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**COUNCIL REGULATION (EU) No 1385/2013**

**of 17 December 2013**

**amending Council Regulations (EC) No 850/98 and (EC) No 1224/2009, and Regulations (EC) No 1069/2009, (EU) No 1379/2013 and (EU) No 1380/2013 of the European Parliament and of the Council, following the amendment of the status of Mayotte with regard to the European Union**

(OJ L 354, 28.12.2013, p. 86)

Corrected by:

► **C1** Corrigendum, OJ L 122, 17.5.2018, p. 35 (1385/2013)

**COUNCIL REGULATION (EU) No 1385/2013****of 17 December 2013****amending Council Regulations (EC) No 850/98 and (EC) No 1224/2009, and Regulations (EC) No 1069/2009, (EU) No 1379/2013 and (EU) No 1380/2013 of the European Parliament and of the Council, following the amendment of the status of Mayotte with regard to the European Union***Article 1***Amendments to Regulation (EC) No 850/98**

Regulation (EC) No 850/98 is amended as follows:

(1) In Article 2(1), point (h) is replaced by the following:

"h) Region 8

All waters off the coasts of the French departments of Réunion and Mayotte that fall under the sovereignty or jurisdiction of France."

(2) The following article is inserted:

*"Article 34g***Restrictions on fishing activities in the 24-mile zone around Mayotte**

Vessels shall be prohibited from using any purse-seine on tuna and tuna-like schools of fish inside the area within 24 miles of the coasts of Mayotte, as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union, measured from the baselines from which territorial waters are measured."

*Article 2***Amendment to Regulation (EU) No 1379/2013**

In Article 35 of Regulation (EU) No 1379/2013, the following paragraph is inserted:

"6. Until 31 December 2021, paragraphs 1, 2 and 3 shall not apply to products offered for retail sale to the final consumer in Mayotte, as an outermost region within the meaning of Article 349 TFEU."

*Article 3***Amendments to Regulation (EU) No 1380/2013**

Regulation (EU) No 1380/2013 is amended as follows:

(1) In Article 23, the following paragraph is added:

"4. By way of derogation from paragraph 1, France shall be authorised, until 31 December 2025, to introduce new capacity without the withdrawal of an equivalent capacity for the various segments in Mayotte, as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union (hereinafter "Mayotte"), referred to in Annex II."

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(2) In Article 36, the following paragraphs are added:

"4. By way of derogation from paragraph 1, France shall be exempted until 31 December 2021 from the obligation to include in its register of Union fishing vessels those vessels which are less than 10 metres in overall length and which operate from Mayotte.

5. Until 31 December 2021, France shall keep a provisional register of fishing vessels which are less than 10 metres in overall length and which operate from Mayotte. That register shall contain at least the name, overall length and an identification code of each vessel. Vessels registered in the provisional register shall be considered to be vessels registered in Mayotte."

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(3) The entries concerning Mayotte contained in the Annex to this Regulation shall be inserted into the table in Annex II to the Regulation (EU) No 1380/2013 after the entry "Guadeloupe: Pelagic species. L> 12m".

*Article 4***Amendment to Regulation (EC) No 1069/2009**

In Regulation (EC) No 1069/2009, Article 56 is replaced by the following:

*"Article 56*

**Entry into force**

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

It shall apply from 4 March 2011.

However, Article 4 shall apply to Mayotte, as an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union (hereinafter "Mayotte"), from 1 January 2021. Animal by-products and derived products generated in Mayotte before 1 January 2021 shall be disposed of in accordance with Article 19(1)(b) of this Regulation.

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

*Article 5***Amendment to Regulation (EC) No 1224/2009**

In Regulation (EC) No 1224/2009, the following article is inserted:

*"Article 2a*

***Application of the Union control system to certain segments of the fleet of Mayotte as an outermost region***

1. Until 31 December 2021, Article 5(3) and Articles 6, 8, 41, 56, 58 to 62, 66, 68 and 109 shall not apply to France in respect of fishing vessels which are less than 10 metres in overall length and which operate from Mayotte, an outermost region within the meaning of Article 349 of the Treaty on the Functioning of the European Union (hereinafter "Mayotte"), and the activities and catch of such fishing vessels.

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2. By 30 September 2014, France shall establish a simplified and provisional scheme of control applicable to fishing vessels which are less than 10 metres in overall length and which operate from Mayotte. That scheme shall address the following issues:

- (a) knowledge of fishing capacity;
- (b) access to Mayotte waters;
- (c) implementation of declaration obligations;
- (d) designation of the authorities responsible for the control activities;
- (e) measures ensuring that any enforcement on vessels longer than 10 metres length is carried out on a non-discriminatory basis.

By 30 September 2020, France shall present to the Commission an action plan setting out the measures to be taken in order to ensure the full implementation of Regulation (EC) No 1224/2009 from 1 January 2022 concerning fishing vessels which are less than 10 metres in overall length and which operate from Mayotte. That action plan shall be the subject of a dialogue between France and the Commission. France shall take all necessary measures to implement that action plan."

*Article 6***Entry into force**

This Regulation shall enter into force on 1 January 2014.

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

**▼B***ANNEX***FISHING CAPACITY CEILINGS FOR THE FLEETS REGISTERED IN  
MAYOTTE AS AN OUTERMOST REGION IN THE MEANING OF  
ARTICLE 349 TFEU**

Mayotte. Seiners	13 916 (*)	24 000 (*)
Mayotte. Mechanical long-liners < 23 m	2 500 (*)	8 500 (*)
Mayotte. Demersal and pelagic species. Vessels < 10 m	p.m. (**)	p.m. (**)

(\*) According to the development plan presented to IOTC on 7 January 2011.

(\*\*) Ceilings shall be indicated in this table when ready and at the latest by 31 December 2025.