

COUNCIL REGULATION (EC) No 1533/2007

of 17 December 2007

amending Regulations (EC) No 2015/2006 and (EC) No 41/2007, as regards fishing opportunities and associated conditions for certain fish stocks

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 20 thereof,

Having regard to Council Regulation (EC) No 423/2004 of 26 February 2004 establishing measures for the recovery of cod stocks ⁽²⁾, and in particular Article 8 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Regulation (EC) No 2015/2006 ⁽³⁾ fixes for 2007 and 2008 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks.
- (2) The North East Atlantic Fisheries Commission (NEAFC) at its extraordinary meeting in June 2007 decided to extend the recommendations on a prohibition to fish for orange roughy in the NEAFC Regulatory Area during the second half of 2007. These recommendations should be implemented in Community law.
- (3) The conditions applying to the fishery in certain zones need to be clarified to ensure the correct application of the Agreement of 19 December 1966 between Norway, Denmark and Sweden on mutual access to fishing in the Skagerrak and the Kattegat. An amendment is therefore required.
- (4) Regulation (EC) No 41/2007 ⁽⁴⁾ fixes for 2007 the fishing opportunities and associated conditions for

certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required.

- (5) Pursuant to consultations between the Community and Iceland on 28 March 2007 an arrangement was reached on quotas for Icelandic vessels to be fished from the Community quota allocated under its Agreement with the Government of Denmark and the local Government of Greenland before 30 April 2007, and for Community vessels fishing for redfish in the Icelandic Exclusive Economic Zone to be fished between July and December. This arrangement should be implemented in Community law.
- (6) The conditions applying to the fishery in certain zones for a number of TACs need to be clarified to ensure the correct application of the Agreement of 19 December 1966 between Norway, Denmark and Sweden on mutual access to fishing in the Skagerrak and the Kattegat. An amendment is therefore required.
- (7) In relation to the application of Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas ⁽⁵⁾, the scientific status of certain stocks should to be clarified.
- (8) Pursuant to Regulation (EC) No 847/96, when more than 75 % of a precautionary TAC has been utilised before 31 October of the year of its application, a Member State with a quota for the stock for which that TAC has been fixed may request an increase in the TAC. Such a request by the Netherlands has been found to be justified in relation to the TAC for turbot and brill in EC waters of IIa and IV and should be implemented.
- (9) Pursuant to written consultations between the Community and the Faeroe Islands, agreement was reached on access as regards herring in EC and international waters of ICES zones I and II. This arrangement should be implemented in Community law.
- (10) In accordance with the Protocol to the Fisheries Partnership Agreement between the European Community and Greenland ⁽⁶⁾, an additional amount of Greenland halibut was allocated to the Community in east Greenland in 2007. This arrangement should be implemented in Community law.

⁽¹⁾ OJ L 358, 31.12.2002, p. 59. Regulation as last amended by Regulation (EC) No 865/2007 (OJ L 192, 24.7.2007, p. 1).

⁽²⁾ OJ L 70, 9.3.2004, p. 8. Regulation as amended by Commission Regulation (EC) No 441/2007 (OJ L 104, 21.4.2007, p. 28).

⁽³⁾ Council Regulation (EC) No 2015/2006 of 19 December 2006 fixing for 2007 and 2008 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks (OJ L 384, 29.12.2006, p. 28). Regulation as last amended by Regulation (EC) No 754/2007 (OJ L 172, 30.6.2007, p. 26).

⁽⁴⁾ Council Regulation (EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required (OJ L 15, 20.1.2007, p. 1). Regulation as last amended by Commission Regulation (EC) No 898/2007 (OJ L 196, 28.7.2007, p. 22).

⁽⁵⁾ OJ L 115, 9.5.1996, p. 3.

⁽⁶⁾ OJ L 172, 30.6.2007, p. 4.

