

Council Regulation (EC) No 520/2007 of 7 May 2007 laying down technical measures for the conservation of certain stocks of highly migratory species and repealing Regulation (EC) No 973/2001

TITLE I

INTRODUCTORY PROVISIONS

Article 1

Object

This Regulation lays down technical conservation measures applicable to the capture and landing of certain stocks of highly migratory species as referred to in Annex I and to the capture of by-catches.

[^{F1}Article 2

Scope

Without prejudice to Article 9, this Regulation applies to United Kingdom fishing vessels.]

Textual Amendments

F1 Art. 2 substituted (31.12.2020) by [The Common Fisheries Policy and Aquaculture \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/753\)](#), regs. 1, **15(2)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 3

Definitions

For the purposes of this Regulation:

1. ‘Highly migratory species’ means the species listed in Annex I.
2. ‘Tunas and related species covered by ICCAT’ means the species listed in Annex II.
3. ‘Dolphin mortality limit’ means the limit defined in Article V of the Agreement on the International Dolphin Conservation Programme⁽¹⁾.
4. ‘Leisure fisheries’ means fishing activities exploiting living aquatic resources for recreation or sport.
5. ‘Encircling nets’ means nets which catch fish by surrounding them both from the sides and from below; they may or may not be equipped with a purse line.
6. ‘Purse seines’ means any encircling net the bottom of which is drawn together by means of a purse line at the bottom of the net, which passes through a series of rings

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 520/2007. (See end of Document for details)

along the groundrope, enabling the net to be pursed and closed. Purse seines may be used to catch small pelagic species, large pelagic species or demersal species.

7. 'Longlines' means a fishing gear which comprises a main line carrying numerous hooks on branch lines (snoods) of variable length and spacing depending on the target species. It may be deployed either vertically or horizontally to the sea surface; it may be set either at or near the bottom (bottom-set longline) or drifting in midwater or near the surface (surface longline).
8. 'Hook' means a bent, sharpened piece of steel wire usually with barb. The point of a hook may be either straight or even reversed and curved. The shank can be of varying length and form and its cross section can be round (regular) or flattened (forged). The total length of a hook shall be measured as the maximum overall length of the shank from the tip of the hook which serves for fastening the line and is usually shaped as an eye, to the apex of the bend. The width of a hook shall be measured as the greatest horizontal distance from the external part of the shank to the external part of the barb.
9. 'Fish-aggregating devices (FADs)' means any equipment floating on the sea surface and with the objective of attracting fish.
10. 'Pole and line tuna vessel' means vessels equipped for catching tuna by pole and line.

Article 4

Areas

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

1. ^{F2} ...
2. Area 2
all waters of the Indian Ocean covered by the Agreement for the establishment of the IOTC as defined in Article 2 thereof;
3. Area 3
all waters of the Eastern Pacific Ocean as defined in Article 3 of the Agreement on the International Dolphin Conservation Programme;
4. Area 4
all waters of the Eastern and Central Pacific Ocean as defined in Article 3 of the WCPFC Convention.

Textual Amendments

- F2** Deleted by Regulation (EU) 2017/2107 of the European Parliament and of the Council of 15 November 2017 laying down management, conservation and control measures applicable in the Convention area of the International Commission for the Conservation of Atlantic Tunas (ICCAT), and amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 520/2007. (See end of Document for details)

F²TITLE II

TECHNICAL MEASURES APPLICABLE IN AREA 1

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TITLE III

TECHNICAL MEASURES APPLICABLE IN AREA 2

CHAPTER 1

Restrictions on the number of vessels

Article 18

Number of authorised vessels

1 [F⁴A fisheries administration], acting in accordance with the procedure laid down in [F⁵Article 17 of Regulation (EU) 1380/2013 must] determine the number of [F⁶United Kingdom] fishing vessels greater than 24 metres in length overall authorised to fish in Area 2. The number of vessels is set at the number of [F⁶United Kingdom] fishing vessels registered in the IOTC vessels register in 2003. The restriction on the number of vessels must correspond to the overall gross tonnage (GT). Where vessels are replaced the overall tonnage must not be exceeded.

