

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

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks and repealing Regulation (EC) No 423/2004⁽¹⁾, and in particular Article 32 thereof,

Whereas:

- (1) Regulation (EC) No 1342/2008 establishes in Article 32 that detailed rules may be adopted for the application of Articles 11(3), 14, 16 and 17 of that Regulation.
- (2) Certain groups of vessels may be excluded from the fishing effort regime laid down in Chapter III of Regulation (EC) No 1342/2008 on the basis of the advice of the Scientific, Technical and Economic Committee for Fisheries (STECF) referred to in Article 11(2) of that Regulation. It is appropriate to provide for a procedure and requirements so that Member States submit the information necessary to allow the STECF to assess whether the conditions for exclusion have been and remain fulfilled. It is particularly important that the information submitted by Member States be sufficiently detailed and is accompanied by supporting evidence.
- (3) The information submitted by Member States concerning the fulfilment of conditions laid down in Article 11(2) of Regulation (EC) No 1342/2008 should indicate a group of vessels that can be clearly distinguished from the other vessels in the effort group concerned and the specific activities or technical characteristics of that group of vessels that account for its cod catches not exceeding 1,5 % of its total catches.
- (4) Article 14 of Regulation (EC) No 1342/2008 requires Member States to ensure that for each of the areas set out in Annex I to that Regulation the total capacity of vessels with special fishing permits is not greater than the total capacity in 2006 or 2007. Detailed rules for the calculating and adjusting of the maximum capacity levels are needed, in particular with regard to the treatment of capacity removed with public aid, or transferred between geographical areas in accordance with Article 16 of that Regulation.
- (5) In order to ensure controllability, detailed requirements and formats need to be laid down for the special fishing permits to be issued to vessels fishing with regulated gear

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in the geographical areas subject to the fishing effort regime, and for the lists of vessels for which special fishing permits have been issued.

- (6) Detailed rules need to be laid down to enable Member States to adapt the maximum allowable fishing effort by Member States pursuant to Article 16 of Regulation (EC) No 1342/2008 or following transfers of effort across effort groups pursuant to Article 17 of that Regulation. Such rules should specify the procedures and calculation methods to be applied by the Member States.
- (7) Using electronic means of exchanging information simplifies procedures, makes them more efficient and transparent and saves time. In order to fully exploit these advantages while ensuring secure communication, and with a view to setting up a common computer system for the management of data on the deployment of the fishing effort by Community fishing vessels, it is necessary to specify the format for each document and to provide a detailed description of the information such documents should contain.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

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(1) OJ L 348, 24.12.2008, p. 20.