- (11) The North East Atlantic Fisheries Commission (NEAFC) at its extraordinary meeting in June 2007 adopted recommendations on conservation and management measures in the NEAFC Regulatory Area in 2007 for redfish in international waters of ICES zones I and II. These recommendations should be implemented in Community law.
- (12) The conditions for replaced or withdrawn vessels in relation to the allocation of additional days for permanent cessation of fishing activities should be clarified, as the reference to certain vessels concerned by fishing effort limitations is indicated incorrectly.
- (13) The derogation from hailing requirements in Annexes IIA, IIB and IIC to Regulation (EC) No 41/2007 for vessels equipped with vessel monitoring systems in relation to fishing effort messages should be clarified.
- (14) The title of Annex IIB to Regulation (EC) No 41/2007 should be corrected to ensure consistency with the scope of that Annex.
- (15) The indication of the length of passive gears should be changed from 2,5 kilometres to 5 nautical miles to ensure that safety in handling the nets is not impaired in view of the existing rules for the marking and identification of passive fishing gear in Commission Regulation (EC) No 356/2005 of 1 March 2005 laying down detailed rules for the marking and identification of passive fishing gear and beam trawls⁽¹⁾ and certain specific rules on the use of gill nets.
- (16) Regulations (EC) No 2015/2006 and (EC) No 41/2007 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EC) No 2015/2006

Part 2 of the Annex to Regulation (EC) No 2015/2006 shall be amended in accordance with Annex I to this Regulation.

Article 2

Amendments to Regulation (EC) No 41/2007

Regulation (EC) No 41/2007 is hereby amended as follows:

1. Article 10 shall be replaced by the following:

⁽¹⁾ OJ L 56, 2.3.2005, p. 8. Regulation as amended by Regulation (EC) No 1805/2005 (OJ L 290, 4.11.2005, p. 12).

'Article 10

Access limits

1. No fishing by Community vessels shall take place in the Skagerrak within 12 nautical miles from the baselines of Norway. However, vessels flying the flag of Denmark or Sweden shall be allowed to fish up to 4 nautical miles from the baselines of Norway.
2. Fishing by Community vessels in waters under the jurisdiction of Iceland shall be limited to the area defined by straight lines sequentially connecting the following coordinates:

South-Western-Area

1. 63° 12' N and 23° 05' W through 62° 00' N and 26° 00' W,
2. 62° 58' N and 22° 25' W,
3. 63° 06' N and 21° 30' W,
4. 63° 03' N and 21° 00' W from there 180° 00' S;

South-Eastern-Area

1. 63° 14' N and 10° 40' W,
2. 63° 14' N and 11° 23' W,
3. 63° 35' N and 12° 21' W,
4. 64° 00' N and 12° 30' W,
5. 63° 53' N and 13° 30' W,
6. 63° 36' N and 14° 30' W,
7. 63° 10' N and 17° 00' W from there 180° 00' S;

2. Annexes IA, IB, IIA, IIB, IIC and III to Regulation (EC) No 41/2007 shall be amended in accordance with Annex II to this Regulation.

Article 3

Entry into force

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

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

Done at Brussels, 17 December 2007.

For the Council

The President

J. SILVA

ANNEX I

Part 2 of the Annex to Regulation (EC) No 2015/2006, is hereby amended as follows:

1. the entry concerning the species roundnose grenadier in ICES zone IIIa and Community waters of IIIbcd shall be replaced by the following:

'Species:	Roundnose grenadier <i>Coryphaenoides rupestris</i>	Zone:	IIIa and Community waters of IIIbcd
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Year	2007	2008
Denmark	1 002	946
Germany	6	5 (!)
Sweden	52	49
EC	1 060	1 000

(!) Quota may be fished in EC waters of ICES zones IIIa, IIIb, IIIc and IIId only.'

2. the entry concerning the species orange roughy in ICES zone VI (Community waters and waters not under the sovereignty or jurisdiction of third countries) shall be replaced by the following:

'Species:	Orange roughy <i>Hoplostethus atlanticus</i>	Zone:	VI (Community waters)
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Year	2007	2008
Spain	6	4
France	33	22
Ireland	6	4
United Kingdom	6	4
EC	51	34'

3. the entry concerning the species orange roughy in ICES zone VII (Community waters and waters not under the sovereignty or jurisdiction of third countries) shall be replaced by the following:

'Species:	Orange roughy <i>Hoplostethus atlanticus</i>	Zone:	VII (Community waters)
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Year	2007	2008
Spain	1	1
France	147	98
Ireland	43	29
United Kingdom	1	1
Others (!)	1	1
EC	193	130

(!) Exclusively for by-catches. No directed fisheries are permitted under this quota.'

