

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 I

### SCOPE AND DEFINITIONS

#### *Article 1*

##### **Subject matter**

This Regulation fixes fishing opportunities for the year 2007, for certain fish stocks and groups of fish stocks, and the associated conditions under which such fishing opportunities may be used.

In addition, it fixes certain effort limits and associated conditions for January 2008, and for certain Antarctic stocks it fixes the fishing opportunities and specific conditions for the periods set out in Annex IE.

#### *Article 2*

##### **Scope**

- 1 If not otherwise provided for, this Regulation shall apply to:
  - a Community fishing vessels ('Community vessels'); and
  - b Fishing vessels flying the flag of, and registered in, third countries ('third-country fishing vessels') in Community waters ('EC waters').
- 2 By way of derogation from paragraph 1, this Regulation shall not apply to fishing operations conducted solely for the purpose of scientific investigations which are carried out with the permission and under the authority of the Member State concerned and of which the Commission and the Member State in whose waters the research is carried out have been informed in advance.

#### *Article 3*

##### **Definitions**

For the purposes of this Regulation, in addition to the definitions laid down in Article 3 of Regulation (EC) No 2371/2002, the following definitions shall apply:

- (a) 'total allowable catches' (TAC) means the quantity that can be taken and landed from each stock each year;
- (b) 'quota' means a proportion of the allocated to the Community, Member States or third countries;

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- (c) ‘international waters’ means waters falling outside the sovereignty or jurisdiction of any State;
- (d) ‘NAFO Regulatory Area’ means the part of the area of the Northwest Atlantic Fisheries Organisation (NAFO) Convention not falling under the sovereignty or within the jurisdiction of coastal States;
- (e) ‘Skagerrak’ means the area bounded on the west by a line drawn from the Hanstholm lighthouse to the Lindesnes lighthouse and on the south by a line drawn from the Skagen lighthouse to the Tistlarna lighthouse and from this point to the nearest point on the Swedish coast;
- (f) ‘Kattegat’ means the area bounded on the north by a line drawn from the Skagen lighthouse to the Tistlarna lighthouse and from this point to the nearest point on the Swedish coast and on the south by a line drawn from Hasenøre to Gnibens Spids, from Korshage to Spodsbjerg and from Gilbjerg Hoved to Kullen;
- (g) ‘Gulf of Cadiz’ means the area of ICES zone IXa east of longitude 7°23'48"W;
- (h) ‘NEAFC Regulatory Area’ means the waters of the Convention Areas as defined in the North-East Atlantic Fisheries Commission (NEAFC) Convention , which lie beyond the waters under the jurisdiction of NEAFC Contracting Parties.

#### *Article 4*

#### **Fishing zones**

For the purposes of this Regulation, the following zone definitions shall apply:

- (a) ICES (International Council for the Exploration of the Sea) zones are as defined in Regulation (EEC) No 3880/91;
- (b) CECAF (Eastern Central Atlantic or FAO major fishing zone 34) zones are as defined in Council Regulation (EC) No 2597/95 of 23 October 1995 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic<sup>(1)</sup>;
- (c) NAFO (Northwest Atlantic Fisheries Organisation) zones are as defined in Council Regulation (EEC) No 2018/93 of 30 June 1993 on the submission of catch and activity statistics by Member States fishing in the Northwest Atlantic<sup>(2)</sup>;
- (d) CCAMLR (Convention on the Conservation of Antarctic Marine Living Resources) zones are as defined in Regulation (EC) No 601/2004;
- (e) the IATTC (Inter American Tropical Tuna Convention) zone is as defined in Council Decision 2006/539/EC of 22 May 2006 on the conclusion, on behalf of the European Community, of the Convention for the Strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica<sup>(3)</sup>;
- (f) the WCPFC (Western and Central Pacific Fisheries Convention) zone is as defined in Council Decision 2005/75/EC of 26 April 2004 on the accession of the Community to the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean<sup>(4)</sup>;

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- (g) the ICCAT (International Commission for the Conservation of Atlantic Tunas) zone is as defined in Council decision 86/238/EEC of 9 June 1986 on the accession of the Community to the International Convention for the Conservation of Atlantic Tunas, as amended by the Protocol annexed to the Final Act of the Conference of Plenipotentiaries of the States Parties to the Convention signed in Paris on 10 July 1984<sup>(5)</sup>;
- (h) SEAFO (South East Atlantic Fisheries Organisation) zones are as defined in Council Decision 2002/738/EC of 22 July 2002 on the conclusion by the European Community of the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean<sup>(6)</sup>;
- (i) the GFCM (General Fisheries Commission for the Mediterranean) zone is as defined in Council Decision 98/416/EC<sup>(7)</sup> of 16 June 1998 on the accession of the European Community to the General Fisheries Commission for the Mediterranean.

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- (1) [OJ L 270, 13.11.1995, p. 1](#). Regulation as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council ([OJ L 284, 31.10.2003, p. 1](#)).
- (2) [OJ L 186, 28.7.1993, p. 1](#). Regulation as last amended by Regulation (EC) No 1882/2003.
- (3) [OJ L 224, 16.8.2006, p. 22](#).
- (4) [OJ L 32, 4.2.2005, p. 1](#).
- (5) [OJ L 162, 18.6.1986, p. 33](#).
- (6) [OJ L 234, 31.8.2002, p. 39](#).
- (7) [OJ L 190, 4.7.1998, p. 34](#).

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**Changes and effects yet to be applied to :**

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