

Council Regulation (EC) No 601/2004 of 22 March 2004 laying down certain control measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources and repealing Regulations (EEC) No 3943/90, (EC) No 66/98 and (EC) No 1721/1999

CHAPTER II

ACCESS TO FISHING ACTIVITIES IN THE CONVENTION AREA

Article 6

Access to new fisheries

1 Fishing in a new fishery in the Convention area shall be prohibited except where it has been authorised in accordance with paragraphs 2 to 5.

2 Only those vessels that are equipped and configured so that they can comply with all relevant conservation measures adopted by the CCAMLR shall be eligible to participate in a new fishery. Vessels which appear on the CCAMLR IUU vessel list referred to in Article 29 shall not be eligible to participate in a new fishery.

[^{F13} The flag Member State shall notify the Commission not later than four months in advance of the annual meeting of the CCAMLR of the intention of a Community fishing vessel to develop a new fishery in the Convention area. The Member State shall not initiate a new fishery pending completion of the process established by the CCAMLR for the examination of this fishery.

The notification shall be accompanied by as much of the following information as the Member State is able to provide:

- a the nature of the proposed fishery, including target species, methods of fishing, the proposed region and any minimum level of catches required to develop a viable fishery;
- b biological information from comprehensive research/survey cruises, such as distribution, abundance, population data and information on stock identity;
- c details of dependent and associated species and the likelihood of such species being affected in any way at all by the proposed fishery;
- d information from other fisheries in the region or similar fisheries elsewhere that may assist in the evaluation of potential yield;
- e if the proposed fishery is to be undertaken using bottom trawl gear, information on the known and anticipated impacts of this gear on vulnerable marine ecosystems, including benthos and benthic communities.]

4 The Commission shall transmit to the CCAMLR for consideration the information provided in accordance with paragraph 3, together with any other relevant information at its disposal.

5 Where the CCAMLR approves a new fishery, that fishery shall be authorised:
a by the Commission in cases where the CCAMLR has not adopted any conservation measure with regard to the new fishery, or

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 601/2004. 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 by the Council, acting by a qualified majority on a proposal from the Commission, in all other cases.

6 Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 37(2).

Textual Amendments

F1 Substituted by [Council Regulation \(EC\) No 1099/2007 of 18 September 2007 amending Regulation \(EC\) No 601/2004 laying down certain control measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources.](#)

Changes to legislation:

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Changes and effects yet to be applied to :

- [Regulation revoked by S.I. 2020/1542 Sch. Pt. 1](#)