

Council Regulation (EU) No 43/2014 of 20 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters

TITLE II

FISHING OPPORTUNITIES FOR UNION VESSELS

CHAPTER IV

Fishing opportunities in waters of regional fisheries management organisations

Section 7

WCPFC Convention Area

Article 34

Conditions for bigeye tuna, yellowfin tuna, skipjack tuna and south Pacific albacore fisheries

1 Member States shall ensure that the number of fishing days allocated to purse-seine vessels fishing for bigeye tuna (*Thunnus obesus*), yellowfin tuna (*Thunnus albacares*) and skipjack tuna (*Katsuwonus pelamis*) in the part of the WCPFC Convention Area in the high seas and located between 20° N and 20° S does not exceed 403 days.

2 Union vessels shall not target south Pacific albacore (*Thunnus alalunga*) in the WCPFC Convention Area south of 20° S.

Article 35

Closed area for FAD fishing

1 In the part of the WCPFC Convention Area located between 20° N and 20° S, fishing activities of purse-seine vessels making use of fish aggregating devices (FADs) shall be prohibited between 00:00 hours of 1 July 2014 and 24:00 hours of 31 October 2014. During that period, a purse-seine vessel may only engage in fishing operations within that part of the WCPFC Convention Area if it carries onboard an observer to monitor that at no time does the vessel:

- a deploy or service a FAD or associated electronic device;
- b fish on schools in association with FADs.

2 All purse- seine vessels fishing in the part of the WCPFC Convention Area referred to in paragraph 1 shall retain onboard and land or tranship all bigeye, yellowfin and skipjack tuna caught.

3 Paragraph 2 shall not apply in the following cases:

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EU) No 43/2014. 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)

- a in the final set of a trip, if the vessel has insufficient well space left to accommodate all fish;
- b where the fish is unfit for human consumption for reasons other than size; or
- c when a serious malfunction of freezer equipment occurs.

Article 36

Overlap area between IATTC and WCPFC

1 Vessels listed exclusively in the WCPFC register shall apply the measures set out in Articles 34 to 37 when fishing in the overlap area between IATTC and WCPFC as defined in Article 4(p).

2 Vessels listed in both the WCPFC register and the IATTC register and vessels listed exclusively in the IATTC register shall apply the measures set out in Article 32(1)(a) and (2) to (6) when fishing in the overlap area between IATTC and WCPFC as defined in Article 4(p).

Article 37

Limitations to the number of Union vessels authorised to fish swordfish

The maximum number of Union vessels authorised to fish for swordfish (*Xiphias gladius*) in areas south of 20° S of the WCPFC Convention Area shall be as indicated in Annex VII.

[^{F1}Article 37a

Oceanic whitetip sharks

1 Retaining on board, transshipping, storing or landing any part or whole carcass of oceanic whitetip sharks (*Carcharhinus longimanus*) in the WCPFC Convention Area shall be prohibited.

2 When accidentally caught, species referred to in paragraph 1 shall not be harmed. Specimens shall be promptly released.]

Textual Amendments

- F1** Inserted by [Council Regulation \(EU\) No 732/2014 of 3 July 2014 amending Regulations \(EC\) No 754/2009 and \(EU\) No 43/2014 as regards certain fishing opportunities.](#)

[^{F1}Article 37b

Silky sharks

1 Retaining on board, transshipping, storing or landing any part or whole carcass of silky sharks (*Carcharhinus falciformis*) in the WCPFC Convention Area shall be prohibited.

2 When accidentally caught, species referred to in paragraph 1 shall not be harmed. Specimens shall be promptly released.]

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