4. the entry concerning the species orange roughy in Community waters and waters not under the sovereignty or jurisdiction of third countries of ICES zones I, II, III, IV, V, VIII, IX, X, XI, XII and XIV shall be replaced by the following:

Species: Orange roughy <i>Hoplostethus atlanticus</i>		Zone: Community waters of I, II, III, IV, V, VIII, IX, X, XI, XII and XIV	
Year	2007	2008	
Spain	4	3	
France	23	15	
Ireland	6	4	
Portugal	7	5	
United Kingdom	4	3	
EC	44	30'	

ANNEX II

The Annexes to Regulation (EC) No 41/2007 are hereby amended as follows:

1. Annex IA is hereby amended as follows:

- (a) The entry concerning the species ling in ICES zone IIIa and in EC waters of ICES zones IIIb, IIIc and IIId shall be replaced by the following:

Species: Ling <i>Molva molva</i>		Zone: IIIa; EC waters of IIIb, IIIc and IIId LIN/03.
Belgium	8 ⁽¹⁾	Precautionary TAC Article 3 of Regulation (EC) No 847/96 applies. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.
Denmark	62	
Germany	8 ⁽¹⁾	
Sweden	24	
United Kingdom	8 ⁽¹⁾	
EC	109	

⁽¹⁾ Quota may be fished in EC waters of ICES zones IIIa, IIIb, IIIc and IIId only.'

- (b) The entry concerning the species Norway lobster in ICES zone IIIa and in EC waters of ICES zones IIIb, IIIc and IIId shall be replaced by the following:

Species: Norway lobster <i>Nephrops norvegicus</i>		Zone: IIIa; EC waters of IIIb, IIIc and IIId NEP/3A/BCD
Denmark	3 800	Analytical TAC Article 3 of Regulation (EC) No 847/96 applies. Article 4 of Regulation (EC) No 847/96 applies. Article 5(2) of Regulation (EC) No 847/96 applies.
Germany	11 ⁽¹⁾	
Sweden	1 359	
EC	5 170	
TAC	5 170	

⁽¹⁾ Quota may be fished in EC waters of ICES zones IIIa, IIIb, IIIc and IIId only.'

- (c) The entry concerning the species Norway lobster in ICES zone VII shall be replaced by the following:

Species: Norway lobster <i>Nephrops norvegicus</i>		Zone: VII NEP/07.
Spain	1 509	Analytical TAC Article 3 of Regulation (EC) No 847/96 applies. Article 4 of Regulation (EC) No 847/96 applies. Article 5(2) of Regulation (EC) No 847/96 applies.
France	6 116	
Ireland	9 277	
United Kingdom	8 251	
EC	25 153	
TAC	25 153'	

- (d) The entry concerning the species Norway lobster in ICES zones VIIIa, VIIIb, VIIIc and VIId shall be replaced by the following:

'Species:	Norway lobster <i>Nephrops norvegicus</i>	Zone:	VIIIa, VIIIb, VIIIc and VIId NEP/8ABDE.
Spain	259	Analytical TAC Article 3 of Regulation (EC) No 847/96 applies. Article 4 of Regulation (EC) No 847/96 applies. Article 5(2) of Regulation (EC) No 847/96 applies.	
France	4 061		
EC	4 320		
TAC	4 320'		

- (e) The entry concerning the species turbot and brill in EC waters of IIa and IV shall be replaced by the following:

'Species:	Turbot and brill <i>Psetta maxima</i> and <i>Scophthalmus rhombus</i>	Zone:	EC waters of IIa and IV T/B/2AC4-C
Belgium	386	Precautionary TAC Article 3 of Regulation (EC) No 847/96 applies. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.	
Denmark	825		
Germany	211		
France	99		
The Netherlands	2 923		
Sweden	6		
United Kingdom	813		
EC	5 263		
TAC	5 263'		

