

Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98 (repealed)

## CHAPTER I

### SCOPE AND DEFINITIONS

#### *Article 1*

##### **Subject matter and scope**

This Regulation lays down technical conservation measures in relation to the taking and landing of fishery resources in the maritime waters under the sovereignty or jurisdiction of the Member States and situated in the geographical area specified in Annex I.

#### *Article 2*

##### **Definitions**

For the purposes of this Regulation:

- (a) ‘active gear’ means any fishing gear for which the catch operation requires an active movement of the gear, including in particular towed gears and encircling gears;
  - (i) ‘trawl’ means gear which is actively towed by one or more fishing vessels and consisting of a net having a cone- or pyramid-shaped body (as trawl body) closed at the back by a codend;
  - (ii) ‘beam trawl’ means gear with a trawl net open horizontally by a steel or wooden tube, the beam, and netting with ground chains, chain mats or tickler chains, actively towed on the bottom by the vessel engine;
  - (iii) ‘Danish seine’ means encircling and towed gear, operated from a boat by means of two long ropes (seine ropes) designed to herd the fish towards the opening of the seine. The gear made up of net, which is similar to a bottom trawl in design and size, comprises two long wings, a body and a bag (codend);
  - (iv) ‘dredges’ means a net or metal basket mounted on a frame of variable shape and size, the lower part of which carries a scraper blade, sometimes toothed;
  - (v) ‘purse seine’ means encircling gear made up of net where the bottom is drawn together by means of a purse line at the bottom of the net, which passes through a series of rings along the groundrope, enabling the net to be pursed and closed;
- (b) ‘passive gear’ means any fishing gear for which the catch operation does not require an active movement of the gear, and includes gillnets, entangling nets, trammel nets, trap-nets, lines, pots and traps. The nets may consist of one or more separate nets

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*Status: Point in time view as at 01/06/2015.*

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which are rigged with top, bottom and connecting ropes, and may be equipped with anchoring, floating and navigational gear;

- (i) 'gillnet' and 'entangling net' means gear made up of a single piece of net and held vertically in the water by floats and weights. It catches living aquatic resources by entangling or enmeshing;
- (ii) 'trammel net' means gear made up of two or more pieces of net hung jointly in parallel on a single headline and held vertically in the water by floats and weights;
- (iii) 'lines' means a number of connected lines, either set at the bottom or drifting, each bearing a large number of baited hooks;
- (c) 'hooks' means a bent, sharpened piece of steel wire usually with barb;
- (d) 'immersion time' means the period from the point of time when the nets are first put in the water until the point of time when the nets are fully recovered on board the fishing vessel;
- (e) 'square-meshed netting' means 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;
- (f) 'codend' means the last 8 m of the trawl, having either a cylindrical shape, i.e. the same circumference throughout, or a tapering shape;
- (g) 'strengthening bag' means a cylindrical piece of netting completely surrounding the codend of a trawl and which may be attached to the codend at intervals;
- (h) 'back strap' means the rearmost round strap attached to the codend, measured when the meshes are stretched lengthwise;
- (i) 'lifting strap' means a piece of rope encircling the circumference of the codend or the strengthening bag, if any, and attached to it by means of loops or rings;
- (j) 'round strap' means a piece of rope encircling the circumference of the codend or the strengthening bag and which is attached to it;
- (k) 'flapper' means a piece of netting fastened inside an active gear net in such a way that it allows catches to pass from the front to the rear of the gear but limits their possibility of return;
- (l) 'codend buoy' means a buoyant unit attached to the codend;
- (m) 'buoy rope' means a rope connecting a cod-end buoy to that part of the fishing gear being supported or marked;
- (n) 'extension piece' means an untapered section of the trawl having a cylindrical shape, i.e. the same circumference as the codend throughout, attached to or a continuation of the codend<sup>[F1;]</sup>
- (o) '[<sup>F2</sup>drift net' means any gillnet held on the sea surface or at a certain distance below it by floating devices, drifting with the current, either independently or with the boat to which it may be attached. It may be equipped with devices aiming to stabilise the net or to limit its drift<sup>[F3;]]</sup>

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- (p) ‘<sup>F4</sup>unintended catches’ means incidental catches of marine organisms which, under Article 15 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council<sup>(1)</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**

- F1** Substituted by Council Regulation (EC) No 809/2007 of 28 June 2007 amending Regulations (EC) No 894/97, (EC) No 812/2004 and (EC) No 2187/2005 as concerns drift nets.
- F2** Inserted by Council Regulation (EC) No 809/2007 of 28 June 2007 amending Regulations (EC) No 894/97, (EC) No 812/2004 and (EC) No 2187/2005 as concerns drift nets.
- 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>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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- 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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