

Commission Regulation (EU) No 237/2010 of 22 March 2010 laying down detailed rules for the application of Council Regulation (EC) No 1342/2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks

CHAPTER IV

ADAPTATIONS TO THE MAXIMUM ALLOWABLE FISHING EFFORT

Article 8

Detailed rules for transferring fishing effort across effort groups

1 The fishing effort transfers referred to in Article 17 of Regulation (EC) No 1342/2008 shall be made in accordance with paragraphs 2 to 6.

2 Where the Commission has provided Member States with standard correction factors that have been established for a certain gear grouping in accordance with Article 17(5) of Regulation (EC) No 1342/2008, Member States shall use those standard correction factors for the transfer of effort across gear groupings.

3 For effort groups for which a standard correction factor has not yet been developed, Member States shall establish the effort transfer amount by applying the following formula:

a where Article 17(3) of Regulation (EC) No 1342/2008 applies:

effort transfer amount = 1 × effort amount of donor effort group

b where Article 17(4) of Regulation (EC) No 1342/2008 applies:

effort transfer amount = correction factor × effort amount of donor effort group,

whereby the correction factor is calculated as follows:

correction factor = $cpue_{donor}/cpue_{receiving}$

4 By way of derogation from paragraph 2, after having informed the Commission in electronic form in accordance with the requirements set out in Annex IV, showing that the cpue of the Member State's effort group differs by at least 15 % from the cpue used to establish the standard correction factor, the Member State concerned may apply a different correction factor.

5 Fishing effort adaptations following an effort transfer shall be valid for one fishing season only.

6 By way of derogation from paragraph 5, where a fleet segment has undergone a permanent structural change in its fishing activities, the transfer of the fishing effort may be of permanent nature. Such transfer shall be made only between the effort groups affected by the change. Without prejudice to paragraph 2 the correction factor used shall be based on the cpue of the donor and receiving gear groupings.

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

There are outstanding changes not yet made to Commission Regulation (EU) No 237/2010. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.