- (f) The entry concerning the species common sole in ICES zone IIIa and in EC waters of ICES zones IIIb, IIIc and IIId shall be replaced by the following:

'Species:	Common sole <i>Solea solea</i>	Zone:	IIIa; EC waters of IIIb, IIIc and IIId SOL/3A/BCD
Denmark	755	Analytical TAC Article 3 of Regulation (EC) No 847/96 applies. Article 4 of Regulation (EC) No 847/96 applies. Article 5(2) of Regulation (EC) No 847/96 applies.	
Germany	44 ⁽¹⁾		
The Netherlands	73 ⁽¹⁾		
Sweden	28		
EC	900		
TAC	900		

⁽¹⁾ Quota may be fished in EC waters of ICES zones IIIa, IIIb, IIIc and IIId only.'

- (g) The entry concerning the species spurdog/dogfish in ICES zone IIIa; EC and international waters of ICES zones I, V, VI, VII, VIII, XII and XIV shall be replaced by the following:

'Species:	Spurdog/dogfish <i>Squalus acanthias</i>	Zone:	IIIa; EC and international waters of I, V, VI, VII, VIII, XII and XIV DGS/135X14
EC	2 828 ⁽¹⁾	Precautionary TAC Article 3 of Regulation (EC) No 847/96 applies. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.	
TAC	2 828		

⁽¹⁾ Only Denmark and Sweden may fish in Norwegian waters of ICES zone IIIa.'

- (h) The entry concerning the species Norway pout in ICES zone IIIa and in EC waters of ICES zones IIa and IV shall be replaced by the following:

'Species:	Norway pout <i>Trisopterus esmarki</i>	Zone:	IIIa; EC waters of IIa and IV NOP/2A3A4.
Denmark	0	Analytical TAC Article 3 of Regulation (EC) No 847/96 does not apply. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.	
Germany	0 ⁽¹⁾		
The Netherlands	0 ⁽¹⁾		
EC	0		
Norway	1 000 ⁽²⁾ ⁽³⁾		
TAC	Not relevant		

⁽¹⁾ Quota may be fished in EC waters of ICES zones IIa, IIIa, and IV only.

⁽²⁾ This quota may be fished in ICES zone VIa North of 56° 30' N.

⁽³⁾ Only as by-catches.'

2. Annex IB is hereby amended as follows:

- (a) The entry concerning the species herring in EC and international waters of ICES zones I and II shall be replaced by the following:

'Species:	Herring <i>Clupea harengus</i>	Zone:	EC and International waters of I and II HER/1/2.		
Belgium	30	Analytical TAC Article 3 of Regulation (EC) No 847/96 does not apply. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.			
Denmark	28 550				
Germany	5 000				
Spain	94				
France	1 232				
Ireland	7 391				
The Netherlands	10 217				
Poland	1 445				
Portugal	94				
Finland	442				
Sweden	10 580				
United Kingdom	18 253				
EC	83 328				
Norway	74 995 ⁽¹⁾				
Faeroe Islands	10 834 ⁽¹⁾				
TAC	1 280 000				

Special conditions:

Within the limits of the above mentioned quotas, no more than the quantities given below may be taken in the zones specified:

	Norwegian waters north of 62° N and the fishery zone around Jan Mayen (HER/*2AJMN)
Belgium	30 ^(?)
Denmark	28 550 ^(?)
Germany	5 000 ^(?)
Spain	94 ^(?)
France	1 232 ^(?)
Ireland	7 391 ^(?)
The Netherlands	10 217 ^(?)
Poland	1 445 ^(?)
Portugal	94 ^(?)
Finland	442 ^(?)
Sweden	10 580 ^(?)
United Kingdom	18 253 ^(?)

