the meshes are formed by the interweaving of the twines of two adjacent sides of the mesh;
(g) bottom set gill nets <i>or</i> entangling nets	shall mean any fixed gear made up of a single piece of net, fixed, or capable of being fixed, by any means to the bottom of the sea;
(h) trammel nets	shall mean any fixed gear made up of two or more pieces of net hung jointly in parallel on a single headline, fixed, or capable of being fixed, by any means to the bottom of the sea <sup>[F3;]</sup>
[ <sup>F4</sup> (i)unintended catches	shall mean incidental catches of marine organisms which, under Article 15 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council <sup>(5)</sup> , must be landed and counted against quotas either because they are below the minimum conservation reference size or because they exceed the quantities permitted under the catch composition and by-catch rules.]

#### Textual Amendments

- F3** Substituted by Regulation (EU) 2015/812 of the European Parliament and of the Council of 20 May 2015 amending Council Regulations (EC) No 850/98, (EC) No 2187/2005, (EC) No 1967/2006, (EC) No 1098/2007, (EC) No 254/2002, (EC) No 2347/2002 and (EC) No 1224/2009, and Regulations (EU) No 1379/2013 and (EU) No 1380/2013 of the European Parliament and of the Council, as regards the landing obligation, and repealing Council Regulation (EC) No 1434/98.
- F4** Inserted by Regulation (EU) 2015/812 of the European Parliament and of the Council of 20 May 2015 amending Council Regulations (EC) No 850/98, (EC) No 2187/2005, (EC) No 1967/2006, (EC) No 1098/2007, (EC) No 254/2002, (EC) No 2347/2002 and (EC) No 1224/2009, and Regulations (EU) No 1379/2013 and (EU) No 1380/2013 of the European Parliament and of the Council, as regards the landing obligation, and repealing Council Regulation (EC) No 1434/98.

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- (1) [<sup>F2</sup>OJ L 347, 30.12.2011, p. 44.]
- (2) OJ C 335, 24.12.1985, p. 2.
- (3) OJ C 347, 31.12.1985, p. 14.
- (4) OJ L 194 24.7.1984, p. 22.
- (5) [<sup>F4</sup>Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).]

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