

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

CHAPTER II

FISHING OPPORTUNITIES AND ASSOCIATED CONDITIONS FOR COMMUNITY VESSELS

Article 8

Conditions for landing catches and by-catches

- 1 Fish from stocks for which catch limits are established shall be retained on board or landed only if:
 - a the catches have been taken by vessels of a Member State having a quota and that quota is not exhausted; or
 - b the catches consist of a part of a Community share which has not been allocated by quota among Member States, and that share has not been exhausted.
- 2 By way of derogation from paragraph 1, the following fish may be retained on board and landed even if a Member State has no quotas or the quotas or shares are exhausted:
 - a species, other than herring and mackerel, where
 - (i) they are caught mixed with other species with nets whose mesh size is less than 32 mm in accordance with Article 4 of Regulation (EC) No 850/98, and
 - (ii) the catches are not sorted either on board or on landing;
 - or
 - b mackerel, where
 - (i) they are caught mixed with horse mackerel or pilchard;
 - (ii) they do not exceed 10 % of the total weight of mackerel, horse mackerel and pilchard on board and;
 - (iii) the catches are not sorted either on board or on landing.
- 3 Article 2(1) of Regulation (EC) No 1434/98, shall not apply to herring caught in ICES zones IIIa, IV and VIId and EC waters of ICES zone IIa.
- 4 All landings shall count against the quota or, if the Community share has not been allocated between Member States by quotas, against the Community share, except for catches made under the provisions of paragraph 2.
- 5 When catch limits of a Member State for herring in ICES zones IIIa, IV and VIId and EC waters of ICES zone IIa are exhausted, vessels flying the flag of that Member State, registered in the Community and operating within the fisheries to which the relevant catch limitations apply, shall be prohibited from landing catches which are unsorted and which contain herring.

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 41/2007. 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](#)

6 The determination of the percentage of by-catches and their disposal shall be made in accordance with Articles 4 and 11 of Regulation (EC) No 850/98.

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Changes and effects yet to be applied to :

- Regulation revoked by [2023 c. 28 Sch. 1 Pt. 2](#)