	Faeroese waters of II and Vb, north of 62° N (HER/*25B-F)
Belgium	3
Denmark	3 712
Germany	650
Spain	12
France	159
Ireland	960
The Netherlands	1 329
Poland	187
Portugal	12
Finland	56
Sweden	1 374
United Kingdom	2 374

⁽¹⁾ Catches taken against this quota are to be deducted from Norway's and the Faeroe Islands' share of the TAC (access quota). This quota may be fished in EC waters north of 62° N.

⁽²⁾ When the sum of the catches of all Member States has reached 74 995 tonnes no further catches shall be permitted.'

- (b) The entry concerning the species capelin in Greenland waters of ICES zones V and XIV shall be replaced by the following:

'Species:	Capelin <i>Mallotus villosus</i>	Zone:	Greenland waters of V and XIV CAP/514GRN
All Member States	0		
EC	28 490 ⁽¹⁾ ⁽²⁾		
TAC	Not relevant		

⁽¹⁾ Of which 28 490 tonnes are allocated to Iceland.

⁽²⁾ To be fished before 30 April 2007.'

- (c) The entry concerning the species Greenland halibut in Greenland waters of ICES zones V and XIV shall be replaced by the following:

Species: Greenland halibut <i>Reinhardtius hippoglossoides</i>	Zone: Greenland waters of V and XIV GHL/514GRN
Germany 6 718	Article 3 of Regulation (EC) No 847/96 does not apply. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.
United Kingdom 353	
EC 7 946 ⁽¹⁾	
TAC Not relevant	

⁽¹⁾ Of which 800 tonnes are allocated to Norway and 75 tonnes are allocated to the Faeroe Islands.'

- (d) The following entry concerning the species redfish in International waters of ICES zones I and II shall be inserted after the entry concerning redfish in Norwegian waters of I and II:

Species: Redfish <i>Sebastes spp.</i>	Zone: International waters of ICES zones I and II RED/1/2INT
EC Not relevant ⁽¹⁾	Article 3 of Regulation (EC) No 847/96 does not apply. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.
TAC 15 500 ⁽²⁾	

⁽¹⁾ Fishing activities shall be restricted to those vessels which have previously been engaged in the redfish fishery in the NEAFC Regulatory Area.

⁽²⁾ May be fished in the period 1 September to 15 November 2007. TAC includes all by-catches.'

- (e) The entry concerning the species redfish in Icelandic waters of ICES zone Va shall be replaced by the following:

Species: Redfish <i>Sebastes spp.</i>	Zone: Icelandic waters of Va RED/05A-IS
Belgium 100 ⁽¹⁾ ⁽²⁾	Article 3 of Regulation (EC) No 847/96 does not apply. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.
Germany 1 690 ⁽¹⁾ ⁽²⁾	
France 50 ⁽¹⁾ ⁽²⁾	
United Kingdom 1 160 ⁽¹⁾ ⁽²⁾	
EC 3 000 ⁽¹⁾ ⁽²⁾	
TAC Not relevant	

⁽¹⁾ Including unavoidable by-catches (cod not allowed).
⁽²⁾ To be fished between July and December.'

3. Annex IIA is hereby amended as follows:

(a) Point 10.1 shall be replaced by the following:

'10.1. An additional number of days on which a vessel may be present within the area when carrying on board any of the gears referred to in point 4.1 may be allocated to Member States by the Commission on the basis of permanent cessations of fishing activities that have taken place since 1 January 2002. The effort expended in 2001 measured in kilowatt days of the withdrawn vessels using the gear in question in the relevant area shall be divided by the effort expended by all vessels using that gear during 2001. The additional number of days shall then be calculated by multiplying the ratio so obtained by the number of days originally allocated.

Any part of a day resulting from this calculation shall be rounded to the nearest whole day. This point shall not apply where a vessel has been replaced in accordance with point 5.1 or when the withdrawal has already been used in previous years to obtain additional days at sea.'

(b) Point 22 shall be replaced by the following:

'22. Fishing effort messages

By way of derogation from Article 9 of Council Regulation (EC) No 423/2004 of 26 February 2004 establishing measures for the recovery of cod stocks (*), vessels equipped with vessel monitoring systems in accordance with Article 5 and 6 of Regulation (EC) No 2244/2003 shall be excluded from the hailing requirements set out in Article 19c of Regulation (EC) No 2847/93.

