

Council Regulation (EU) 2018/120 of 23 January 2018 fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2017/127

TITLE II

FISHING OPPORTUNITIES FOR UNION FISHING VESSELS

CHAPTER III

Fishing opportunities in waters of regional fisheries management organisations

Section 5

IATTC Convention Area

Article 28

Purse-seine fisheries

- 1 Fishing by purse-seine vessels for yellowfin tuna (*Thunnus albacares*), bigeye tuna (*Thunnus obesus*) and skipjack tuna (*Katsuwonus pelamis*) shall be prohibited:
 - a from 29 July 00:00 hours to 8 October 2018 24:00 hours or from 9 November 2018 00:00 hours to 19 January 2019 24:00 hours in the area defined by the following limits:
 - the Pacific coastlines of the Americas,
 - longitude 150° W,
 - latitude 40° N,
 - latitude 40° S;
 - b from 9 October 2018 00:00 hours to 8 November 2018 24:00 hours in the area defined by the following limits:
 - longitude 96° W,
 - longitude 110° W,
 - latitude 4° N,
 - latitude 3° S.
- 2 For each of their vessels, Member States concerned shall notify to the Commission before 1 April 2018 the selected period of closure referred to in paragraph 1. All the purse-seine vessels of the Member States concerned shall stop purse-seine fishing in the areas defined in paragraph 1 during the selected period.
- 3 Purse-seine vessels fishing for tuna in the IATTC Convention Area shall retain on board and then land or tranship all yellowfin, bigeye and skipjack tuna caught.
- 4 Paragraph 3 shall not apply in the following cases:
 - a where the fish is considered unfit for human consumption for reasons other than size; or

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- b during the final set of a trip when there may be insufficient well space remaining to accommodate all the tuna caught in that set.

Article 29

Drifting FADs

1 A purse-seine vessel shall not have more than 450 FADs active at any time in the IATTC Convention Area. A FAD is considered active when it is deployed at sea, starts transmitting its location and is being tracked by the vessel, its owner or operator. A FAD shall only be activated on board a purse-seine vessel.

2 A purse-seine vessel may not deploy FADs during 15 days before the start of the selected closure period set out in Article 28(1)(a) and it shall recover the same number of FADs as initially deployed within 15 days prior to the start of the closure period.

3 Member States shall report to the Commission, on a monthly basis, daily information on all active FADs as required by the IATTC. The reports shall be submitted with a delay of at least 60 days, but not longer than 75 days. The Commission shall transmit that information to the IATTC Secretariat without delay.

Article 30

Catch limits for bigeye tuna in long-line fisheries

The total annual catches of bigeye tuna by longline vessels of each Member State in the IATTC Convention Area shall not exceed 500 metric tons or their respective yearly catches of bigeye tuna in 2001.

Article 31

Prohibition of fishing for oceanic whitetip sharks

1 It shall be prohibited to fish for oceanic whitetip sharks (*Carcharhinus longimanus*) in the IATTC Convention Area, and to retain on board, to tranship, to store, to offer to sell, to sell or to land any part or whole carcass of oceanic whitetip sharks caught in that area.

2 When accidentally caught, the species referred to in paragraph 1 shall not be harmed. Specimens shall be promptly released by vessel operators.

3 Vessel operators shall:

- a record the number of releases with indication of status (dead or alive);
- b report the information specified in point (a) to the Member State of which they are nationals. Member States shall transmit the information collected during the previous year to the Commission by 31 January.

Article 32

Prohibition of fishing for Mobulid rays

It shall be prohibited for Union fishing vessels in the IATTC Convention Area to fish for, to retain on board, to tranship, to land, to store, to offer to sell or to sell any part

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or whole carcass of Mobulid rays (family *Mobulidae*, which includes the genera *Manta* and *Mobula*). As soon as Union fishing vessels notice that Mobulid rays have been caught, Union fishing vessels shall, wherever possible, promptly release them alive and unharmed.

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