F⁷2

Textual Amendments

- F4** Words in Art. 18(1) substituted (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(11)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 18(1) substituted (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(11)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 18(1) substituted (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(11)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Art. 18(2) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(11)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 520/2007. (See end of Document for details)

CHAPTER 2

Species not targeted

Article 19

Sharks

- 1 ^[F8]A fisheries administration must do its] utmost to encourage the release of live sharks caught accidentally, in particular juveniles.
- 2 ^[F9]A fisheries administration must] encourage the reduction of discards of sharks.

Textual Amendments

- F8** Words in Art. 19(1) substituted (31.12.2020) by [The Common Fisheries Policy and Aquaculture \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/753\)](#), regs. 1, **15(12)(a)** (as substituted by [S.I. 2019/1312](#), regs. 1(2), **9(3)(b)(iii)**); 2020 c. 1, **Sch. 5 para. 1(1)**)
- F9** Words in Art. 19(2) substituted (31.12.2020) by [The Common Fisheries Policy and Aquaculture \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/753\)](#), regs. 1, **15(12)(b)** (as substituted by [S.I. 2019/1312](#), regs. 1(2), **9(3)(b)(iii)**); 2020 c. 1, **Sch. 5 para. 1(1)**)

Article 20

Sea turtles

- 1 ^[F10]A fisheries administration must do its] utmost to reduce the impact of fishing on sea turtles, in particular by applying the measures provided for in paragraphs 2, 3 and 4.
- 2 The use of all fishing gear shall be subject to the following conditions:
 - a appropriate handling, including the recovery or prompt release of sea turtles caught accidentally (by hooks or nets) or as by-catch;
 - b the presence on board of equipment necessary for the release of sea turtles caught accidentally or as by-catch.
- 3 The use of the purse seine shall be subject to the following conditions:
 - a an obligation to avoid, where possible, encircling sea turtles;
 - b the development and application of specifications for appropriate gear for minimising by-catches of sea turtles;
 - c the adoption of all the measures necessary for releasing encircled or caught sea turtles;
 - d the adoption of all the measures necessary for monitoring fish-aggregating devices in which sea turtles could be caught, to release those taken and recover devices that are not used.
- 4 The use of longlines shall be subject to the following conditions:
 - a the development and putting in place of combinations of hook shapes, type of lures, depth and design of nets and fishing practices to minimise accidental catches or by-catches and mortality of sea turtles;
 - b the presence on board of equipment necessary for releasing sea turtles caught accidentally or as by-catch. including tools for unhooking them or cutting the lines and landing nets.

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Textual Amendments

- F10** Words in Art. 20(1) substituted (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(13)**; 2020 c. 1, Sch. 5 para. 1(1)

TITLE IV

TECHNICAL MEASURES APPLICABLE IN AREA 3

Article 21

Transshipment

- 1 The use of ancillary vessels to support vessels fishing with the aid of fish-aggregating devices shall be prohibited.
- 2 Transshipments at sea by seiners shall be prohibited.

Article 22

Restrictions on the number of vessels

1 [^{F11}A fisheries administration], acting in accordance with the procedure laid down in [^{F12}Article 17 of Regulation (EU) 1380/2013 must] determine the number of [^{F13}United Kingdom] seiners authorised to fish in Area 3. The number of vessels shall be set at the number of [^{F13}United Kingdom] seiners registered in the IATTC register on 28 June 2002.

^{F14}2

[^{F15}3 The lists referred to in paragraph 1 must give the United Kingdom fishing fleet register number assigned to the vessel in accordance with Annex 1 to Commission Implementing Regulation (EU) 2017/218 on the Union fishing fleet register and the type of gear used.]

Textual Amendments

- F11** Words in Art. 22(1) substituted (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(14)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 22(1) substituted (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(14)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Art. 22(1) substituted (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(14)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Art. 22(2) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(14)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F15** Art. 22(3) substituted (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(14)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

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Article 23

Protection of dolphins

Only [^{F16}United Kingdom] fishing vessels operating under the conditions laid down in the Agreement on the International Dolphin Conservation Programme which have been allocated a Dolphin Mortality Limit (DML) shall be authorised to encircle schools or groups of dolphins with purse seines when fishing for yellowfin tuna in Area 3.

