

Council Regulation (EU) No 1088/2012 of 20 November  
2012 fixing for 2013 the fishing opportunities for certain fish  
stocks and groups of fish stocks applicable in the Baltic Sea

CHAPTER I

**GENERAL PROVISIONS**

*Article 1*

**Subject matter**

This Regulation fixes the fishing opportunities for certain fish stocks and groups of fish stocks in the Baltic Sea for 2013.

*Article 2*

**Scope**

This Regulation shall apply to Union vessels operating in the Baltic Sea.

*Article 3*

**Definitions**

For the purposes of this Regulation the following definitions shall apply:

- (a) 'International Council for the Exploration of the Sea (ICES) zones' means the geographical areas specified in Annex I to Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound<sup>(1)</sup>;
- (b) 'Baltic Sea' means ICES Subdivisions 22-32;
- (c) 'Union vessel' means a fishing vessel flying the flag of a Member State and registered in the Union;
- (d) 'total allowable catch' (TAC) means the quantity that can be taken from each stock each year;
- (e) 'quota' means a proportion of the TAC allocated to the Union, a Member State or a third country;
- (f) 'day absent from port' means any continuous period of 24 hours or part thereof during which a vessel is absent from port.

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**Changes to legislation:** There are outstanding changes not yet made to Council Regulation (EU) No 1088/2012. 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

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## CHAPTER II

### FISHING OPPORTUNITIES

#### Article 4

##### TACs and allocations

The TACs, the quotas and the conditions functionally linked thereto, where appropriate, are set out in Annex I.

#### Article 5

##### Special provisions on allocations

1 The allocation of fishing opportunities among Member States as set out in this Regulation shall be without prejudice to:

- a exchanges made pursuant to Article 20(5) of Regulation (EC) No 2371/2002;
- b reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009;
- c additional landings allowed under Article 3 of Regulation (EC) No 847/96;
- d quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96;
- e deductions made pursuant to Articles 37, 105, 106 and 107 of Regulation (EC) No 1224/2009.

2 Except where otherwise specified in Annex I to this Regulation, Article 3 of Regulation (EC) No 847/96 shall apply to stocks subject to a precautionary TAC, and Article 3(2) and (3) and Article 4 of that Regulation shall apply to stocks subject to an analytical TAC.

#### Article 6

##### Conditions for landing catches and by-catches

Fish from stocks for which catch limits are established shall be retained on board or landed only if the catches have been taken by vessels of a Member State having a quota and that quota is not exhausted.

#### Article 7

##### Fishing effort limits

1 Fishing effort limits are set out in Annex II.

2 The limits referred to in paragraph 1 shall also apply to ICES Subdivisions 27 and 28.2, unless the Commission has taken a decision in accordance with Article 29(2) of Regulation (EC) No 1098/2007 to exclude those Subdivisions from the restrictions provided for in Article 8(1)(b), Article 8(3), (4) and (5), and Article 13 of that Regulation.

3 The limits referred to in paragraph 1 shall not apply to ICES Subdivision 28.1, unless the Commission has taken a decision in accordance with Article 29(4) of Regulation (EC) No 1098/2007 that the restrictions provided for in Article 8(1)(b), and Article 8(3), (4) and (5) of Regulation (EC) No 1098/2007 shall apply to that Subdivision.

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## CHAPTER III

### FINAL PROVISIONS

#### *Article 8*

##### **Data transmission**

When, pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, Member States send the Commission data relating to landings of quantities of stocks caught, they shall use the stock codes set out in Annex I to this Regulation.

#### *Article 9*

##### **Entry into force**

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2013.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 November 2012.

*For the Council*

*The President*

A. D. MAVROYIANNIS

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- (1) [OJ L 349, 31.12.2005, p. 1.](#)

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**Changes and effects yet to be applied to :**

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