

Council Regulation (EU) No 53/2010 of 14 January 2010 fixing for 2010 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in waters where catch limitations are required and amending Regulations (EC) No 1359/2008, (EC) No 754/2009, (EC) No 1226/2009 and (EC) No 1287/2009

TITLE II

FISHING OPPORTUNITIES FOR EU VESSELS

CHAPTER III

Fishing opportunities in waters of regional fisheries management organisations

Section 2

CCAMLR convention Area

Article 19

Prohibitions and catch limitations

- 1 Direct fishing of the species set out in Annex V, Part A, shall be prohibited in the zones and during the periods set out in that Annex.
- 2 For new and exploratory fisheries, the catch and by-catch limits set out in Annex V, Part B, shall apply in the subareas set out in that Part.

Article 20

Exploratory fisheries

- 1 Fishing vessels flying the flag of, and registered in a Member State that have been notified to CCAMLR in accordance with Articles 7 and 7a of Regulation (EC) No 601/2004 may participate in longline exploratory fisheries for *Dissostichus* spp. in FAO Subareas 88.1 and 88.2 as well as in Divisions 58.4.1 and 58.4.2 outside areas of national jurisdiction.
- 2 With regard to FAO Subareas 88.1 and 88.2 as well as Divisions 58.4.1 and 58.4.2 total catch and by-catch limits per subarea and division, and their distribution among Small Scale Research Units (SSRUs) within each of them, shall be as set out in Annex V, Part B. Fishing in any SSRU shall cease when the reported catch reaches the specified catch limit, and that SSRU shall be closed to fishing for the remainder of the season.
- 3 Fishing shall take place over as large a geographical and bathymetric range as possible to obtain the information necessary to determine fishery potential and to avoid over-concentration of catch and fishing effort. However, fishing in FAO Subareas 88.1 and 88.2 as well as in Divisions 58.4.1 and 58.4.2 shall be prohibited in depths less than 550 m.

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Article 21

Krill fishery during the 2010/2011 fishing season

1 Only those Member States which are Members of the CCAMLR Commission may fish for krill (*Euphausia superba*) in the CCAMLR Convention Area during the 2010/2011 fishing season. If such a Member State intends to fish for krill in the CCAMLR Convention Area, it shall notify the CCAMLR Secretariat and the Commission in accordance with Article 5a of Regulation (EC) No 601/2004 and in any case no later than 1 June 2010:

- a of its intention to fish for krill, using the format laid down in Annex V, Part C;
- b of the net configuration form, using the format laid down in Annex V, Part D.

2 The notification referred to in paragraph 1 shall include the information provided for in Article 3 of Regulation (EC) No 601/2004 for each vessel to be authorised by the Member State to participate in the krill fishery.

3 Member States intending to fish for krill in the CCAMLR Convention Area shall only notify authorised vessels flying its flag at the time of the notification.

4 Member States shall be entitled to authorise participation in a krill fishery by a vessel other than those notified to CCAMLR in accordance with paragraphs 1, 2 and 3, if an authorised vessel is prevented from participation due to legitimate operational reasons or *force majeure*. In such circumstances the Member State concerned shall immediately inform the CCAMLR Secretariat and the Commission, providing:

- a full details of the intended replacement vessel(s) referred to in paragraph 2, including information provided for in Article 3 of Regulation (EC) No 601/2004;
- b a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.

5 Member States shall not authorise a vessel on either of the CCAMLR IUU Vessel Lists to participate in krill fisheries.

Article 22

Closure of all fisheries

1 Following notification by the CCAMLR Secretariat of the closure of a fishery due to the exhaustion of the TAC as set out in Annex IE, Member States shall ensure that all vessels flying their flag and fishing in the area, management area, subarea, division, SSRU or other management unit, subject to the closure notice, shall remove all their fishing gear from the water by the notified closure date and time.

2 On receipt of such notification by the vessel, no further longlines may be set within 24 hours of the notified date and time. If such notification is received less than 24 hours before the closure date and time, no further longlines may be set following receipt of that notification.

3 In the case of closure of the fishery referred to in paragraph 1, all vessels shall depart from the fishing area as soon as all fishing gear has been removed from the water.

4 Where a vessel is unable to remove all its fishing gear from the water by the notified closure date and time for reasons relating to:

- a the safety of the vessel and crew;

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- b the limitations which may arise from adverse weather conditions;
- c sea-ice cover; or
- d the need to protect the Antarctic marine environment,

the vessel shall notify its flag Member State of the situation. The Member States shall promptly notify the CCAMLR Secretariat and the Commission. The vessel shall nonetheless make all reasonable efforts to remove all its fishing gear from the water as soon as possible.

5 If paragraph 4 applies, Member States shall carry out an investigation of the vessel's actions and, according to its domestic procedures, report the CCAMLR Secretariat and the Commission of its findings no later than before the next CCAMLR meeting. The final report shall assess whether the vessel made all reasonable efforts to remove all its fishing gear from the water:

- a by the notified closure date and time; and
- b as soon as possible after the notification referred to in paragraph 4.

6 Where a vessel does not depart from the closed area as soon as all fishing gear has been removed from the water, the flag Member State shall ensure that the CCAMLR Secretariat and the Commission are informed.

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Changes and effects yet to be applied to :

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