
Changes to legislation: There are outstanding changes not yet made to Council Regulation (EU) No 53/2010. 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 IIB

FISHING EFFORT FOR VESSELS IN THE CONTEXT OF THE RECOVERY OF CERTAIN SOUTHERN HAKE AND NORWAY LOBSTER STOCKS IN ICES DIVISIONS VIIIc AND IXa EXCLUDING THE GULF OF CADIZ

1. Scope

This Annex shall apply to EU vessels of 10 metres' length overall or more carrying on board or deploying trawls, Danish seines or similar gears of mesh size equal to or larger than 32 mm and gill-nets of mesh size equal to or larger than 60 mm or bottom longlines, and present in ICES divisions VIIIc and IXa excluding the Gulf of Cadiz.

2. Definitions

For the purposes of this Annex:

- (a) 'gear grouping' means the grouping of trawls, Danish seines and similar gears of mesh size equal to or larger than 32 mm and gill-nets of mesh size equal to or larger than 60 mm and bottom longlines;
- (b) 'regulated gear' means any of the two gear categories belonging to the gear grouping;
- (c) 'area' means ICES divisions VIIIc and IXa excluding the Gulf of Cadiz;
- (d) '2010 management period' means the period from 1 February 2010 to 31 January 2011;
- (e) 'special conditions' means the special conditions set out in point 5.2;

3. Vessels concerned by fishing effort limitations

- 3.1. A Member State shall not authorise fishing with a regulated gear in the area by any of its vessels which have no record of such fishing activity in the years 2002, 2003, 2004, 2005, 2006, 2007, 2008 or 2009 in the area, excluding the record of fishing activities as a result of transfer of days between fishing vessels, unless it ensures that equivalent capacity, measured in kilowatts, is prevented from fishing in the area.
- 3.2. A vessel flying the flag of a Member State having no quotas in the area shall not be authorised to fish in the area with a regulated gear, unless the vessel is allocated a quota after a transfer as permitted according to the Article 20(5) of Regulation (EC) No 2371/2002 and is allocated days at sea according to point 10 or 11 of this Annex.

4. General obligations and limitation in activity

- 4.1. Member States shall manage the maximum allowable effort in accordance with the conditions laid down in Article 8 of Regulation (EC) No 2166/2005 and Articles 26 to 34 of Regulation (EC) No 1224/2009.
- 4.2. Each Member State shall ensure that, when carrying on board any regulated gear, EU vessels flying its flag shall be present within the area for no more than the number of days specified in point 5.
- 4.3. Article 28 of Regulation (EC) No 1224/2009 shall apply to vessels falling under the scope of this Annex. The geographical area referred to in that Article shall be understood as the area defined in point 2.

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Changes and effects yet to be applied to :

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