Textual Amendments

F16 Words in Art. 23 substituted (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, 15(15); 2020 c. 1, Sch. 5 para. 1(1)

^{F17}Article 24

Requests for DMLs

Textual Amendments

F17 Art. 24 omitted (31.12.2020) by virtue of The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, 15(16); 2020 c. 1, Sch. 5 para. 1(1)

Article 25

Allocation of DMLs

1 [^{F18}A fisheries administration must] ensure that applications for DMLs comply with the conditions laid down in the Agreement on the International Dolphin Conservation Programme and the conservation measures adopted by the IATTC.

^{F19}2

^{F19}3

[^{F20}4 A fisheries administration must send the IATTC Secretariat the breakdown of the DMLs among United Kingdom fishing vessels in its fleet by 1 February each year.]

^{F21}5

Textual Amendments

F18 Words in Art. 25(1) substituted (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, 15(17)(a); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 520/2007. (See end of Document for details)

- F19** Art. 25(2)(3) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(17)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F20** Art. 25(4) substituted (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(17)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F21** Art. 25(5) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **15(17)(d)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 26

Protection of other species not targeted

- 1 Purse seine vessels shall promptly release unharmed, to the extent practicable, all sea turtles, sharks, skipjack tuna, billfishes, rays, dorado, and other non-target species.
- 2 Fishermen shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of any such animals.

Article 27

Sea turtles

- 1 Whenever a sea turtle is sighted in the net, all reasonable efforts shall be made to rescue the turtle before it becomes entangled in the net, including, if necessary, the deployment of a speedboat.
- 2 If a sea turtle is entangled in the net, net roll shall stop as soon as the turtle comes out of the water and shall not start again until the turtle has been disentangled and released.
- 3 If a sea turtle is brought on board a vessel, all appropriate methods to assist in the recovery of the turtle shall be made before returning it to the water.
- 4 Tuna-fishing vessels shall be prohibited from disposing of salt bags or any other type of plastic rubbish at sea.
- 5 Where possible sea turtles caught in fish-aggregating devices and other fishing gear shall be released.
- 6 Fish-aggregating devices which are not used for fishing shall be recovered.

TITLE V

TECHNICAL MEASURES APPLICABLE IN AREA 4

Article 28

Waste reduction

[^{F22}A fisheries administration must] take measures to reduce to the minimum waste, discards, catches taken by lost or abandoned gear, pollution from fishing vessels, catches

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of fish and animals of species not targeted and repercussions for related or dependent species, in particular species threatened with extinction.

Textual Amendments

F22 Words in [Art. 28](#) substituted (31.12.2020) by [The Common Fisheries Policy and Aquaculture \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/753\)](#), regs. 1, **15(18)**; 2020 c. 1, Sch. 5 para. 1(1)

TITLE VI

GENERAL PROVISIONS

Article 29

Marine mammals

1 The encircling with purse seines of any school or group of marine mammals shall be prohibited.

2 Paragraph 1 shall apply to all [^{F23}United Kingdom] fishing vessels with the exception of the vessels referred to in Article 23.

Textual Amendments

F23 Words in [Art. 29\(2\)](#) substituted (31.12.2020) by [The Common Fisheries Policy and Aquaculture \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/753\)](#), regs. 1, **15(19)**; 2020 c. 1, Sch. 5 para. 1(1)

TITLE VII

FINAL PROVISIONS

^{F24}*Article 30*

Comitology

Textual Amendments

F24 [Art. 30](#) omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Aquaculture \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/753\)](#), regs. 1, **15(20)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 520/2007. (See end of Document for details)

Article 31

Repeal

Regulation (EC) No 973/2001 is hereby repealed.

^{F25}Article 32

Entry into force

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Textual Amendments

F25 Art. 32 omitted (31.12.2020) by virtue of [The Common Fisheries Policy and Aquaculture \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/753\)](#), regs. 1, **15(20)**; 2020 c. 1, Sch. 5 para. 1(1)

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

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 520/2007. (See end of Document for details)

- (1) [OJ L 348, 30.12.2005, p. 28.](#)

Changes to legislation:

There are currently no known outstanding effects for the Council Regulation (EC) No 520/2007.