

Regulation (EU) 2018/973 of the European Parliament and of the Council of 4 July 2018 establishing a multiannual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks, specifying details of the implementation of the landing obligation in the North Sea and repealing Council Regulations (EC) No 676/2007 and (EC) No 1342/2008

CHAPTER IV

SAFEGUARDS

Article 6

Conservation reference points

The following conservation reference points to safeguard the full reproductive capacity of the stocks referred to in Article 1(1) shall be requested from ICES based on the plan:

- (a) $MSY B_{trigger}$ for stocks referred to in Article 1(1);
- (b) B_{lim} for stocks referred to in Article 1(1).

Article 7

Safeguards

1 When scientific advice indicates that, for a given year, the spawning stock biomass and, in the case of Norway lobster stocks, the abundance of any of the stocks referred to in Article 1(1) are below $MSY B_{trigger}$, all appropriate remedial measures shall be adopted to ensure rapid return of the stock or functional unit concerned to levels above those capable of producing MSY. In particular, by way of derogation from Article 4(3) and (5), fishing opportunities shall be fixed at levels consistent with a fishing mortality that is reduced below the upper range of F_{MSY} , taking into account the decrease in biomass.

2 When scientific advice indicates that the spawning stock biomass and, in the case of Norway lobster stocks, the abundance of any of the stocks referred to in Article 1(1) are below the B_{lim} , further remedial measures shall be taken to ensure rapid return of the stock or functional unit concerned to levels above those capable of producing MSY. In particular, those remedial measures may include, by way of derogation from Article 4(3) and (5), suspending the targeted fishery for the stock or functional unit concerned and the adequate reduction of fishing opportunities.

3 Remedial measures referred to in this Article may include:

- a emergency measures in accordance with Articles 12 and 13 of Regulation (EU) No 1380/2013;
- b measures pursuant to Articles 8 and 9 of this Regulation.

4 The choice of measures referred to in this Article shall be made taking into account the nature, seriousness, duration and repetition of the situation where the spawning stock biomass and, in the case of Norway lobster stocks, the abundance are below the levels referred to in Article 6.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2018/973 of the European Parliament and of the Council. 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](#)

Article 8

Specific conservation measures

When scientific advice indicates that remedial action is required for the conservation of any of the demersal stocks referred to in Article 1(4) of this Regulation, or when the spawning stock biomass and, in the case of Norway lobster stocks, the abundance of any of the stocks covered by Article 1(1) for a given year are below $MSY B_{trigger}$, the Commission is empowered to adopt delegated acts in accordance with Article 16 of this Regulation and Article 18 of Regulation (EU) No 1380/2013. Such delegated acts may supplement this Regulation by laying down rules regarding:

- (a) characteristics of fishing gear, in particular mesh size, hook size, construction of the gear, twine thickness, size of the gear or use of selectivity devices to ensure or improve selectivity;
- (b) use of the fishing gear, in particular immersion time, depth of gear deployment, to ensure or improve selectivity;
- (c) prohibition or limitation to fish in specific areas to protect spawning and juvenile fish, fish below the minimum conservation reference size or non-target fish species;
- (d) prohibition or limitation on fishing or the use of certain types of fishing gear during specific time periods, to protect spawning fish, fish below the minimum conservation reference size or non-target fish species;
- (e) minimum conservation reference sizes, to ensure the protection of juveniles of marine organisms;
- (f) other characteristics linked to selectivity.

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 1(1)(f) omitted by [2020 c. 22 Sch. 11 para. 9\(2\)\(a\)](#)
- Art. 1(1)(i) omitted by [2020 c. 22 Sch. 11 para. 9\(2\)\(a\)](#)
- Art. 1(1)(j) omitted by [2020 c. 22 Sch. 11 para. 9\(2\)\(a\)](#)
- Art. 1(1)(k) words omitted by [2020 c. 22 Sch. 11 para. 9\(2\)\(b\)](#)
- Art. 1(2A)(2B) inserted by [S.I. 2019/1312 reg. 7\(2\)\(c\)](#)
- Art. 2(9) inserted by [S.I. 2019/753 reg. 25\(3\)](#)
- Art. 3(4A) inserted by [S.I. 2019/753 reg. 25\(4\)\(c\)](#)
- Art. 4(7)-(9) inserted by [2020 c. 22 Sch. 11 para. 9\(4\)\(d\)](#)
- Art. 7(3)(a) omitted by [S.I. 2019/753 reg. 25\(7\)](#)
- Art. 7(5)-(7) inserted by [2020 c. 22 Sch. 11 para. 9\(7\)\(b\)](#)
- Art. 9(1)-(1D) substituted for Art. 9(1) by [S.I. 2019/1312 reg. 7\(4\)\(a\)](#)
- Art. 11(1A)(1B) inserted by [S.I. 2019/1312, reg. 7\(5\)\(ba\) \(as inserted\) by S.I. 2020/1542 reg. 17\(4\)\(b\)](#)