
Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 40/2008. 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](#)

ANNEX III

TRANSITIONAL TECHNICAL AND CONTROL MEASURES

Part A

North Atlantic including the North Sea, Skagerrak and Kattegat

- [^{X1}10. Condition for fisheries with certain towed gears authorised in the Bay of Biscay, ICES zones III, IV, V, VI, VII and VIIIa, b, d, e]
- 10.1 By way of derogation of the provisions laid down in Article 5(2) of Commission Regulation (EC) No 494/2002 of 19 March 2002 establishing additional technical measures for recovery of the stock of hake in ICES zones III, IV, V, VI and VII and ICES zones VIII a, b, d, e⁽¹⁾, it shall be permitted to conduct fishing activity using trawls, Danish seines and similar gears, except beam trawls, of mesh size range 70 to 99 mm in the area defined in Article 5(1)(b) of Regulation (EC) No 494/2002 if the gear is fitted with a square mesh window in accordance with Appendix 3 to this Annex.
- 10.2 When fishing in zone VIII a and b it shall be permitted to use a selective grid and its attachments in front of the codend and/or a square mesh panel with a mesh size equal or more than 60mm in the lower part of the extension piece in front of the codend. The provisions laid down in Articles 4(1), 6 and 9(1) of Regulation (EC) No 850/98 and in Article 3(a) and (b) of Commission Regulation (EC) No 494/2002 shall not apply as regards the section of the trawl where those selective devices are inserted.

Editorial Information

- X1** Substituted by [Corrigendum to Council Regulation \(EC\) No 40/2008 of 16 January 2008 fixing for 2008 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 \(Official Journal of the European Union L 19 of 23 January 2008\)](#).

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- (1) [OJ L 77, 20.3.2002, p. 8.](#)

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Changes and effects yet to be applied to :

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