(*) OJ L 70, 9.3.2004, p. 8.'

4. Annex IIB is hereby amended as follows:

(a) The title shall be replaced by the following:

'FISHING EFFORT FOR VESSELS IN THE CONTEXT OF THE RECOVERY OF CERTAIN SOUTHERN HAKE AND NORWAY LOBSTER STOCKS IN ICES ZONES VIIIc AND IXa EXCLUDING THE GULF OF CADIZ'.

(b) Point 9.1 shall be replaced by the following:

'9.1. An additional number of days on which a vessel may be present within the area when carrying on board any of the groupings of fishing gear referred to in point 3 may be allocated to Member States by the Commission on the basis of permanent cessation of fishing activities that have taken place since 1 January 2004 either in accordance with Article 7 of Regulation (EC) No 2792/1999 or resulting from other circumstances duly motivated by Member States. Any vessels that can be shown to have been definitively withdrawn from the area may also be considered. The effort expended in 2003 measured in kilowatt days of the withdrawn vessels using the gear in question in the relevant area shall be divided by the effort expended by all vessels using that gear during the same year. The additional number of days shall be then calculated by multiplying the ratio so obtained by the number of days originally allocated. Any part of a day resulting from this calculation shall be rounded to the nearest whole day. This point shall not apply where a vessel has been replaced in accordance with point 4.1 or when the withdrawal has already been used in previous years to obtain additional days at sea.'

(c) Point 17 shall be replaced by the following:

'17. Fishing effort messages

Articles 19b, 19c, 19d, 19e and 19k of Regulation (EEC) No 2847/93 shall apply to vessels carrying on board the groupings of fishing gear defined in point 3 of this Annex and operating in the area defined in point 1 of this Annex. Vessels equipped with vessel monitoring systems in accordance with Articles 5 and 6 of Regulation (EC) No 2244/2003 shall be excluded from the hailing requirements set out in Article 19c of Regulation (EC) No 2847/93.'

5. Annex IIC is hereby amended as follows:

(a) Point 9.1 shall be replaced by the following:

'9.1. An additional number of days on which a vessel may be present within the area when carrying on board any of the groupings of fishing gear referred to in point 3 may be allocated to Member States by the Commission on the basis of permanent cessation of fishing activities that have taken place since 1 January 2004 either in accordance with Article 7 of Regulation (EC) No 2792/1999 or resulting from other circumstances duly motivated by Member States. Any vessels that can be shown to have been definitively withdrawn from the area may also be considered. The effort expended in 2003 measured in kilowatt days of the withdrawn vessels using the gear in question in the relevant area shall be divided by the effort expended by all vessels using that gear during the same year. The additional number of days shall then be calculated by multiplying the ratio so obtained by the number of days originally allocated. Any part of a day resulting from this calculation shall be rounded to the nearest whole day. This point shall not apply where a vessel has been replaced in accordance with point 4.1 or when the withdrawal has already been used in previous years to obtain additional days at sea.'

(b) Point 16 shall be replaced by the following:

'16. Fishing effort messages

Articles 19b, 19c, 19d, 19e and 19k of Regulation (EEC) No 2847/93 shall apply to vessels carrying on board the groupings of fishing gear defined in point 3 of this Annex and operating in the area defined in point 1 of this Annex. Vessels equipped with vessel monitoring systems in accordance with Articles 5 and 6 of Regulation (EC) No 2244/2003 shall be excluded from the hailing requirements set out in Article 19c of Regulation (EC) No 2847/93.'

6. Point 9.4(a) of Annex III shall be replaced by the following:

'(a) Gill nets with a mesh size equal to or greater than 120 mm and less than 150 mm, provided that they are deployed in waters of less than 600 metres charted depth, are no more than 100 meshes deep, have a hanging ratio of not less than 0,5 and are rigged with floats or equivalent floatation. The nets shall each be of a maximum of 5 nautical miles in length, and the total length of all nets deployed at any one time shall not exceed 25 km per vessel. The maximum soak time shall be 24 hours; or'
